

MINUTES OF THE LICENSING SUB COMMITTEE HELD ON THURSDAY, 15 JANUARY 2026, 7:00PM – 11:30PM

PRESENT: Councillors Anna Abela (Chair), Makbule Gunes and Nick da Costa

1. FILMING AT MEETINGS

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

2. APOLOGIES FOR ABSENCE

There were none.

3. URGENT BUSINESS

There was no urgent business.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. SUMMARY OF PROCEDURE

The Chair provided a summary of the procedure for the meeting.

6. APPLICATION FOR A REVIEW OF A PREMISES LICENCE AT THE VICTORIA STAKES,1 MUSWELL HILL, LONDON, N10 (MUSWELL HILL)

Presentation by the Licensing Officer

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

- This was a review application.
- The review application had been submitted by a local resident citing concerns about noise, public nuisance and impact in nearby residential properties.
- The premises had a licence that allowed it to supply alcohol.
- A copy of the premises licence could be found in the agenda papers.
- The supply of alcohol was ancillary to a meal.
- As the premises could sell alcohol for consumption on the premises, it therefore benefitted from the automatic right to provide regulated entertainment in the form of live or recorded music between the hours of 08:00 to 23:00 under the exemption regulations.

- During the consultation period, representations were received from the Noise team, residents supporting the review application and residents in support of the premises.
- There was also an informative email included from a planning officer providing an overview of the current situation.

In response to a question from the Sub-Committee, the representative for the premises licence holder, Mr Niall Mccan, stated that the outside area included the area that was 'covered'. This was referred to as the 'outside backyard'.

Presentation by the review applicant

Ms Oonagh Shiel, a resident and the review applicant, informed the Sub-Committee that:

- She was not opposed to the business.
- She was aware that the premises was a much loved, beautiful and valued community asset.
- She had lived in the area for years with very few issues under the previous ownership. When problems did arise, they were dealt with very quickly and respectfully and a review application was never needed.
- How the premises was being run had changed. Since the changes in management, the impact on her home life had been constant, intrusive and exhausting.
- The review was not about one loud night or a single summer event. The disturbance had continued, including weekdays, early mornings and times when the yard was otherwise empty.
- She lived and worked from home. The area was also where her child studied, where her family ate and spent time together.
- Since mid 2025, there had been regular amplified music and loud voices from the covered dining area, early morning and late-night disturbance from cleaning and staff activity, mechanical noise from equipment running on and off overnight and light pollution from lights left on too long after closing time.
- There had also been events of a scale and intensity that completely overwhelmed her household. Her home was very close from the covered dining area and the separation was a thin garden fence, a wooden fence that was slatted, had gaps in parts and was poorly repaired in some parts.
- There had been repeated occasions where she had been able to clearly identify songs, individual conversations inside every room in her home even with all windows and door closed. She could hear individual conversations, speeches and shouting.
- On some occasions, she had her children and had had to leave the home because the noise was simply too overwhelming.
- This was not hyper-sensitivity, but the persistence of noise.
- Residents were describing in terms of noise was not a technical reading, but was the repeated evident experience of noise inside homes over time and confirmed by noise officer attendance.

- The Council's Noise officers had attended and witnessed disturbance from the outdoor area. They had spoken to management.
- Planning enforcement had already reminded the premises of its obligations in relation to the use of the premises.
- Formal reports had been made on the premises, so concerns had been logged consistently through the proper channels.
- There had been a high staff turnover, contradictory explanations about whether equipment was running or not, no consistent point of contact and a lack of clear or reliable responses around mitigation during events, including those operating under temporary event notices.
- She spoke to staff both by phone and in person about excessive noise, rubbish issues and practical mitigation.
- She deliberately asked for communication in writing to avoid misunderstandings and to keep an accurate record. For example, she emailed the licence holder's representative on 17 October 2025 saying she was happy to meet to discuss matters, but did not receive a reply to her email.
- She did not think written communication was unreasonable when impacts were ongoing and serious.
- She did not believe that a well-run premises allowed customers to control sound systems or left music playing in an empty yard.
- She was asking for clear, enforceable conditions that restored basic residential protection and predictability including no live or amplified music, no speakers in the rear covered dining area, clear limits on the use of the space as dining only, a defined closure time for the yard of 22:00 and controls on cleaning, plant and equipment, so residents were not disturbed in their homes.

In response to questions, Ms Shiel informed the Sub-Committee that:

- Under the previous ownership, the premises seemed to be a very well-run pub. The previous owner seemed to be very responsive and wanted to have good relations with their neighbours. She could sense that it was a very community-minded operation.
- In relation to noise, there was a pattern in the week under the previous ownership, but the usage and the intensity of the premises had increased under the new ownership. Thursday, Friday and Saturday nights were busy, because there were afternoon events on a Wednesday afternoon, for example. It became very difficult for her to be able to plan what she could expect in her own home.
- The noise was linked to both the larger events and the more regular day-to-day operations of the premises. She could expect a few busy nights a week.
- Dating from mid-June 2025, there were some WhatsApp messages between her and the premises manager regarding timing of construction work, music playing in the covered dining yard at 06:00. Under the previous ownership, she had a good route of communication with various premises staff. As noise began to get more overwhelming, she tried to email the premises. She contacted the operations manager to explain how it was becoming more and more difficult to work and live in her own home with the noise coming from the pub. Later, the current manager came into the premises and communication continued on email. She spoke to staff in person.

- She had to ring the premises on several occasions to ask them to turn down the music or to tell them that the music was still playing in the covered dining yard when the lights when the pub was closed. She had expressed that she felt written communication was safer given the large number of incidents that were recurring.
- When the premises held wedding a reception, there were speeches set up or microphones set up in the corner beside her living room. She once sent a video to the licence holder of what she could hear inside her home - a very vulgar type of wedding speech.
- The microphone was then moved to the further side of the of the yard which made a big difference.
- She had asked what mitigations were going to be put in place around the time a temporary event notice had been given and did not receive an answer.
- In relation to the additional proposed conditions, the assurances were very welcome, but she would be more comfortable if the conditions were part of the licence.

Presentation by supporters of the review application

Mr Craig Bellringer, Noise and Nuisance Officer, informed the Sub-Committee that:

- The Noise and Nuisance service had received complaints since July 2025. Officers had been and witnessed loud people noise from inside residents' property.
- He had personally met with the operations director in the summertime and explained the uptake of complaints received about noise from the outside area.
- His team had not witnessed any statutory noise issues from the premises.
- He had suggested some conditions for that could mitigate some of the noise and issues reported by the review applicant.
- He was in agreement with most of the conditions proposed by the licence holder, but he was aware that the area was not soundproofed. It was an open area and there were residential properties close by. A large patronage with background noise and speeches provided potential for public nuisance.

In response to questions Mr Bellringer, informed the Sub-Committee that:

- One of the proposed conditions was that there should be no outdoor regulated entertainment. A terminal hour for this could be placed to give local residents a quieter period of the day. It was possible to hear a large amount of people speaking and talking in the outside area during large events.
- There had been one report of noise in 2016 followed by 55 reports from July 2025.
- He had received videos of DIY works being carried out at night time, which he brought up with the management. There had been no instances of statutory

nuisance that had been observed such as loud music or anything to issue any enforcement notices.

- Officers had attended the premises twice following reports. He had attended once.

Councillor Cathy Brennan informed the Sub-Committee that:

- She had been contacted by the review applicant and had visited her home. She had been surprised to see that she lived very close to the premises.
- When she had attended the premises in the past, she often found advertisements outside on an A-board stating that the outside area was open for events so it was obviously used quite a lot.
- She liked the premises and felt it was a community amenity. She attended it often.
- The community did not want to lose the pub. However, she could not accept residents' lives being made difficult.
- She could not understand why certain areas needed to be used for wedding speeches when there was an upstairs area.
- The premises was quite large. There was a downstairs area and an upstairs area. The downstairs area inside the premises did not disturb the review applicant.
- She could not understand why the speeches for weddings needed to take place outside under the covered area.
- The outside area was originally designated when it when planning permission was given to use it. There was a specification that no loud music would be played in the area specifically because of the review applicant's proximity to the premises. The area was supposed to be a quiet dining area. The area could not possibly have been intended to have loud parties. She had heard rowdy singing even though many people were not there.
- Patrons did not often sing rowdily in the pub. The rowdy noise would be difficult for the review applicant to live with.
- There had been no complaints previously. There had been lots of complaints recently.
- In relation to the background music, the licence holders may say they were only playing background music, but there was an interpretation of background music. The background music played at the premises seemed to be too loud.

Mr Paul Eagles, resident, informed the Sub-Committee that:

- The main issue was the covered courtyard and the lack of planning for the area.
- Over 20 years ago, the planning proposal at the time was to convert what was then a neglected roofless yard into a covered dining area alongside three work and living units.
- The area was a quiet residential area and the Council assured residents that strict conditions would be in place to protect them from noise and disturbance. Permission was granted only for a covered dining area, nothing further. For

many years, this arrangement worked. The operators respected the conditions and residents had no objections.

- In recent years, the conditions had been repeatedly and deliberately ignored. The yard had shifted from a dining space to a premises for events and functions. There was a concern with the increase in noise levels since the last change in ownership. In 2002, the Council had specified particular building materials be used because the shape of the roof would amplify sound. This was why noise even carried over to residents much further down the area.
- On one occasion, when loud music was disturbing his home, his wife and he attended the premises and spoke to the manager and asked him to measure the noise using the premises' own decibel meter. There were measurements recorded between 80dB and 90dB. They were also informed that the DJ regularly hired there had been told he could go up to 100dB. This was incompatible with the residential setting and directly contradicted the planning conditions.
- The planning permission was approved strictly as a covered dining area and was not to be used other than as an ancillary use to the premises. This was so that the premises would not lead to intensification of use and attraction of traffic as that would be detrimental to the amenities of occupiers of nearby residential.
- There was also to be no amplified or live music. Despite this, the premises' contract stated that the playing of music was allowed until 22:30 for people hiring the premises, directly contradicting the planning restriction.
- The licence holders openly acknowledged a significant number of music breaches over the past two years. As long-standing residents, it was believed the Council now had a duty of care to act.
- The Council should have clear enforceable legal conditions, including a breach of condition notice. These protections were promised when the scheme was approved over 20 years ago and the Council now had the opportunity to put this right.
- He asked the Sub-Committee to insert new conditions. This would include a reinstatement of the regulations of the covered dining area. A prohibition on all amplified sounds and speakers, not just music. A ban on smoking on the first-floor fire escape, ensuring that the fire door was not used and kept open. Finally, a regulation preventing the covered dining area from being hired out by third parties or used for weddings or private functions. It should be for the pub dining area. Thirdly, given the operator's own admissions along with private and Council evidence, the Council should consider what further legal action was appropriate against the licence holders for knowingly disregarding planning controls. The premises had operated successfully for more than a century as a pub and dining room. There was no reason it could not continue to do so legally, responsibly and in harmony with residents.

In response to questions, Mr Eagles informed the Sub-Committee that:

- A prohibition on all amplified sounds and speakers was necessary, not just the one that stated no live or amplified music. There should not be any sound systems because the noise carried too far.
- The planning permission was granted as a dining area but it was being used as an event space. It was never meant to be used as an event space.

- On the occasions when he had been disturbed by noise, it was mostly from the covered yard, but if there was an event on the first floor, it could not necessarily be heard if the fire doors were not propped open with a fire extinguisher. Upon this occurrence, it was as if the music was being played in the covered yard. The shape of the roof was a concertina. This amplified the sound out.
- The Council granted a wedding licence to the premises, but residents had not been affected so badly in the past. The area had been used for many years used as a as a dining area only. He had complained to the Council, but there was no longer a phone line to actually report noise.
- There were there were times when the Council had written to the premises to say they were not allowed background music in the covered yard, but it did not seem like this had been enforced.

Presentation by the premises licence holder

Mr Niall McCann, representative for the premises licence holder, informed the Sub-Committee that:

- This was a licensing hearing, not a planning hearing. Planning was not relevant to the application.
- The premises was not breaching conditions. There was no condition on the premises licence relating to amplified noise outside.
- The licence holders had applied for a certificate of lawful use because, they say (and had witness statement evidence to confirm) that the licence holder had been able to play amplified music in the backyard for a continuous period of over 10 years.
- There had been an impression made that the licence holders had not been willing to engage or had been standoffish and this was incorrect.
- Mr Lewis Johnson's witness statement showed that the licence holders had appended all his emails to the applicant and on numerous occasions had asked to meet.
- It was often the case that the operator of a licensed premises had had not undergone relevant consultation, but this is not the case for this premises.
- The licence holder had spoken to the review applicant by chance having run into her on the street.
- After the application was made, there had been a brief meeting. Unfortunately, this was a video-conference meeting and not in person. It would be useful if meetings could be held with the review applicant at the premises.
- The licence holder was a very friendly individual and not intimidating.
- The review applicant appeared to be happy with the conditions offered. He understood her concern that she wanted the conditions to be enforceable.
- Conditions, once placed on a licence, following a review or following a variation, needed to be enforceable. Breaching a licensing condition was a criminal offence, possibly resulting in prosecution and a large fine.
- He accepted that there had been some failings, but the licence holder had listened for concerns raised and had already taken the appropriate steps.

- The first floor had a fire escape. This door was kept closed at all times (the area was not used for smoking) and there was a sign saying 'for emergency use only'. This could be conditioned.
- There were two occasions when, with two staff overlooking, the lights had been kept on all night. This had been changed and a timer had been set. A condition had been appropriately offered.
- In relation to the microphone relating to a portable speaker, the licence holder had one very small portable speaker for speeches and there was another speaker that was used for background music. A request was made to move the speaker and this had been done.
- The applicant had already addressed the concerns, but since the review application had been made, expert advice was sought and a detailed report had been completed. Some suggestions had been made about how the premises operated with music the suggestions would be accepted. There was also a noise management policy. There were other conditions.
- In relation to background music, this was not regulated and did not actually require a premises licence. In 2012, the Live Music Act was implemented and any licensed premises was allowed to have live recorded music up to 23:00. In any case, any premises such as a post office or shop was allowed to play incidental music. The two main tests for this was if voices had to be raised to communicate and how much the music was the focus of the premises.
- The applicant was happy for the Sub-Committee to remove automatic right to play recorded music and only have background music.
- Any environmental health officer visiting the premises would know the difference between regulated and background music.
- Noise limiters could be adopted to ensure that even premises staff could not override the system.
- He did not accept that the operation of the premises was substantially different than under the previous ownership.
- The previous owner was a regular at the premises and maintained that the use of the covered backyard area used to be more intense with louder music. This was supported by 186 representations and emails from the review applicant where she had actually made complaints before.
- Public nuisance did not mean that there could not be any noise whatsoever. Mr Bellringer had confirmed that there had not been any statutory noise nuisance, otherwise a noise abatement notice would have been served. Section 102 guidance stated that licensing authorities should focus on the effect the licensable activities had in the area around the premises, which may be disproportionate or unreasonable. What was disproportionate and reasonable depended upon the facts. The premises was on a busy road intersection in a mixed-use area with live/work units which had been constructed relatively recently. The premises had been there for over a hundred years.
- No matter how well run the premises was, it was inevitable there would be an element of noise from staff closing or opening the premises or it could be a patron laughing too loudly over their dinner. This did not necessarily constitute public nuisance.
- The applicant had made numerous complaints. The total number of complaints was around 55. It was likely that many of these had come from the review applicant.

- Making a complaint was not evidence of public nuisance. Officers had attended and not witnessed any public nuisance when they had visited the premises. Two amicable meetings had been held with them.
- There had been video snapshots collated. The premises was videoed constantly. The licence holder had been videoed in his own private apartment. If any premises was videoed constantly, it would always be the case that there would be incidents recorded of one nature or another. This did not mean that every licensed premises should be reviewed and have their licences curtailed.
- The agenda papers reported no evidence of public nuisance.
- No responsible authority had submitted a review application. Many review applications were brought by responsible authorities. This was not the case at this hearing.
- There were no representations from the Licensing Authority or the Police.
- The representation from Mr Bellringer was nuanced. Usually for a 'nuisance' premises, environmental health officers would work to ensure that the premises licence was either revoked or subject to significant penalties. This was not the case at this hearing.
- He was happy to have no regulated music outside and for noise limiters put in place as per Mr Bellringer's representation and the noise management plan.
- The premises had overwhelming support with 186 representations in favour as opposed to seven or eight supporting the review application. That was almost unprecedented. Many who lived close by and had properties overlooking the premises confirmed that there had not been any public nuisance and they had not witnessed any crime and disorder.
- Financial considerations had always been important in Licensing, but they were now key given the current extremely difficult trading conditions of pubs, the Government had fortunately decided that financial decisions or concerns should come to the forefront and the revised section 102 guidance and the recent licensing framework stated that licensing must support broad ambitions including business investment, growth and local jobs.
- There were consequences of cutting the hours of the covered backyard which would remove dinner service altogether (along with the playing of background incidental music). If such measures were taken, the premises would not be viable and this would mean that the premises would shut down resulting in a loss of jobs.
- Licensing Sub-Committees were quasi-judicial and the guidance stated that determinations should be evidence-based and justified as being appropriate for promoting the licensing objectives and proportionate in terms of what it was intended to achieve. He asked that the Sub-Committee be proportionate and appropriate by placing the conditions offered on the licence. These were legally enforceable and went the whole way to addressing concerns raised by the review applicant.
- The licence holder was happy to engage with residents.

In response to questions, Mr McCann, Mr Richard Vivien (also representing the licence holder) and Mr Lewis Johnson, the licence holder informed the Sub-Committee that:

- A single named individual or a specific email address or a phone number would be made available for residents to contact which would be monitored during operating hours which residents could use.
- The noise management policy included a lot of best practice controls such as a limiter on the sound system so that a maximum level could not be exceeded. Every new staff member on the team went through the noise management policy just as new starters in the kitchen would go through the food hygiene policy. The document was operational and dynamic. If something changed, such as where the refuse was collected or what times 'bottling out' happened, then the policy would be revised, usually with the engagement of the Council's environmental health officer. Many licensed premises did not have this agreement in place. It would be implemented by somebody in a manageable role and non-compliance could have employment consequences.
- When a new member of staff started with the business, management would go through the rules and regulations. The licence holder lived on the premises and would be able to regularly monitor all progress at the premises.
- The licence holder would be happy to have a condition whereby training had to be updated after a certain amount of time
- In relation to complaints, the licence holder had responded extremely quickly to any that had been received - within one day - even when had been on holiday. As the licence holder lived on the premises, all complaints went directly to him or the acting manager if he was away.
- The licence holder would be happy to potentially organise resident meetings on a regular or semi-regular basis.
- Some of the conditions requested by residents slightly overlapped with Planning. Some residents did not want any music in the backyard covered area. There would be no regulated music - only low-level background music. The request that nobody smoked on the fire escape on first floor was covered by the second proposed condition. In relation to events, a condition had been offered of a notice of any pre-book event for over 50 people to ensure that people were notified. They wished for the Sub-Committee to adopt these conditions as opposed to any different wording of conditions.
- The licence holder would give notice in writing of any pre-booked event for over people in the backyard to any local resident for request to be notified. The purpose of giving notice was so people were not taken by surprise if there was an event like a wedding. If residents had any concerns about how the event was going to operate, they could phone or email the premises.
- Residents who had made a representation were able to email into the Council saying they wished to be notified or could email the premises directly to ask to be notified of any future events. A notice could be put up as well if required.
- There had been more complaints recently and this was not something that the licence holder could judge. However, it was possible to explain that the operation of the premises had not changed substantially in the last 10 years. If anything, the number of events and the level of music had decreased. In relation to the videos taken, it was explained in detail in the supplemental report that recordings taken with a smartphone were not accurate and was not indicative of public nuisance.

- The report could be found in the additional papers. One of the recordings from 29 December 2025 was taken in an area above the canopied roof. There were residential balconies there or any residential external amenity space. The area was a live/work unit. In the recording, somebody was holding a phone out of a window above the roof canopy and filming the guests of the premises in their dining space. This was not representative of the noise level that was inside a bedroom or inside a living room. Although there were a substantial amount of recordings, there did not appear to be any that were filmed inside a property where somebody would normally be resting or sleeping.
- There would be noise at the premises as there would be in any pub beer garden anywhere, but noise levels that residents experienced within their homes, bedrooms, where they may wish to rest and sleep was at an acceptable level that was not a statutory nuisance and not a public nuisance. The complaints were subject to an investigation and Mr Bellringer had visited and had stated that he had attended the premises including a large wedding reception where there had been noise, but not at a statutory noise nuisance level that was materially interfering with people inside their property.
- The Council had a noise app which acted as a triage system for the Council to assess if a complaint needed need further investigation. In addition to the 55 complaints, none of them had resulted in an officer being able to substantiate a nuisance. When the licence holder first took over the premises, there was an incident whereby somebody took control of the sound system. This would not be possible in the future because the applicant was offering to remove the relaxation of having regulated live and recorded music.

At this point in the proceedings in response to a question, the Legal advisor to the Sub-Committee stated that planning matters were for planning hearings and as this was a licensing application, planning matters could not be considered at the meeting.

In response to further questions, Mr McCann, Mr Vivien and Mr Johnson informed the Sub-Committee that:

- Parking was a planning issue. The premises had held events for over 10 years. If patrons parked illegally, this was covered by other legislation. Many would walk or use public transport. This was not an application for a new licence.
- There would always be quieter and busier times of the year when it would be busy and more staff would be taken on to actually supervise the premises.
- In an event like a wake, it was catered for and the premises needed to buy relevant food. Staff would liaise with relatives of the deceased and it was clear who would attend. This would be the case for any event where the premises was being hired out, it would be possible to monitor how many patrons were in the downstairs, upstairs or outside areas.
- The view of the video taken on 29 December 2025 was an overhead view through the roof space. The sound was recorded at a very low level. To make an analysis, the sound was boosted and analysed. There were many irregularities about the video and a detailed explanation of why it could not be submitted as evidence had been provided. The Council was authorised to assess whether something was a statutory nuisance or not. As per the investigation, no statutory noise nuisance had been found.

- Measurements made on a mobile phone could not be submitted as evidence of a statutory noise nuisance. It was not possible to calibrate and quantify it.
- Mr Richard Vivien had been engaged by the licence holder, but was an independent consultant. If he was not, he would become discredited and not consulted by operators or residents.

Presentation by interested parties

Mr Chris Reed, resident supporting the premises, informed the Sub-Committee that:

- He was a regular at the premises.
- The premises was at the heart of the community.
- Both of his children had jobs at the premises.
- He had attended many events and had organised events at the premises. He had also dined at the covered yard.
- A couple of years ago, he saw the premises under the previous owner start to be extremely rigorous about sound levels upstairs with the sound monitor which was rigorously enforced.
- Premises staff rigorously enforced the access to the fire escape and prevent access to the fire escape used to be used for as a smoking area, but this had stopped.
- He had never witnessed any public nuisance, crime or disorder.
- The previous management took a great pride in the relationship with the local community and this had helped the premises become successful. Those relationships allowed issues surrounding sound in particular to be sorted out very fast.
- There had been 55 complaints which had been presented and some local residents were upset. However, he was impressed with what he had heard in terms of the noise management policy adding strict conditions.
- He was in favour of the noise limiters and restrictions.
- In the past, the premises had been at the heart of the community by putting on World Cup matches and these included volume on the television.
- The premises played a role in the local community. Recently there were patrons who attended the premises to do an art class upstairs.
- There may well be a need to be more formal restrictions, but this would need to be decided by the Sub-Committee.
- There premises had been there for 100 years. Part of a landlord's role should be to try and maintain brilliant good with the local community.
- He would like to see the Sub-Committee maintain the licence for the premises.
- He would like to see all sides to find a way to bring back a more neighbourly approach.
- The premises was generally very well run and with some tweaking, it could be run even better for the next 100 years.

In response to questions, Mr Reed informed the Sub-Committee that:

- The sound limiter was still present at the premises.

- A few years ago, the management of the premises took smoking in the fire escape area very seriously and stickers were placed on the door to make it clear that the area was a fire escape and not for smoking. It was also the glass collector's job to stop patrons from going out the door.
- There appeared to be less focus on the beautiful outward appearance of the premise. Part of this was where the bins were put out.

To conclude, Ms Shiel stated that assurances from the operator was welcome, but residents needed predictability. The review hearing showed that without clear and enforceable limits, problems would recur and residents would be left relying on repeated complaints. She was not asking for the premises to be closed but for conditions that reflected how the premises successfully operated in the past and protected neighbouring homes. Clear restrictions were needed on amplified sound in the rear covered area, defined hours for its use and controls on cleaning and equipment. Clear conditions would provide certainty and prevent problematic situations from happening again.

To conclude, Mr Bellringer stated that the Sub-Committee should look through proposed conditions and add any appropriate conditions that they believe would mitigate the noise and give response to local residents.

To conclude, Councillor Brennan stated that she liked the premises, but there seemed to be too much noise coming from the outside area. Voluntary measures were open to interpretation. Clear licensing restrictions were needed as there would be a change of ownership again at some point and the same problem may arise. The premises was originally intended only for quiet dining.

To conclude, Mr Eagles stated that many residents had been affected by the premises and had disturbed rest and sleep. His daughter was regularly affected along with other residents. Planning regulations had been ignored and this had led to public noise and nuisance that residents were complaining about.

To conclude, Mr McCann stated that the licence holder wanted the same thing as the applicant. Specific conditions had been suggested to be placed on a licence that would not just bind the licence holder, but any successors as well. The Sub-Committee was encouraged to adopt the proposed precise conditions because they had been drafted to ensure they were enforceable and made sense. However, there had been three further conditions mentioned which were sensible and the licence holder would happily have these added as well. Firstly, a condition requiring training, a regular catchup-training of staff in respect of the noise management plan. Secondly, making available a phone number for residents to contact the premises. Thirdly, to offer regular meetings with residents. He would like to get to know the local area even more and we would welcome such condition on the licence. The applicant and the licence holder were holding the same positions.

To summarise, Mr Reed, stated that the premises had been present for over 100 years and he wished to see it continue. He looked forward to the Sub-Committee's adopting conditions. He also looked forward to a way for the premises and residents to establish a more formal dialogue where everyone felt heard and their issues addressed.

At 9:10pm, the Sub-Committee adjourned for a short break and reconvened at 7:25pm.

Adjournment and Decision

Later, at 11:30pm, the Sub-Committee withdrew from the meeting together with the Legal adviser and clerk to deliberate in private. The Sub-Committee had heard and considered representations from all those who spoke. Legal advice was given to the Sub-Committee on the options open to them and the need for any decision to be proportionate. The Sub-Committee decided to grant the application subject to conditions.

RESOLVED:

The Licensing Sub Committee carefully considered the application for the review of a Premises Licence at: The Victoria Stakes, 1 Muswell Hill, London, N10 3TH.

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 Human Rights Act, The Environmental Protection Act 1990 part III The Clean Neighbourhoods and Environment Act 2005 The Clean Neighbourhoods and Environment Act 2005, Section 17 of the Crime and Disorder Act 1998 the report pack, and the applicant's and objector's representations.

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

CONDITIONS:

The Committee requires the Applicant to adhere to the Conditions proposed by the Applicant at pages 13 & 14 of the application & at page 138 paragraph 7 of the Committee papers in addition to a condition that waste management be dealt with so that the premises be kept in a clean and hygienic condition. The conditions are as follows:

1. There shall be no outdoor regulated entertainment.
2. The fire exit door on the first floor shall be kept closed at all times except in the event of an emergency.
3. The premises licence holder shall ensure that any patrons drinking in the backyard of the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance.
4. The premises licence holder shall give notice in writing of any pre-booked event for over 50 people in the backyard to any local resident that requests to be notified.
5. The premises shall have a Noise Management Policy which will be made readily available to any statutory authority upon request.
6. No cleaning shall take place between close and 08:00hrs on the following day and all cleaning companies will be asked to instruct their staff to ensure that noise levels are kept to a minimum.

7. There will be no use of microphones in the backyard from 20.30hrs until the premises opens the following morning.

8. All lights in the backyard will be switched off within 30 minutes of the terminal time that the area is permitted to be used by patrons.

(a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Haringey Police Licensing Team.

(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.

9. 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. 10. Management must ensure that patrons do not obstruct the public highway in any manner whilst outside the premises.

11. 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.

12. Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.

13. The Premises shall be kept in a clean and tidy condition and waste management shall be dealt with effectively and expeditiously to ensure no nuisance or annoyance is caused to any owner or occupiers of neighbouring properties.

REASONS:

The committee gave serious consideration to the submissions by the Applicant and to the concerns raised by all the objectors and the owners and operators of the Premises and their numerous supporters. It was noted that the main area of concern for the Applicant was the prevention of public nuisance objectives being impacted by the noise emanating the rear covered area of the premises in breach of the planning condition in place, she also raised concerns re public safety, crime and disorder and protection of children from harm. Whilst Planning have confirmed that there is an application for a Certificate of Lawful use under consultation for the rear covered area this is outside the remit of the licencing Sub Committee. In fact there is specific guidance (Section 182) under the Licencing Act which emphasises separating planning and licencing to prevent inefficiency. This means that a licence may be granted which does not mirror planning consent and vice versa. The Committee, whilst noting the numerous noise complaints received by Haringey believes that the conditions referred to above will serve to alleviate the worries and concerns raised by the owners and occupiers of neighbouring property. It should also be noted that the

above conditions are legally enforceable and breaching any of them can lead to a review of your premises licence and / or a prosecution under section 136 of the Licensing Act 2003. The potential sanctions are significant ie 6 months in prison and / or an unlimited fine In light of the above, it was deemed that a grant of the application with the above conditions balanced the interest of the Applicant, the residents and the licencing 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 applicant is notified of the decision. This decision does not take effect until the end of the appeal. Or, in the event that an appeal has been lodged, until their appeal is dispensed with.

7. TOTTENHAM POST OFFICE, 824-828 HIGH ROAD, TOTTENHAM, LONDON, N17 0EZ (NORTHUMBERLAND PARK)

Presentation by the Licensing Officer

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

- This was an application for the variation of an existing premises licence.
- The application sought to extend the times for alcohol sales.
- A copy of the application could be found at appendix 1 and was seeking a sale of alcohol 07:00 to 02:00 Monday to Sunday for consumption off the premises.
- During the consultation period, representations had been received from the Noise and Nuisance officer, from Police and from residents.

Presentation by the applicant

Mr Vishal Patel, representing the applicant, informed the Sub-Committee that:

- The licence holder had taken over the small family-run post office and convenience store in July 2025 and had operated responsibly with no licensing complaints or incident.
- He fully respected considerations from the Noise team, Police, residents and any ward councillors regarding drinking, antisocial behaviour, nuisance and the Clear, Hold, Build initiative. He supported these efforts and aimed to contribute positively.
- As per the Licensing Act and the Council's policy, decisions should be open-minded and based on the specific evidence presented regarding the premises and not general assumptions.
- He hoped the Sub-Committee approached the hearing fairly.
- None of the representation cited problems caused by the premises. There had been no crime, no noise logs, disorder or any incidents under the applicant's management.
- The concerns raised were area wide and not specific to the well-managed business.
- The application had strong measures for the licensing objective with 24 hour by CCTV with 35 days retention, trained staff, a strict Challenge 25 policy, refusal

- to sell to intoxicated customers, well managed logs, external checks to prevent loitering, good lighting, no audible noise outside the premises.
- This had worked flawlessly in the last six months with zero issues.
 - The applicant was happy to add conditions, no single sales of alcoholic drinks, enhanced dispersal to support the whole phase.
 - As a small business, the applicant needed extended hours to serve shift workers, late commuters and stadium visitors offering safe supervised access over unregulated sources.
 - Nearby premises had similar permissions. Without this, it was hard to compete, sustain jobs and keep the high street vibrant.
 - If the full seven days to 02:00 was too much, perhaps due to the weekends, the applicant was happy to accept amendments like limiting the terminal hour of 02:00 to Fridays and Saturday nights initially. This would provide meaningful support while monitoring progress.
 - The applicant preferred all days, but was flexible and committed to safe operations. Granting this or with modifications aligned with area improvements and would help the 'Build' phase (of Clear, Hold, Build) by supporting a responsible small business.
 - He would ask the Sub-Committee to grant the variation as sought or with proportionate conditions including a phased approach to Friday and Saturday to give the small business the support it needed while upholding the objectives.

At this point in the proceedings, the Sub-Committee decided to extend the meeting past 10:00pm in order for the meeting to be concluded.

In response to questions, Mr Patel informed the Sub-Committee that:

- The premises was within very close walking distance to the Tottenham Hotspur Stadium nearby and therefore the business would benefit from the increased footfall that would happen on event days at the stadium.
- The business could have taken the option of submitting a temporary event notice (TEN) 10 clear working days before a proposed event at the stadium and ask for the ability to extend alcohol sales for a longer period. The previous licence holder had remained on the licence as the DPS and was aware of TENs and the requirements around these. However, a variation was sought for a terminal hour of 02:00 each day. There was nothing in the application about event days.
- His preference would be for the premises to open until 02:00 on event days (at the Tottenham Hotspur Stadium) only. The only reason the application had been made was because continually submitting TENs with a small business would be more difficult than simply having a licence. Any resident or passer-by would not reference the premises as being open as late as 00:00. The premises was a family run business and if there were issues in the area, the premises shutter would be brought down and closed to make it safer for staff.
- The application was about continuing to run the business during evening when events were being held. If there was any provision in the Council where it was possible to have a licence for event days then he would be happy to apply for that.
- It was not convenient to apply for a TEN every single time there was an event.

- Extension of operating hours on Friday and Saturday alone should be enough for the applicant. Events at the stadium did not last particularly long on Sundays.

The Licensing Officer stated that events being held in the area would commonly cease by 23:00.

In response to further questions, Mr Patel informed the Sub-Committee that:

- Some of the football matches finished at 22:00 and he wanted to operate when the business would be busier.

The Licensing Officer stated that there were conditions that the Police would want to put in place around alcohol sales times in relation to football matches being played in the area. Some matches had a concerted effort to deter and reduce alcohol sales.

In response to further questions, Mr Patel informed the Sub-Committee that:

- The Sub-Committee could consider Fridays and Saturdays as a starting point. He understood the restrictions from the Police and the premises would be able to comply with regulations. The premises did not have any issues operating and another premises in the area had permission to sell alcohol for 24 hours. If the application was granted so that the premises could operate until 02:00 for Friday and Saturday, the applicant would be happy to accept it.
- If residents reported any issues, he would be happy to amend the operating hours. The applicant wanted to continue serving the community including as a post office.
- The events he referred to were events being held at Tottenham Hotspur Stadium.
- There was a premises nearby which operated during event days and nights and operated very late. The applicant did not wish to lose the patrons in the area and the applicant trying to make sure that patrons would attend his premises and use the services offered.
- Door security staff was already available and usually in place if a large crowd was in the area to make sure that the premises was safe and secure.
- The doors were sound proof so noise did not escape. If people were seen to be standing outside, a staff member would ask them to leave.
- Loitering and drinking outside was happening outside of the premises. It was not possible to control what happened down the street and it was something that the Police would be aware of.
- He would like to start settling up the business and see whether it could grow and improve or be able to provide services to patrons late in the night.
- He wanted the premises to operate during the day and to continue doing so in the evenings as well. The business was seeing patrons going to other areas further down the road where alcohol was sold. The applicant wanted to keep the patrons as customers at the premises as if they attended during the day, then they could also visit the premises during evening. If the patron attended another premises, then they often did not return even during the daytime. To

have extended hours during Fridays and Saturdays would be beneficial, but the main target was to be able to operate during event days. Many football matches often went into extra time or were subject to delay. This was when the events finished late into the night. Having access to these patrons would allow the business to be viable and keep the staff on board.

- The premises was a big property; the space on one side was for the post office, and the other side would be used for alcohol and the central area would be used for groceries. He lived in a flat above the high street above the business and understood what happened if any noise was made. This was why staff were serious about how it was going to run the business and would not wish to operate a licence that would cause any trouble.
- He would make sure the premises complied with regulation and did not create issues for the residents.
- The premises was like a big box with a post office counter on the right-hand side with greeting cards at the front of the area. The middle area had a few racks with different type of foods. There was a freezer with frozen food and there was a big rack where alcohol was sold on the left-hand side. There were two shop front with lots of storage space. The space was not being used at present. The space would be used to display more product.
- There would not be any seating space. The additional area would be used for the groceries as there already was enough space for alcohol.
- The premises could be described as a Tesco with a Post Office.
- The White Hart was a premises in the area that had a 24-hour licence.
- The front of the premises where the business was located was something that had to be considered from a licensing point of view.
- He was aware of what happened in the street. If the premises closed at 23:30, any sales after this point would not be sold by the premises. He also did not have any control over people bringing alcohol from their homes. Antisocial behaviour in the area had been decreasing.
- No attempts had been made to open the premises using a TEN. The applicant had operated a fried chicken shop in the past and had not realised that acquiring a licence would come with challenges. However, being a good business person, he wished to explore potential growth as much as possible.
- He was happy to submit temporary event notices.
- After an event had finished, there were patrons who would like to have alcohol or there were people who worked during late hours. This was why the applicant wanted to operate later on Fridays and Saturdays or the event days. A local event also meant that patrons may be watching the event somewhere in London and heading back home later and this was where customers could be found and be served before they went home.

Presentation by interested parties

Ms Selina Emmanuel informed the Sub-Committee that:

- Her concerns involved the prevention of crime and the prevention of guess more public nuisance. There were also issues regarding existing antisocial behaviour in the area.

- The premises opening for longer hours would exacerbate the issues in the area.
- There were issues with public drinking and loitering in groups outside the premises.
- There were also issues with urinating and vomiting on the street.
- The issues occurred late at night. There were people that could be found loitering up to 18:00.
- The loitering prevented residents in the area from accessing a walkway in the area. There were no cameras in the area.
- Residents had raised concerns repeatedly regarding antisocial behaviour leading to a community crime fighting event that was held by in November 2025.
- The application was unclear because originally the applicant wished to extend operating hours until 02:00, but it appeared that now the applicant wished only to operate until 02:00 on event days.
- She would inform her children not to use the walkway.
- People would come into the area and vomit including on event days.
- People urinated in the area as well.
- People loitered outside the premises.
- Police had been called in the past to tend to issues and there had been knife crime issues including two stabbings.
- The applicant stating that they would put down the shutters in case of issues were thinking of their own safety not the safety of residents.

In response to questions, Ms Emmanuel informed the Sub-Committee that:

- The people loitering were probably are selling drugs as well as drinking.
- She had seen up to 20 people loitering at times.
- There were vulnerable people that lived around that area.

Councillor John Bevan informed the Sub-Committee that:

- All documentation and representations made against the premises was true and was not exaggerated.
- The area was a problematic area.
- There was sheltered housing behind the premises – an older people's sheltered housing.
- The Police in the past had visited the premises to talk to retailers selling alcohol about what was going on in the area. They had visited the premises as well.
- He walked around the area late at night particularly when there was an event at the Tottenham Hotspur Stadium.
- There were never any event attendees at night. By 00:00 or earlier, the area would be completely cleared. This included the recent boxing events.

In response to questions, Councillor John Bevan informed the Sub-Committee that:

- He objected to the application.

Mr Craig Bellringer, Noise and Nuisance Officer, informed the Sub-Committee that:

- It was not clear what the application was asking for and it looked like a request for a variation application.
- When a representation was made about the issues of antisocial behaviour, he then received emails from the applicant to say that the application was only for a matchdays.
- The applicant was informed about the use of temporary event notices.
- There were issues in the area regarding people drinking and people loitering in the street. A premises staying open for longer hours would exacerbate the issue.
- The premises could be subject to a proof of concept via the use of temporary event notices.

PC Novak and PC Costache informed the Sub-Committee that:

- PC Novak had been a police sergeant for a number of years and had worked on many of the events that took place at the Tottenham Hotspur Stadium and he actively discouraged the sale of alcohol during events and any alcohol consumption on the street.
- Police robustly enforced using the public space protection order to confiscate any open cans or bottles of alcohol.
- The Police operated a Clear, Hold, Build framework in the area and had around a 23% reduction in crime.
- In the immediate vicinity of the premises, there had been a very stubborn antisocial behaviour problem linked to alcohol and drugs. This had been acutely felt by the community.
- Many meetings had been held and the issue was raised with MP David Lammy (regarding antisocial behaviour in the area)
- The Police also recently set the ward panel meeting a pledge to the community to reduce violence with injury offences.
- There was a direct link between the sale of alcohol and violence with injury offences.
- The application would be contrary to policing plan and the pledges made to the community.
- The concern was primarily related to the prevention of crime and disorder, the prevention of public nuisance and public safety.
- The premises was located in close proximity of the Clear, Hold, Build footpath and an area that continued to experience significant levels of antisocial behaviour, particularly in the evenings.
- There were reports of public drinking, noise groups gathering late in the night, violence and drugs.
- Extending operating hours would likely increase footfall at times when the issues were more prevalent and when police resources were at their lowest.
- Whilst they appreciate the applicant engagement and willingness to work with Police, the measures proposed did not sufficiently mitigate the risk identified.

- The Police did not support the application and would advise that if the applicant wished to open later for a specific event or occasion, they may wish to give a temporary event notice instead.
- When the applicant stated that other premises in the area had longer hours, it was worth noting that each premises licence was considered on its own merits based on specific locations, operating style and the evidence available at the time of the application.
- Some of the premises had been granted their hours under different circumstances.
- Police concern was not about fairness between the premises in the area but about the current and ongoing risk associated with the specific location particularly antisocial behaviour.

In response to questions, PC Novak and PC Costache informed the Sub-Committee that:

- In relation to other licensed premises in the area, the licences were granted when the conditions in terms of antisocial behaviour were different.

In response to a question, the Licensing Officer stated that one of the licenced premises was ones that applied in 2005 to have extended hours and make use of new Licensing Act at the time. The Sub-Committee was still able to consider the cumulative impact taking place in a location when determining a new application or a variation that seeking extended times for alcohol sales. Other new premises had opened in the area, but had been food-led premises that served alcohol. There had not been any off-licences or other such premises in that time. The Sub-Committee was able to consider if granting another premises to sell alcohol for extended hours would contribute to improving the area or be a negative impact on the area.

To summarise, Mr Patel stated that the business was flexible and he did understand that each application was assessed on its own merits. The objections were more based on assumptions, rather than fact and issues needed to be looked at by the right authorities. The first shop on the road had a licence to sell alcohol. His premises was five or six shops down the road. The premises had not had any issues. There had not been any concern raised for his premises. He would ask the Sub-Committee to examine the premises and the proposal. The business wanted to make sure that it survived. If the premises was having issues showed that the staff did not have control of the area and was not ready to improve. Late night businesses had a positive impact to residents. If someone was moving into the area, it provided assurance that the high street was progressing and helped attract residents to the area rather than scaring them away. The premises was business led by business people who wanted to work where the business could make money and survive on the high street. He would ask support from the authorities so that the premises could do business. He was always ready to support the Council or the authorities if they wanted an issue addressed. He was happy to change operating hours in future if required. If the application was granted to allow operating extended hours on Fridays and Saturdays, he was happy to have restrictions on the licence. He was also happy to have some conditions on the

licence. He was ready to work with the residents and happy not to sell single cans of alcohol.

To summarise, Ms Emanuel stated that due to the issues in the area, it had become a priority for the Police, the Council and the residents to make the area a safer community for the residents in the area.

To summarise, Councillor Bevan stated that he agreed with everything that had been said which was all true regarding the opposition to the application.

To summarise, Mr Bellinger stated that he did not support the application.

To summarise, PC Novak stated that the applicant should consider how the application benefited the community. The sale of alcohol late at night had a negative impact on the community. The applicant could consider giving temporary event notices. He would not be able to support the application.

Adjournment and Decision

At 11:30pm, the Sub-Committee withdrew from the meeting together with the Legal adviser and clerk to deliberate in private. The Sub-Committee had heard and considered representations from all those who spoke. Legal advice was given to the Sub-Committee on the options open to them and the need for any decision to be proportionate. The Sub-Committee decided to refuse the application.

RESOLVED:

The Licensing Sub Committee carefully considered the application for a variation of a Premises Licence at: Tottenham, Post Office, 824-828 High Road, Tottenham, London, N17 0EZ (NORTHUMBERLAND PARK

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, Section 17 of the Crime and Disorder Act 1998, the Human Rights Act and the applicant's and objector's representations. Having considered the application and heard from all the parties, the Committee decided to REFUSE the application.

REASONS: The Committee gave serious consideration to the submissions by the Applicant and to the concerns raised by the objectors- particularly the Police. The premises is located in a terrace of shops with residential above.

The premises is situated in an area that is currently under special measures due to the level of anti- social behaviour taking place, including street drinking and drug taking. The measures are led by the Police under Clear, Hold, Build. The local operation is focusing in and around Northumberland Park and the aim is to return it to a location which residents, businesses and visitors can enjoy. The Police

representative advised that there is a direct link between the sale of alcohol and violence.

It was noted that the Applicant stated that the reason for their application was not to sell alcohol from 7am until 2am every day. They advised that it was simply to extend the licence to 2am when there was a local event with a post 11pm finish to avoid having to apply for individual Temporary Event Notice (TEMS licence) each time. However it was noted that the Applicants had not tested out how onerous/commercially viable obtaining a TEMS licence would be despite the Committee being advised that there were only two events that finished past 11pm in 2025.

The Committee can see no justification as to the necessity for a variation to the licence as opposed to simply obtaining a TEMS licence as and when necessary. In addition they are permitted to consider the cumulative impact in an area that is blighted with street drinking, and anti-social behaviour. The Committee believes that to extend the licence to 2am would have a detrimental impact on the local community. In light of the above, it was deemed that a refusal of the application balanced the interests of the applicants, the local residents and the licencing 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 applicant is notified of the decision. This decision does not take effect until the end of the appeal. Or, in the event that an appeal has been lodged, until their appeal is dispensed with.

8. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

CHAIR: Councillor Anna Abela

Signed by Chair

Date