

**MINUTES OF THE LICENSING SUB-COMMITTEE A
MONDAY, 7 JUNE 2010**

Councillors Adamou, Demirci and Reid

In attendance:

Ms Dale Barrett - Licensing Officer
Mr Antonios Michael – Legal Officers
Mrs Natalie Cole – Committee Co-ordinator

Also present:

The Applicant
The Objectors

| MINUTE NO. | SUBJECT/DECISION | ACTION BY |
|------------|--|-----------|
| LSCA01. | <p>APOLOGIES FOR ABSENCE</p> <p>There were no apologies for absence.</p> | |
| LSCA02. | <p>URGENT BUSINESS</p> <p>There were no items of urgent business.</p> | |
| LSCA03. | <p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p> | |
| LSCA04. | <p>SUMMARY OF PROCEDURE</p> <p>The summary of procedure was noted.</p> | |
| LSCA05. | <p>QUEENS WOOD LODGE, 42 MUSWELL HILL ROAD, LONDON N10 3JP</p> <p>The Sub-Committee received an application to allow provision of Regulated Entertainment, the Supply of Alcohol and the Provision of Late Night Refreshment at Queens Wood Lodge, 42 Muswell Hill Road, London N10 3JP.</p> <p>Further to no concerns raised by the objectors, the Committee agreed to accept a petition signed by supporters of the application tabled by the Applicant.</p> <p>The Sub-Committee noted the introduction by the Licensing Officer, Dale Barrett, including that the Applicant had agreed to the conditions made by the MET Police and Environmental Health Noise Team, and highlighted that point 9 on Page 232 was misleading and that the premises did not intend to restrict the sale of alcohol to patrons who purchased meals at the premises.</p> <p>The Sub-Committee noted the statement of Councillor Jonathan Bloch (Highgate Ward Councillor) including concerns about the potential for noise disruption and disorder if the application was granted in full.</p> | |

**MINUTES OF THE LICENSING SUB-COMMITTEE A
MONDAY, 7 JUNE 2010**

Councillor Bloch urged the Sub-Committee to limit the sale of alcohol to patrons who purchased meals at the premises and to impose a condition limiting patrons to use the outside area of the premises until 20:00hrs.

In response to the Sub-Committee's questions it was noted that the nearest residential property was approximately 30 yards away from the premises.

The Sub-Committee noted the statement of Mr Hindrich, Muswell Hill road Resident, objecting to the application being granted in full on the grounds of noise nuisance and public safety; the premises was in an unlit area, which was not policed and the ground was uneven and could be dangerous to those intoxicated with alcohol.

Sub-Committee members, officers and the applicant had no questions for Mr Hindrich.

The Sub-Committee noted the statement of Mr McLean, Muswell Hill Road resident, suggesting that alcohol should only be served for consumption inside the premises, which was near to a children's playground, in order to protect children from potential harm.

Sub-Committee members, officers and the applicant had no questions for Mr McLean.

The Sub-Committee noted the statement of local resident, Mr Harvey, requesting definition of the conditions of the application and objecting to the license being granted in full as it could impact local streets due to there being no parking management plan included in the application and potential danger to local wildlife caused by litter being left in the area.

Sub-Committee members, officers and the applicant had no questions for Mr Harvey.

The Sub-Committee noted the statement of local resident, Mr Johns, who raised concerns about noise disturbance and urged the Sub-Committee to not grant the licence in full.

Sub-Committee members, officers and the applicant had no questions for Mr Johns.

The Sub-Committee noted the statement of the Applicant, Mr Shelmerdine, including that that the premises ran as a community project and was eco-friendly but required the licence to be granted to improve financial turnover. The Applicant assured the Sub-Committee that there was no intention of the premises becoming a pub or nightclub of any sort and all evening activities in the premises would be private functions.

In response to some of the objections included in the agenda pack, the Applicant stated that the relevant notices advertising the application had been displayed. Regarding concerns surrounding noise and disturbance the Applicant emphasised that he did not wish for the premises to

**MINUTES OF THE LICENSING SUB-COMMITTEE A
MONDAY, 7 JUNE 2010**

become a nuisance to neighbours and there had been no history of complaints in the past 12 year and the premises had supplied alcohol at private functions under a previous licence for 6 of those years.

In response to questions from objectors, the Applicant:

- accepted that there had been 2 previous complaints about noise from children at the premises and he had accepted the conditions of the Noise Team in order to prevent this.
- stated that if alcohol sales were limited to consumption with the sale of food it would have a substantial financial impact on the premises over the course of a year.

In response to Councillor Reid's concern that the site was not well lit, the Applicant accepted responsibility for ensuring the safety of patrons and assured members that staff would be trained and instructed as required. The Applicant confirmed that there was flood-lighting (using sensors) around the premises and lighting on the veranda and when there were events, sometimes additional lighting was used.

In response to Cllr Reid's suggestion for the premises to use door supervisors the Applicant informed the Committee that staff members were always available to deal with any arising situation and that there was never likely to be more than 50 people at the premises at any one time.

Councillor Adamou asked how the venue dealt with litter, particularly that which might be thrown into the children's playground area. The Applicant explained that the premises utilised recycling facilities and event organisers were charged for the clearing of litter after an event, although there were not usually any empty cans or bottles thrown in the surrounding area.

In response to Councillor Reid's question, the Applicant confirmed that no amplified music would be played outside the venue but that the application included non-amplified music to be permitted outside until midnight.

All interested parties were given the opportunity to summarise their previous submissions and no new information was presented.

The Sub-Committee adjourned at 20:35 hrs to deliberate and reconvened at 21:35.

RESOLUTION

The Sub-Committee fully considered the application, the objectors' representations, the representations of the applicant and those of the responsible authorities. The Committee also gave regard to the borough's Statement of Licensing Policy and the Section 182 guidance.

The Sub-Committee decided to grant the application but only subject to a number of conditions. It was considered that the imposition of the following conditions would be sufficient to promote the licensing

**MINUTES OF THE LICENSING SUB-COMMITTEE A
MONDAY, 7 JUNE 2010**

| | | |
|-----------------------|---|--|
| | <p>objectives and that the application should therefore not be refused outright.</p> <p>The conditions proposed in the operating schedule are imposed unless they contradict the following additional conditions:</p> <ul style="list-style-type: none"> • The premises will close no later than 11pm on Sundays to Thursdays and at no later than midnight on Fridays and Saturdays. Alcohol, however, will cease to be served no less than one hour before all closing times. • The conditions proposed by the police in relation to required proof of age are imposed as is the implementation of the Challenge 21 scheme volunteered by the Applicant. • The conditions proposed by the Noise Team are imposed except that windows will not be required to remain closed at all times on the strict condition that no music played in the premises is audible at or within the site boundary of any residential property. <p>In addition, staff are to encourage patrons to not congregate outside the premises and to remain inside the premises after 10.30pm on all days except to go out for short periods of time for example for those patrons who may wish to smoke.</p> <ul style="list-style-type: none"> • Recorded music may only be played indoors. • Non-amplified live music may be played indoors during operating hours and also outdoors but only until 9pm on Sundays to Thursdays and until 10pm on Fridays and Saturdays. The Committee considered it to be unduly restrictive to impose an outright ban at all times on the playing of non-amplified live music outdoors, for example, the playing of a guitar. • The erection of any tents is not permitted. • The standard mandatory conditions apply and all parties are reminded that if, following the granting of this licence, the licensing objectives have been compromised procedures exist to have the licence reviewed. | |
| <p>LSCA06.</p> | <p>ITEMS OF URGENT BUSINESS</p> <p>There were no new items.</p> | |

The meeting ended at 21:40 hrs

Councillor Ali Demirci
Chair