

**MINUTES OF THE LICENSING SUB COMMITTEE B
TUESDAY, 14 JULY 2015**

Councillors Mallett (Chair), Basu and Beacham

Apologies Councillor Carroll

Also Present: Daliah Barrett (Licensing), Michelle Williams (Legal) and Natalie Layton (Clerk)

Applicant and their representative
Mia Wright-Thompson and Mark Thomas

Objectors
Jane Fluckiger and Sacha Celestial One, Sarah Titchfield, Anna Malmon, Jocelyn Cunningham,

MINUTE

SUBJECT/DECISION

15	<p>FILMING AT MEETINGS</p> <p>The Chair referred Members present to agenda Item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein’.</p>
16	<p>APOLOGIES FOR ABSENCE</p> <p>An apology for absence was received from Councillor Carroll. Councillor Basu substituted for Councillor Carroll.</p>
17	<p>URGENT BUSINESS</p> <p>None.</p>
18	<p>DECLARATIONS OF INTEREST</p> <p>None.</p>
19	<p>SUMMARY OF PROCEDURE</p> <p>The Chair outlined the summary, on pages 1 and 2 of the agenda pack.</p>
20	<p>MUNCH, 143 CROUCH HILL N8 9QH</p> <p>a. <u>Licensing Officer’s Introduction</u></p> <p>Daliah Barrett, Licensing Officer, introduced the application for a premises licence at Munch, 143 Crouch Hill, N8 9QH, set out on pages 3 to 27 of the agenda pack and drew the Committee’s attention to the following areas:</p>

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1. Police representation had been received and the conditions proposed, relating to CCTV and maintaining an incident log, had been agreed by the Applicant;
2. all premises with capacity lower than 500 persons that were granted a license to supply alcohol now had an automatic entitlement to play live and recorded music until 2300 without a licence;
3. an SIA registered door supervisor would be present for the duration of any music events and not at all times. In response to further questioning the Committee was informed that live music events might take place a few times a month;
4. the Applicant had applied for a flexible change of use of the premises and, whilst representations had mentioned planning concerns, planning matters were not a consideration for the Licensing Committee;
5. there were no objections to the Applicant tabling photographs of the exterior of the premises.

b. Representations from Members of the Public

The Committee heard from five objectors (two of whom made a joint representation) who raised the following points:

1. there were no sound-proofing measures within the premises. New and expectant parents attended the crèche next door to the premises for evening support groups and yoga. They would be disturbed by noise coming from inside the venue, and potentially from people congregating outside;
2. noise from the venue would disturb residents living above, and could disrupt children's sleeping patterns, which would have a knock-on effect on their performance at school;
3. the application presented the potential for harm to children entering and leaving the crèche by people smoking outside the premises and possible broken glass on surrounding pavements;
4. smoke from patrons standing outside the premises smoking could enter into the residential units above, where windows were often open;
5. patrons drinking alcohol could cause further nuisance by vomiting and urinating outside the crèche and residential entrances;
6. there were no measures in place for the storage of waste on the premises and waste might be left on the pavement outside;
7. the premises entrance was on the same door step as the residential

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entrance and concerns were raised about emergency evacuation procedures;

8. the premises door opens outwards, obstructing the residential entrance. The objectors raised concerns about their safety as they would have to walk past SIA staff and potentially intoxicated patrons obstructing the entrance to their homes.

c. Applicants response to the representations

The Applicant's representative, Mark Thomas, provided the following information, in response to the objections raised:

1. the Applicant did not intend to operate as a bar but as a premises serving alcohol with food. In response to questioning it was recognised that not all patrons would order food with their drinks. However, the Applicant would provide complementary light snacks with all alcoholic drinks. Therefore, anti-social behaviour associated with heavy drinking would be unlikely;
2. alcohol would not be permitted to be consumed outside of the premises and there were other establishments in close proximity which sold alcohol;
3. in response to concerns about the premises entrance obstructing the residential entrance it was emphasised that, whether the licence was granted or not, the premises was a commercial unit and would still use the same entrance;
4. the Licensing Officer emphasised that fire safety regulations required the premises door to open outwards and in the direction of travel in the case of any emergency evacuations;
5. the Applicant would ask patrons to not smoke outside of the premises;
6. live music events such as acoustic guitar playing would take place only once or twice a month;
7. the Applicant could not be held responsible for historic issues concerning waste collection.

d. Questions

NOTED in response to further questions from all parties:

- the crèche next door to the premises held evening sessions at least once a week, often more;
- the premises was previously a bike repairs shop and residents living above often heard the radio playing below and could hear conversations held below. When residents requested, the shop staff would turn the radio down;
- the premises was not previously used at night time, when the vicinity

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- was generally quieter;
- the premises would be marketed as a coffee and juice bar and the Applicant did not foresee high levels of alcohol sales;
- cold and reheated food would be available but hot meals would not be cooked on the premises;
- the Applicant recognised that late opening hours could potentially attract people solely for the purpose of consuming alcohol. Patrons wishing to only purchase alcohol would not be turned away but would be given complementary snacks to consume with their drinks;
- the Applicant would be prepared to consider sound-proofing the premises in particular the ceiling area, if the required permissions were obtained;
- the law required commercial premises to have a timed waste collection contract in place. This would be monitored and enforced by the local authority's Neighbourhood Action Team (NAT);
- the applicant would be governed by fire safety regulations and the Fire Authority would conduct a risk assessment of the premises.

The Committee adjourned at 20:05hrs to consider the application.

The meeting reconvened at 21:00 hours and it was

RESOLVED that

The Committee carefully considered the application, the representations made by the responsible authority, the other parties and the applicant, the Council's Statement of Licensing Policy and the section 182 guidance.

The Committee resolved to grant the application as follows:

Hours open to the public

Monday to Saturday	07:00 – 23:00 hours
New years eve	10:00 – 02:00 hours the following day

Supply of Alcohol (consumption on the premises)

Monday to Saturday	10:00 – 22:30 hours
New years eve	10:00 – 01:30 hours the following day

Having granted the licence for the supply of alcohol the premises will have an automatic right to provide live music and recorded music.

The licence is granted subject to the following conditions that the Committee considers appropriate in order to promote the four licensing objectives given the proximity of the premises to a crèche and to residential properties :

1. The conditions put forward by the Metropolitan Police in the operating schedule on pages 31-32 of the agenda pack, which the Applicant has already agreed;
2. The conditions put forward in the operating schedule at pages 5 to 7 of the agenda pack, subject to any amendments consequential to the granting of the licensing, and the following amendment:

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	<p>a. Paragraph 5.3 - No members of the public will be permitted to leave the premises with an alcoholic drink;</p> <p>3. The Committee considers it appropriate to impose the following additional conditions to promote the licensing objectives for the prevention of public nuisance and the protection of children from harm:</p> <p>a. signs shall be erected asking patrons not to smoke or congregate outside of the premises;</p> <p>b. the applicant will display a notice on the premises providing contact details for any complaints.</p> <p>The Committee acknowledged concerns raised about fire evacuation safety, waste management and noise. The Committee notes that the applicant will be obliged to comply with fire risk assessment requirements and to arrange timed commercial waste collections.</p> <p>Any impact of noise from the premises, particularly on children, should be reported to the Council's enforcement response team and dealt with under that procedure.</p> <p>As an informative the Committee notes that the applicant will consider the installation of sound proofing if the relevant permissions are obtained.</p>
21	<p>ITEMS OF URGENT BUSINESS</p> <p>None.</p>

The meeting ended at 21:05 hrs

CLLR TONI MALLET

Chair