

**MINUTES OF THE LICENSING SUB-COMMITTEE C
MONDAY, 26 JANUARY 2009**

Councillors Beacham (Chair), Dodds and Scott

MINUTE NO.	SUBJECT/DECISION	ACTON BY
LSCC19.	<p>APOLOGIES FOR ABSENCE</p> <p>There were no apologies for absence.</p>	
LSCC20.	<p>URGENT BUSINESS</p> <p>There were no items of urgent business.</p>	
LSCC21.	<p>DECLARATIONS OF INTEREST</p> <p>None received.</p>	
LSCC22.	<p>MINUTES</p> <p>RESOLVED</p> <p>That the minutes of the Licensing Sub Committee meeting held on 16 December 2008 be approved.</p>	
LSCC23.	<p>SUMMARY OF PROCEDURE</p> <p>Noted.</p>	
LSCC24.	<p>THE MOLL CUTPURSE, 58-60 HIGH ROAD, N15 6JU (SEVEN SISTERS WARD)</p> <p>The Licensing Officer, Ms Barrett, presented the application by Mr Paul Gonsalves, for a license to allow for the provision of regulated entertainment and sale by retail of alcohol at the above premises. The Committee was advised by the licensing officer, that the Police had made representations, under the Prevention of Crime and Disorder objective, that due to the later hours applied for it was felt that a digital CCTV system should be installed at the premises. The system should be capable of recording for 28 days and should be able to take digital images of people entering the premises. The recordings must be made available to Police officers and the Local Authority on request. This request had been agreed by the applicant. Representations had also been received from the Noise Team and Mr Pearce was in attendance to present recommendations. Further representations had also been submitted on behalf of local residents on the grounds of noise problems, anti-social behaviour from people within the vicinity on a daily basis.</p> <p>The Committee enquired whether it was normal to extend hours on Bank Holiday weekends and in response was advised that it was normal practice for applicants to make this request.</p> <p>Mr Pearce, representative from the Noise Team addressed the</p>	

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Committee and requested that if the application were to be granted for recorded and live music then they would want to see conditions in place so residents would not be affected. The conditions outlined in the report, if adhered to would reduce the likelihood of residents being affected by noise. The officer outlined those conditions on page 30-31 of the report which were suggested should be considered.

The Committee enquired of the Noise officer, whether there had been any complaints received by residents and were advised there were none.

The applicant's representative informed the Committee that the application was for a new premises licence with the same conditions as on the current licence with the exception that the one hour extension on a Monday Bank Holiday would now not be required and would accept a variation to the application.

The Committee was further informed that the applicant already had a personal Licence, was a qualified as a door supervisor and intended to live on the premises. The applicant had proposed to employ a bar supervisor who would also have a personal licence.

The applicant's representative further addressed the comments raised by local residents, who raised objections regarding the extension of operating hours. It was pointed out to the Committee that the applicant had applied for the current operating hours. The Committee was reassured by the applicant's representative that there was no evidence of notices being issued to the premises and that the applicant intended to keep all the doors/windows shut during licensable activities as a new ventilation system had been installed. A sound system would also be installed as advised by the Noise Team and the recommendation advised by Mr Pearce would be complied with.

The Committee enquired of the applicant whether patrons smoked outside the back and front of the premises and in response was advised that they were only restricted from taking drinks outside after 10:30pm. The licensing officer further advised the Committee that the area was subjected to a street drinking zone.

RESOLVED

That the Licensing Sub Committee 'C' decided to grant the application as amended subject to the mandatory conditions and the operating schedule.

1. Mandatory condition 19.
2. Opening hours as applied for with the exception of the removal of the additional hour requested for on Bank Holiday Monday.

Subject to the following additional conditions:

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	<ol style="list-style-type: none"> 3. All doors and windows will remain closed during the regulated entertainment activities. Doors used for patrons to enter or leave the premises will be fitted with a self-closing device and staff told to ensure that they are not propped open. A member of staff shall be required to ensure doors are opened for as brief a period as possible. 4. The licensable activities shall conclude a minimum 30 minutes before the premises are due to close, to prevent excessive noise breakout as the premises empties. 5. Entrance/exit from the premises whilst regulated entertainment activities are ongoing shall be via a lobbied door to minimise noise breakout. 6. All speakers are to be mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties. 7. Adequate receptacles for use by patrons will be provided in the local vicinity. The positioning of the receptacles will be agreed with the Licensing Officer. 8. 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. 9. Illuminated external signage shall be switched off when the premises are closed. 10. Security lights or flood lights shall be positioned to minimise light intrusion to nearby residential premises. 	
<p>LSCC25.</p>	<p>THE POACHERS, 423 LORDSHIP LANE, N22 5DH (WEST GREEN WARD)</p> <p>The Licensing Officer, Ms Barrett, presented the application and advised that this was a variation application to allow extended hours for provision of regulated entertainment and sale by retail of alcohol at the above premises. Ms Barrett also advised that the premises would continue to observe the existing conditions on the premises licence operating schedule during the extended hours as amended by this application. Ms Barrett further advised the Committee that the Noise Team had made representations and would like to make amendments to their report. Further representations had also been received from local residents who objected to the extended hours due to noise nuisance coming from the premises, rowdy behaviour and fighting of patrons.</p> <p>Mr Pearce, the Noise Team representative addressed the Committee and advised that the requested operating hours were inappropriate due to the close proximity of residential dwellings. He outlined those</p>	

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conditions recommended in his report which could prevent nuisance to residents, given that complaints had been received but not in the recent past.

A local resident voiced concerns regarding past events that there had been noise nuisance until 1:00am however, more recently the doors had been kept shut and this seemed to work. It was reiterated to the Committee that if this could be continued there would be no concerns.

The applicant's representative addressed the Committee and advised that this application requested earlier operating hours from 10:00am. The premises were taken over in November 2008, from the previous owner and since then no issues related to noise nuisance had been received. Given that there had been live music events since November 2008, the application for regulated live entertainment could be contained as recommended in the conditions suggested by the Noise Team representative.

In response to questions raised by the Committee the applicant's representative explained that the extended hours were to enable flexibility for the provision of regulated entertainment as it was proposed that live music would not always finish at the end time. The applicant was agreeable to live music ending at least one hour prior to the close of business.

The Licensing officer clarified to the Committee that the applicant had not requested that the condition relating to door supervisors be removed from the application. However, the previous Committee had not provided times for the condition.

The Legal officer requested clarification on the use of the back outdoor area and in response was advised that it was a small area enclosed by walls and was a better area to contain people who wished to smoke and who could only gain access to the area from inside the pub.

RESOLVED

That the Licensing Sub Committee decided to grant the application subject to the mandatory, the conditions in the operating schedule of the existing licence and the following additional conditions:

1. The new hours shall be as applied for with the exception of live music which shall be:

Sunday to Monday 10:00 to 23:00
Friday and Saturday 10:00 to 24:00

2. All doors and windows will remain closed during the regulated entertainment licensed activities except for entrance and egress. Where necessary adequate and suitable mechanical ventilation should be provided to public areas.

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	<ol style="list-style-type: none">3. Entrance/exit from the premises whilst regulated entertainment licensable activities are ongoing shall be via a lobbied door to minimise noise breakout.4. The licensee shall ensure that no music is played in the licensed premises is audible inside any neighbouring residential property after 10:30pm.5. No music will be played in, or for the benefit of patrons in the external areas of the premises. This includes the use of loud Television or similar equipment in outside areas of the premises.6. Signs shall be displayed in the beer garden/on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours.7. No drinks will be taken outside the premises after 10:30pm.8. 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 complainants name, location, date, time and subsequent remedial action undertaken. This record must be made available at all times for inspection by Council officers.9. A member of staff will be positioned on the exit door to ensure, as far as possibly practical, that patrons do not leave the premises with their drinks.10. 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.	
LSCC26.	ITEMS OF URGENT BUSINESS There were no new items of urgent business. The meeting concluded at 09:15pm.	

Cllr David Beacham
Chair