

**MINUTES OF THE SPECIAL LICENSING SUB-COMMITTEE B
MONDAY, 12 MAY 2008**

Councillors *Peacock (Chair), Reid and Dodds

* Members present

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCB01.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received from Cllr Lister for whom Cllr Dodds was substituting.</p>	
LSCB02.	<p>URGENT BUSINESS</p> <p>There were no items of urgent business.</p>	
LSCB03.	<p>DECLARATIONS OF INTEREST</p> <p>None received.</p>	
LSCB04.	<p>SUMMARY OF PROCEDURE</p> <p>Noted.</p>	
LSCB05.	<p>OLD ALE EMPORIUM PUBLIC HOUSE , 405 GREEN LANES N4 (HARRINGAY WARD)</p> <p>The Special Licensing Sub Committee (the Committee) was asked to consider an application to allow regulated entertainment, the provision of late night refreshment and supply of alcohol, to open and to serve alcohol thirty minutes before the start of any major televised international sporting event and thirty minutes after the end of this event, removal of the restrictions on hours for licensable activities for Good Friday and Christmas Day so that whatever day of the week these respective days fall on the hours for the day apply.</p> <p>The Licensing Officer, Ms Barrett presented the report and outlined points 6, 6.1 and 7. In point 6.1 of the report the Licensing Officer stated that the Metropolitan Police representations had partially been agreed, in terms of the wording in relation to non standard timings to now read “to open and serve alcohol thirty minutes before the start of any major televised international sporting event and thirty minutes after the conclusion of the event following consultation with the local Chief of Police”. There was a further outstanding matter in relation to the absence of any licensing conditions offered by the applicant. The applicant’s representative had tabled a document outlining the conditions they had proposed in line with the licensing objectives. The licensing Officer further informed the Committee that representations had been received from the Noise Team and interested parties and there were residents in attendance at the meeting.</p>	

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The Committee questioned the Licensing Officer on whether any of the licensable activities applied for were outside of the premises and in response was advised there would be no out of doors activities.

The Noise officer addressed the Committee and advised of the following representations:

- The operating schedule did not address airborne noise.
- Noise generated by patrons in and outside of the premises.
- The premises should close no later than 1:30hrs.
- That regulated entertainment ceases at 1:00hrs

The Committee queried whether there had been noise complaints or problems in the past and was informed, in response that there had been no complaints for these premises, however these were standard comments for all applications.

An objector addressed the Committee regarding the main concerns for residents and it was noted that there had been a change in the nature of the pub, which had become a destination for late night noise and nuisance. Other concerns raised were:

- The use of the outside area
- Tables and chairs along the pavement
- Lateness of the operating hours
- The fact that the area was a heavily residential area with 2/3 storey flats.
- Frequent experience of people urinating in the front gardens of residential properties opposite the pub.
- Representations had been received from Ward Cllr Alexander and the Chair of governors of South Haringey School.
- Shared the concerns raised by the Noise Team.

Further representations were noted by other residents who objected on the grounds that the late hours requested were unreasonable, as the doors to the premises could not be kept shut. The alleyway beside 97 Burgoyne Road was used as a urinal. Patrons constantly slammed car doors after leaving the premises.

The Committee enquired whether any residents had complained to the Council's noise team in the past and in response was advised that the noise team had been called out during the night.

The applicant's representative addressed the Committee and stated that urinating in resident's gardens was unacceptable. If this had been brought to his attention he would have taken action. The Committee was reassured that no forms of regulated entertainment were to be held outside of the premises. The Pub would remain as a local public house and it was not their intention to become a destination pub. The applicant's representative further informed the Committee that planning permission had been granted to use tables and chairs outside for 17 people. It was proposed to move the tables and chairs back in under the

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first floor inside the pub as it would provide shelter. This would also be a place for smokers to go instead of the public highway and on to the Green Lanes area.

It was the applicant's intention not to change the profile of the pub but address and reduce the concerns of residents. It was further noted that there were no concerns raised by the Police. The applicant had undertaken to publicise his telephone number so that residents could report complaints directly to the licensee.

The Committee was advised that the applicant had not received any complaints about this usage and requested that smokers not be restricted until 12:30am. In respect of door staff, there had never been trouble in the past, and therefore it was not envisaged that the clientele would require them.

In respect of music the applicant was happy for this not to be audible to nearest residential property and it was not intended to operate the pub with live music or DJ's every night of the week.

The Committee enquired of the applicant's representative at what time would patrons stop using the tables and chairs outside and how they would stop patrons from making a noise after 11:00pm. The representative responded that the tables and chairs would be brought in earlier if patrons were allowed to smoke outside past 12:30am. Patrons noise would not be restricted to the lower ground area at the front of the premises and not on Burgoyne Road.

The objectors summed up their representations and raised serious concerns regarding the lateness of the operating hours. There would be a number of people congregating outside the premises once closed and requested the Committee to consider the hours requested and the number of people allowed to use the outside area as airborne noise carried. The objectors welcomed the offer of the telephone number that residents could make use of.

The Noise Officer requested the Committee to make use of door staff, limit the number of smokers and people using the outside area.

The applicant's representative summed up by stating that the new smoking area would address some of the residents concerns.

RESOLVED

The Licensing Sub Committee (the Committee) has decided to grant the application to vary the premises licence as follows:

1. For the sale of alcohol an additional two and a half hours every Sunday and two hours every Monday to Saturday until 01:00 the (following morning) and also an additional two hours at the start of every Sunday to open at 10:00am.
2. To permit films, indoor sporting events, live music, performance of

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dance, provision of facilities for dancing and karaoke Sunday to Friday 10:00 until 01:00 and Saturday 11:00 until 01:00.

3. To permit recorded music Sunday to Friday 10:00 until 01:30 and Saturday 11:00 until 01:30.
4. To permit late night refreshment Monday to Sunday 23:00 until 01:30.
5. Films, recorded music, performance of dance and the provision of facilities for dancing are to take place only indoors.
6. An additional thirty minutes drinking up time on top of the last permitted sale of alcohol.
7. An additional hour after usual closing time every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend and every Friday, Saturday, Sunday and Monday following each May Bank Holiday, Spring/Whitsun Bank Holiday and August Bank Holiday weekend and every Christmas Eve, Christmas Day, Boxing Day, St George's Day and St Patrick's Day. For all of the above all of the licensable activities with the exception of late night refreshment will cease half an hour before closing.
8. From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day.
9. Removal of the restriction on hours for licensable activities for Good Friday and Christmas Day so that whatever day of the week these respective days fall on the hours for that day apply.

And subject to the following additional conditions:

1. That the mandatory statutory condition under Section 19 and 20 of the Act be adhered to.
2. That the licensee complies with the provisions of the operating schedule.
3. That alcohol shall only be sold to a young adult able to produce valid proof of age by means of:
 - Passport
 - Photo driving licence
 - Proof of age standard card, or
 - Home Office citizen card
4. All doors and windows will remain closed during the licensed activities. Where a door is used for patrons to enter or leave the premises the door will be fitted with a self-closing device and staff told to ensure that it is not propped open.
5. The licensable activity shall conclude 30 minutes before the premises are due to close to prevent excessive noise breakout as the premises empty.
6. All necessary measures shall be taken such as speakers being mounted on anti-vibration mountings to ensure that there is no sound energy to adjoining properties.
7. The licensee shall ensure that music played in the licensed premises is audible at or within the site boundary of any residential property.
8. All entertainments will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.
9. No music will be played in, or for the benefit of patrons in the external

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	<p>areas of the premises.</p> <p>10.No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises.</p> <p>11.Signs shall be displayed on the frontage instructing 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.</p> <p>12.Deliveries and collections associated with the premises shall not be arranged between the hours of 22:00 and 08:00 so s to minimise the disturbance caused to neighbours.</p> <p>13.Empty bottles and non-degradable refuse will remain in the premises at the end of the trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed.</p> <p>14.All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise.</p> <p>15.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.</p> <p>16.Signs should be displayed instructing patrons to respect the neighbours and behave in a courteous manor.</p> <p>17.Illuminated external signage shall be switched off when the premises is closed.</p> <p>18.Security lights will be positions to minimise light intrusion to nearby residential premises.</p> <p>19.Tables and chairs are to be brought inside by 10:30pm each evening.</p> <p>20.The outdoor smoking area and immediate vicinity surrounding the premises is to be swept and cleaned prior to opening each morning.</p> <p>21.A dedicated telephone number will be provided to any resident who requests it in writing to enable them to contact the licensee during licensable hours when they witness breaches of the licensing objectives.</p>	
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Cllr Sheila Peacock.....
Chair

Cllr Ray Dodds.....
Committee Member

Cllr Errol Reid.....
Committee Member