

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE
MONDAY, 5 NOVEMBER 2012**

Councillors Beacham, Mallett and Peacock (Chair)

Also Present Daliah Barrett (Licensing), Tony Michael (Legal) and Felicity Parker (Clerk)

The Harringay Arms
Benjamin Hare – Applicant
Gregoire Webber – Interested Party
Sian Renfrey – Interested Party

<p>SLSC07.</p>	<p>ELECTION OF CHAIR</p> <p>Councillor Peacock was duly elected to chair the meeting.</p>						
<p>SLSC08.</p>	<p>APOLOGIES FOR ABSENCE</p> <p>There were no apologies for absence.</p>						
<p>SLSC09.</p>	<p>URGENT BUSINESS</p> <p>It being a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17, of Council’s Constitution, no other business could be discussed.</p>						
<p>SLSC10.</p>	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p>						
<p>SLSC11.</p>	<p>SUMMARY OF PROCEDURE</p> <p>The Chair outlined the summary of procedure.</p>						
<p>SLSC12.</p>	<p>THE HARRINGAY ARMS, 153 CROUCH HILL, CROUCH END, LONDON N8 9QH</p> <p>Daliah Barrett introduced the application for a variation to the existing premises licence at The Harringay Arms, as set out in the agenda pack. Representations had been made by a number of Interested Parties (details as set out in the agenda pack), and some of these were in attendance at the hearing. No representations had been made by any of the Responsible Authorities.</p> <p>Ms Barrett informed the Committee that from the 1 October 2012, the provision of live music was no longer a licensable activity between the hours of 0800-2300 hours.</p> <p>In response to Councillor Beacham, Ms Barrett confirmed the opening hours of neighbouring pubs as follows:</p> <table data-bbox="376 2033 1310 2101"> <tr> <td data-bbox="376 2033 647 2067">Devonshire House</td> <td data-bbox="762 2033 1046 2067">Sunday – Thursday</td> <td data-bbox="1150 2033 1310 2067">0800-0030</td> </tr> <tr> <td></td> <td data-bbox="762 2069 1046 2101">Friday – Saturday</td> <td data-bbox="1150 2069 1310 2101">0800-0130</td> </tr> </table>	Devonshire House	Sunday – Thursday	0800-0030		Friday – Saturday	0800-0130
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Kings Head	Monday – Saturday	1000-0230
	Sunday	1000-0130
Railway Tavern	Sunday – Wednesday	1000-0030
	Thursday – Saturday	1000-0130

Mr Gregoire Webber – Interested Party – outlined his representation against the application. There were two pubs close to his home – The Harringay Arms and Devonshire House – and local residents already experienced a significant amount of noise disturbance. Extending the opening hours of the Harringay Arms would allow the premises to stay open for 90 minutes more than Devonshire House, and was likely to encourage those leaving Devonshire House at closing time to continue drinking in the Harringay Arms, rather than making their way home. He was concerned that the full hour requested for ‘drinking-up’ time would encourage binge drinking.

Crouch Hill was a narrow street with tall buildings, meaning that noise was trapped easily. The noise was a particular disturbance in the summer, when most residents had their windows open.

Mr Webber explained that access to the flats where he lived was via an alleyway opposite The Harringay Arms. He had experienced finding people drinking and smoking there, sometimes some disorderly conduct. It was not the safest environment for people to access their homes.

Mr Webber added that he was sorry not to support a local business, but he felt that allowing the premises to open later would only exacerbate existing nuisance issues.

Sian Renfrey – Interested Party – outline her representation against the application. There were concerns of safety for local residents – last week, one of her neighbours had to have stitches in his hand after picking up a broken bottle from the access way to the flats. The pavements were very narrow, and walking past people drinking outside a pub could be very uncomfortable.

In response to the application where the applicant had stated that taxis would be called for customers, Ms Renfrey explained that this would cause further issues, as Crouch Hill was a narrow road – any taxis which stopped to collect people ended up blocking the road, which then created extra noise and disturbance.

An increase in hours would not improve the quality of life for local residents. Ms Renfrey added that the applicant should demonstrate management of the current situation before he was allowed more hours.

Mr Webber and Ms Renfrey provided the following responses to questions from the Committee:

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- The premises could request that taxis collected customers from Haringey Park Road, however, this would only create noise disturbance for the residents who lived there.
- Both Mr Webber and Ms Renfrey accepted that the area which they lived in was not a quiet area, and they did not object to noise in general (the current noise level was just about bearable) – their objections were to the ‘peak’ of noise caused by local premises late at night. A later closing time would only increase this peak, and cause further disruption to sleeping.
- The main peak of noise occurred when the premises closed.

Mr Benjamin Hare – Applicant – presented his application to vary the existing premises licence. He had taken over the premises a year ago and since then had worked hard to improve the business and the clientele. The previous operators had tried to compete with Devonshire House, whereas Mr Hare had now changed the style of the premises in order to attract a different type of customer. He served premium products for a premium price, the music available in the jukebox was carefully selected to match the character of the premises, and live music acts did not include drums or electric guitars. Mr Hare added that when there were live music acts, he ensured that decibel readings were never above 80 decibels and this was monitored throughout the time that the music was played. Readings were taken inside the premises, opposite the premises and along the road from the premises.

Mr Hare considered that extending the opening hours and the provision of late night refreshment would reduce the impact of noise on local residents. This was because people were more likely to leave the premises gradually over the hour long winding down time rather than en masse.

There was a small smoking area to the rear of the premises, which closed one hour before the closing time of the premises. Customers were encouraged to smoke there as opposed to the front of the premises.

Mr Hare explained that he had not required the services of SIA door supervisors over the past year.

The jukebox was sited at the rear of the premises, with speakers also at the front. He had control of the volume, and ensured that the front speakers were set at a lower level than those at the rear.

In summing up, Mr Webber and Ms Renfrey stated that they felt that the management of noise was not currently effective and this had not been addressed properly by the Applicant.

Mr Hare summed up by saying that the extra time applied for would help to reduce the impact of noise in the area, by encouraging gradual dispersal of customers.

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The Committee retired to consider the application.

RESOLVED

The Committee carefully considered the application, the Borough's Licensing Policy, Home Office guidance and all representations.

The Committee decided to grant the application, but only in part and with the imposition of a number of conditions which it considered appropriate and proportionate to promote the licensing objectives and, in fact, address concerns that have been raised.

The provision of live music was not considered on the basis that since 1 October 2012, no permission is required under the Live Music Act 2012 within specified restrictions.

The provision of regulated entertainment in the form of recorded music and provision of Late Night Refreshment are granted as requested.

The extension of the hours for the supply of alcohol are granted. For clarity, the start times for such supply can remain in accordance with the previous licence.

An extension to the opening hours are granted as follows:

Sunday - Thursday to 0130

Friday – Saturday to 0230

For clarity, the opening times may commence in accordance with the previous licence.

All conditions in the operating schedule are imposed subject to the following amendments –

- Where there is inconsistency between such conditions with those attached to the previous licence, the new conditions apply.
- Reference to binge drinking, tap water, quality food and drug dealing are not included since they duplicate existing legislation.
- Reference to the winding down period is omitted due to their irrelevance, taking into account the times of the permitted licensable activities.

It was not considered proportionate to require an SIA door supervisor at the premises when balancing the cost of this requirement to the applicant and the ability of other conditions to address concerns that were raised.

In order to encourage smokers to not cause a nuisance at the front of the premises, the applicant is required to display prominent signs within the premises identifying the existence of an external rear area where smoking is permitted and prominent signage at the front exit, clearly prohibiting drinks from being taken outside.

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The Committee particularly noted the lack of representations from the responsible authorities but did consider there to be sufficient credible evidence to require the restriction on the requested opening hours, taking into account the proximity of residential dwellings, narrow nature of the road, but at the same time, the commercial nature of the broader location.

All parties are reminded that if problems persist or increase, clear procedures exist to have the licence reviewed.

As an informative, the applicant is invited to consider implementing his willingness to relocate the speakers and to ensure the jukebox is omitting music at an appropriate level. He is also invited to keep under review his apparent current restrictions of allowing patrons from smoking in the external rear area past a certain time. This is with a view to focus on reducing the likelihood of nuisance emanating from the front of the premises, as an important priority.

Cllr Sheila Peacock
Chair