

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE
MONDAY, 22 JUNE 2009**

Councillors: Edge, Patel and Thompson

In attendance: The Applicants and their representatives, Joyce Golder (Legal Officer), Dale Barrett (Lead Licensing Officer), Derek Pearce (Noise Enforcement Officer), Police Representatives, Natalie Cole (Clerk) and other Council Officers

15 Members of the public

SLSC01.	<p>ELECTION OF CHAIR</p> <p>RESOLVED that Councillor Patel act as Chair for this meeting.</p>	
SLSC02.	<p>APOLOGIES FOR ABSENCE</p> <p>There were no apologies for absence.</p>	
SLSC03.	<p>URGENT BUSINESS</p> <p>There were no declarations of interest in relation to items on the agenda.</p>	
SLSC04.	<p>DECLARATIONS OF INTEREST</p>	
SLSC05.	<p>SUMMARY OF PROCEDURE</p> <p>The Committee noted the summary of procedure.</p>	
SLSC06.	<p>ORDER OF AGENDA</p> <p>RESOLVED to vary the order of agenda to accommodate the Police Representatives in attendance. The minutes will show the items in the order in which they appear on the agenda.</p>	
SLSC07.	<p>THE OLD ALOYSIANS, ST ALOYSIUS COLLEGE, SPORTS FIELD, HURST AVENUE, HORNSEY, LONDON, N6 5TX The Old Aloysians, St Aloysius College, Sports Field, Hurst Avenue, Hornsey, London, N6 5TX</p> <p>RESOLVED that this item be deferred until a future hearing. Due to standing orders the meeting could not continue past 22:00 hrs.</p> <p><i>Clerk's note: The Old Aloysians Application was considered at the Licensing Sub-Committee held on 7th July 2009.</i></p>	

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SLSC08.

**PLACE TROCADERO, 12 ST LOYS ROAD, TOTTENHAM,
LONDON, N17**

The Committee received an Application for a new Premises License for Place Trocadero, 12 St Loys Road, Tottenham, London, N17 and noted the representations made by the Police, Noise Team and Fire Authority.

Clerk's note: The Committee adjourned at 19:45 until 19:55 to allow interested parties to liaise with each other and agree a small number of speakers to represent them.

The Committee noted the following comments from interested parties in objection to the Application:

- Concerns that noise disturbance, anti-social behaviour and litter would continue to blight the area.
- The lack of arrangements to deal with excessive rubbish which had been dumped behind the premises.
- The premises displayed no official opening hours.
- Patrons often double-parked their vehicles in the streets to stop and talk with patrons outside the premises, causing obstructions.
- Patrons gathered outside the premises and did not appear to use the facilities inside.
- Patrons had been witnessed urinating in the area near the premises.
- Police time was being wasted attending the premises.
- Patrons appeared to purchase alcohol from nearby shops and drink it outside the premises.
- There was noise disturbance from machines within the premises.

The Committee noted the following information from Derek Pearce, Noise Enforcement Officer:

- There were concerns about noise disturbance, clearly from patrons attending the premises, and late night opening.
- The granting of any licence to play music must be conditioned to ensure it can not be heard from neighbouring premises.
- The premises appeared to sell alcohol without a licence.
- There were no air-conditioning units inside

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the premises; therefore the door was always open, exposing residents to noise.

The Committee noted the representation made by PC Green, Metropolitan Police Officer, including:

- The area in which the premises were situated was associated with drunkenness and disorder. Dispersal and no-drinking zones had been put in place further to the complaints of local residents. In the past, when Police have dispersed groups gathered outside the premises, observation showed that the groups returned inside and, shortly afterwards, went back outside.
- A large amount of alcohol had been seized from the premises despite the Applicant not having a license to serve alcohol. Patrons had been seen purchasing alcohol from inside the premises.
- Materials used or removed during building works had been dumped locally and proved to be from the premises.

The Committee noted the representation made by Kevin Clark, London Fire Authority, including that Mr Clark had written to the Applicant in April 2009 requesting specific details around fire safety plans and had not received any response from the Applicant.

The Committee noted the following comments made by the Applicant:

- Whilst he empathised with local residents, they had not complained directly to the Applicant.
- The Applicant attempted to move people on when they gathered outside the premises and only allowed 3 patrons to go outside and smoke at a time.
- Regarding excessive rubbish outside the premises, the Applicant stated that the contractors would only remove 5 bags when making a collection and that other premises dumped rubbish in the area.

The Committee noted the summary statements from all interested parties and adjourned to consider the Application.

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RESOLVED

That the application for a premises licence be refused for the reasons set out below:

1. Refusal

It was the Committee's decision that on this occasion it would not grant a premises licence. The Committee considered the possibility of granting a premises licence and imposing a number of conditions, however, based on the questions asked of and the answers given by the Applicant the Committee were not convinced that the Applicant had full and properly considered the responsibility of the Licensing Act 2003.

2. Crime and Disorder

There was no consideration in the application for Closed Circuit Television (CCTV), Security Industry Authority (SIA) approved door supervisors, noise limiters or an appropriate area or policy regarding smoking. The Committee was disappointed that despite being mindful of the objections tabled at the meeting the Application did not seem to appear to have entered into any constructive dialogue with any of the residents or the responsible authorities before the meeting.

3. Safety

The Committee heard and expressed concern with both the Police and the Fire Service officers that appropriate clear and safety oriented arrangements had not appeared to have been put in place by the Applicant. Despite the Applicant saying he had sent a response to the Fire Authority based on their letter of 27th April 2009 it was clear from the documents provided in advance of tonight's hearing that the Fire Authority still had outstanding concerns in relation to fire safety at the premises. The Applicant in advance of tonight's Committee should have ensured that the concerns were dealt with rather than attending tonight and saying he had sent something in the post.

4. Public Nuisance

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The local residents also provided examples of public nuisance, specifically noise nuisance, littering and urinating in public.

When asked about air-conditioning in the premises, for example, how a suitable level of air would be circulated when the premises was in attendance he consistently referred to opening up a window at the premises despite the fact it clearly stated on his operating scheduled that doors and windows would be kept shut during the opening hours.

5. Breaches of the Licensing Act 2003

It was of concern to the Committee that the Police had specifically witnessed previous breaches under the Licensing Act 2003 including public nuisance by patrons from the premises, namely urinating and lettering and general failure to support the endeavours of the Police and moving people on in the past.

An applicant must show resolve and commitment to the Licensing Act 2003 and meet any outstanding concerns and the Committee did not feel that the Applicant has shown this. The Applicant is entitled to reapply at a later date and the Committee would encourage him to seriously consider all the issues and concerns raised by the residents and responsible authorities before doing so.

Cllr Jayanti Patel
Chair