

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 8 JULY 2008**

Councillors Beacham, Patel and Vanier

SLSC01.	<p><b>APPOINTMENT OF THE CHAIR</b></p> <p><b>RESOLVED</b></p> <p>That Cllr Patel be appointed as Chair for the duration of the meeting.</p>	
SLSC02.	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence.</p>	
SLSC03.	<p><b>URGENT BUSINESS</b></p> <p>None received.</p>	
SLSC04.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest.</p>	
SLSC05.	<p><b>SUMMARY OF PROCEDURE</b></p> <p>Noted.</p>	
SLSC06.	<p><b>EXCLUSION OF PUBLIC AND PRESS</b></p> <p><b>RESOLVED</b></p> <p>That the Public and Press be excluded from the proceedings</p>	
SLSC07.	<p><b>APPLICATION FOR A PERSONAL LICENCE</b></p>	
SLSC08.	<p><b>RE-INCLUSION OF PUBLIC AND PRESS</b></p> <p><b>RESOLVED</b></p> <p>That the Public and Press be invited to re-join the proceedings.</p>	
SLSC09.	<p><b>THE SWAN PUBLIC HOUSE, 363 HIGH ROAD, LONDON N17</b></p> <p>The Licensing Officer, Ms Barrett, presented the report which set out a new application by Punch Taverns PLC to allow the Sale of Alcohol, Late Night refreshment and Regulated Entertainment at The Swan Public House, 363</p>	

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High Road, London N17 6QN. Ms Barrett reported that the previous licence at the premises had been revoked following a review, and that the present application was completely new. It was reported that the applicant had agreed to additional conditions in consultation with the Police and Fire Officer, as a result of which their representations had been withdrawn. Representation had been received from an interested party. Mr Man, an interested party as landlord of the property adjacent to the premises, requested to introduce late documentary evidence consisting of a letter from residents but this was not permitted as agreement was not reached with the applicant.

Mr Man asked how the Council intended to monitor nuisance at the premises if the licence were granted. Ms Barrett reported that the enforcement team would make regular visits to the premises, in addition to which any complaints received regarding the premises would be investigated and dealt with under the relevant legislation. If there were evidence of nuisance being caused in relation to the premises, a review could be brought by responsible authorities or interested parties.

The applicant's representative outlined the recent history of the premises and indicated that Punch Taverns was now seeking to ensure that an appropriate tenant was in place to operate the premises. The current application was for the same licence as was previously held at the premises, but with a number of additional conditions and a new management team in place. In addition to the existing conditions of the previous licence, and those conditions agreed with the Police and Fire Officer, the applicant was willing to respond to the concerns raised by Mr Man and proposed to reduce the hours for Live Music to 00:00 Monday to Sunday and to look at ways of addressing the issues relating to the extractor fan, such as installing an odour purification system. It was felt that the conditions proposed would be sufficient to meet the licensing objectives.

Mr Man asked the applicant's representative how they could be sure that residents would not be disturbed by the premises. The applicant's representative responded that the conditions proposed would address these issues, as part of which the management team would be monitoring the level of noise at the premises. The applicant clarified that although a licence was sought to permit Live Music until 00:00 each day, this did not mean that there would be Live Music performed each day until 00:00. It would be the manager's decision as to when Live Music would be scheduled within the hours permitted by the licence. In response to a question from the Committee regarding sound

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insulation, the applicant reported that they would not wish for this to be a condition of the licence, and that if sound levels were correctly monitored then the issue of sound emanating from the premises could be controlled without insulation.

The interested party, Mr Man, expressed concern regarding the suitability of the location as a licensed premises due to its proximity to residential property. He added that the hours for Live Music that had been applied for were unreasonable in a residential area and would negatively affect local residents. The position of the extractor fan at the premises was such that it was impossible to make use of the garden at the property he owned due to the odour from the fan.

In summation the applicants stated that they felt the conditions proposed would adequately promote the licensing objectives, and Mr Man stated that his main concern was the issue of noise. The Police asked that the Committee fully consider the list of conditions proposed.

**RESOLVED**

The special Licensing Sub Committee (the Committee) decided to grant the application with the following amended hours together with additional conditions.

- To accept the amendments to the hours for Live Music, to between 20:00 and 00:00 Monday to Sunday. These hours apply except for Christmas Eve and the Saturday and Sunday preceding each bank holiday, when Live Music can continue for an additional hour. Live Music is permitted from the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.
- The provision of Late Night Refreshment shall cease 30 minutes prior to the premises closing to enable the premises to close promptly.
- That the mandatory conditions under Sections 19, 20 and 21 of the Act be adhered to.
- That the licensee complies with provisions of the operating schedule.
- The premises will not reopen for business until such time as all the work detailed in the plan attached to the LFEPA letter of 13 May 2008 has been completed, inspected and approved by the LFEPA.
- The extractor fan is to be relocated, replaced or fitted with filters to minimise odour.
- All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that they are operating efficiently and with minimal disturbance to neighbours arising from odour and noise.

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- The management of the premises will adhere to the guidance in the Metropolitan Police “Safe and Sound” Policy (or updated version when applicable), with a documented door search policy including drug seizures and disposal of the same.
- A drugs safe and log system will be employed at the premises to account for the seizures of drugs from customers. The management will liaise with Police for regular collection of seized drugs.
- An incident book will be maintained and used at the premises. Upon request this should be available for inspection by Police or Local Authority Officers.
- The premises are to operate a zero tolerance policy to illegal drugs and weapons and refuse entry to any person found with a weapon or illegal drugs.
- Search procedures must ensure that all reasonable steps are taken to avoid weapons and illegal drugs from entering the premises. Any customer who refuses to be searched must be refused entry.
- A log of security personnel employed at the premises will be maintained. This must include their full name, address, phone number, SIA badge number and hours of operation. It will be the responsibility of the DPS / manager to ensure that the security staff details and permission to work from the SIA are current.
- All reasonable efforts will be taken by the management and door staff to ensure that customers leave in a quiet and orderly manner upon leaving the premises.
- The premises are to permanently exclude any person found with a weapon or illegal drugs at the premises as well as customers known to have contributed to crime or serious disorder at the premises.
- Any information regarding crimes committed within the premises, including suspected drug dealing and violence, should be reported to the police immediately or as soon as is reasonably practicable.
- No alcohol, bottles or glasses shall be taken outside the premises.
- The premises shall prominently display signage informing customers:
  - a) To leave the premises quietly and to respect the local residents.
  - b) CCTV is in operation and Police have access to the footage.
  - c) Searching of customers prior to entry is a condition of entry. No search – no entry.
  - d) Any person found carrying weapons or illegal drugs will be permanently excluded and the Police will be informed.
- The premises will be searched each evening, prior to

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closure, to ensure that no weapons or drugs have been secreted for later collection.

The following three conditions are to replace the conditions volunteered in the operating schedule in relation to CCTV:

- A CCTV system covering areas inside and outside of the premises should be updated and maintained according to recommendations with properly maintained log arrangements and recordings kept for a minimum of 30 days.
- A CCTV system that complies with the Data Protection Act 1998 and must be working and correctly recording when the premises are open.
- Copies of recording from CCTV are to be provided to Police and Local Authority officers on request.

The Committee took into account the written and oral representations from interested parties and were satisfied that the mandatory and other conditions imposed would promote the licensing objectives and meet any legitimate concerns raised.

Cllr Jayanti Patel  
Chair