

MINUTES OF THE MEETING OF THE LICENSING SUB COMMITTEE B HELD ON THURSDAY, 31ST MARCH, 2016

PRESENT:

Councillors: Vincent Carroll (Chair), David Beacham and Peter Mitchell

50. FILMING AT MEETINGS

The Chair welcomed all present to the meeting and drew their attention to item one and the information contained therein.

51. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mallett.

Councillor Mitchell was in attendance as a substitute.

52. URGENT BUSINESS

None.

53. DECLARATIONS OF INTEREST

None.

54. SUMMARY OF PROCEDURE

The Chair outlined the procedure for the hearing as set out in the agenda pack.

55. THE AFRICAN CARIBBEAN COMMUNITY CENTRE, 9 CLARENDON ROAD, LONDON N8 0DJ

Daliah Barrett, Licensing Officer, requested clarification as to which areas of the premises would be used for licensable activities. Graham Hopkins, Applicant Representative, confirmed that licensable activities would take place in the ground floor games room, and the upstairs function hall and bar (marked as 'auditorium' and 'lounge' in the agenda pack).

Ms Barrett outlined the application for a new premises licence at The African Caribbean Community Centre, 9 Clarendon Road, N8 0DJ. The application sought to sell alcohol, and provide regulated entertainment, and late night refreshment. The hours requested were set out at page 3 of the agenda pack. The current licence in operation was a club certificate and only allowed members to be on site. There was also an application to remove a named Designated Premises Supervisor from the licence, and allow the management representatives to oversee the sale of alcohol.

Representations had been received from the Police, Enforcement Response, and Interested Parties. The conditions requested by the Police had been agreed by the Applicant; and the representation had therefore been withdrawn.

Derek Pearce, Enforcement Response, outlined his representation against the application. Should the licence be granted, it was important that consideration be made with regard to the amount of noise incidents that had occurred at the premises. A number of conditions had been requested, and the Applicant had agreed to these. The car parking issue was not something that was enforceable by the Noise Team and would need to be referred to Parking Enforcement. Ms Barrett added that whilst it would be for Parking Enforcement to deal with issues, the premises could help these issues by providing parking marshals, or managing the parking around the premises.

The Interested Parties outlined their representations against the premises, the main issues being litter problems, noise from late night events, large groups of people congregating outside the blocks of flats and parking issues. The premises had been approached by local residents and asked to display signs asking customers to leave the premises quietly, but this request was refused.

Mr Hopkins presented the application for a premises licence. He pointed out that the car park at the front of the premises was for exclusive use by customers at the premises. The centre was a not-for-profit club for the community. The premises was used for public hire, and it was stated that the bar was always under the control of the management, and hirers were not allowed to bring their own alcohol at the premises. The Applicant had agreed to all of the conditions, requested by the Police and they have since withdrawn their application. The Applicant had also agreed to the conditions as set out by Enforcement Response, but added that in terms of external DJs, the Applicant had suggested an alternative of heavy duty matting and this would be discussed with the Enforcement Team. Mr Hopkins explained that the function room had no windows, and with a noise limiter fitted, no noise should emanate from the premises. Mr Hopkins stated that although some complaints had been made from residents, these were from a small group of residents on the street, and not from the general locality.

With regard to parking, the residents flats do not have residential parking. The centre car park was leased by the centre from the Council, and the Applicant had allowed residents to park in these spaces, however, it was not the right of the residents to use these spaces. The Applicant had since decided that residents would no longer be able to use the car park, and this would be enforced in a number of ways, by gates, CCTV etc. This would result in spaces for centre guests to park, and the car park would be patrolled when events were on. A number of measures had also been proposed – no drinks outside; smokers to be directed to the rear of the premises and monitored by door staff and CCTV; the centre had an agreement with a local cab firm and people would be kept inside until cabs arrive; a contact number would be provided to the housing provider so residents can make complaints; door supervisors be provided; a consultant will be contracted to provide a dispersal policy for the centre and this will be provided to the LA; and a search policy will be implemented.

The Applicant provided the following in response to questions from the Committee:

- The current licence for the premises was a club certificate, and the Applicant made every effort to abide by the requirements of it. He agreed to all of the conditions requested by the Police and Enforcement Response.
- Although there was no DPS under the current club certificate, the Treasurer for premises Committee had agreed to apply for a personal licence and would be the Designated Premises Supervisor for the premises if her application was successful.
- Door supervisors were always present on Friday nights and at any other booked events.
- The Applicant had agreed to include a number of the conditions on the licence: provision of a contact number; a complaints book; and patrolling of the car park at night to limit noise nuisance and litter dropping.
- All regulated entertainment would take place in the upstairs function room.

All parties summed up and the Committee retired to consider the application.

RESOLVED

The Committee carefully considered the application for a new premises licence at The African Caribbean Community Centre, representations of the Metropolitan Police, Enforcement Response, Interested Parties, the Council's Statement of Licensing Policy and the s182 guidance.

The Committee resolved to grant the licence, with the following amendments and conditions:

Regulated Entertainment: Plays

Monday to Sunday	0900 to 2300 hours
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Films, Live Music, Recorded Music, Performance of Dance & Anything of a Similar Description

Monday to Thursday	0900 to 2300 hours
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Friday to Saturday	0900 to 0200 hours
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Sunday	0900 to 0000 hours
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Late Night Refreshment

Sunday to Thursday	2300 to 0000 hours
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Friday to Saturday	2300 to 0200 hours
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Supply of Alcohol

Monday to Thursday	0900 to 2300 hours
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Friday to Saturday	0900 to 0200 hours
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Sunday	0900 to 0000 hours
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For consumption ON the premises.

Hours open to the public

Monday to Thursday	0900 to 2330 hours
Friday to Saturday	0900 to 0230 hours
Sunday	0900 to 0030 hours

The following conditions to be imposed:

1. A Challenge 25 policy will be implemented and ages of patrons attending events at the premises will be verified by way of the provision of the following forms of identification: a valid passport, a photo driving licence, a proof of age standard card system, or a citizen card supported by the Home Office.
2. There will be marshalling of patrons who park in the car park and on the street. All patrons will be advised that they must not obstruct the highway when parking their vehicles.
3. The car park and road immediately outside will be cleaned after events.
4. Regulated entertainment shall only take place within the auditorium area only.
5. A written dispersal policy will be in place that will show how customers will be egressed from the premises in safe manner to not cause disturbance to nearby residents.

The Committee notes that the Applicant has accepted in full the conditions set out by the Metropolitan Police (save that Challenge 25 will be implemented instead of Challenge 21) and the Council's Enforcement Team, at pages 63-69 of the agenda pack.

1. A digital CCTV system to be installed in the premises. Cameras must be sited to cover all areas to which the public have access including any outside smoking areas. Be regularly maintained to ensure continuous quality of image capture and retention. Digital images must be kept for 31 days. The equipment must have a suitable method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within a reasonable time to Police on request.
2. A minimum of 2 SIA registered security staff to be present from 2100 until venue closes to the public should closure be after 0030.
3. An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable and made available on request to the Police, which will record the following:
 - a) All crimes reported to the venue;
 - b) All ejections of patrons;

- c) Any complaints received;
 - d) Any incidents of disorder;
 - e) Seizures of drugs or offensive weapons;
 - f) Any faults in the CCTV system or searching equipment or scanning equipment;
 - g) Any refusal of the sale of alcohol;
 - h) Any visit by a relevant authority or emergency service.
4. Form 696 Notification of Promoter / DJs at events to be emailed to Police as soon as possible, at least 10 working days before events. An event is any music / dance function where non resident DJs are used. Police to be informed of resident DJs.
 5. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary adequate and suitable mechanical ventilation should be provided to public areas.
 6. All speakers are mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.
 7. The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property.
 8. All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.
 9. The level of amplified regulated entertainment shall be controlled by means of a limiting device set at a level which upon request may be agreed with the licensing authority. It will be a responsibility of the Premises Licence holder to request assistance, in writing and to ensure that the limiter is working effectively.
 10. No music will be played in, or for the benefit of patrons in external areas of the premises.
 11. No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises.
 12. Signs shall be displayed in the external areas / on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours.

13. Deliveries and collections associated with the premises will be arranged between the hours 0800-2000 so as to minimise the disturbance caused to the neighbours.
14. Empty bottles and non degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed.
15. All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise.
16. A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainants name, location, date time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers.
17. Where people queue to enter the premises a licensed door supervisor shall supervise and ensure the potential patrons behave in an acceptable manner.
18. All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour.
19. Illuminated external signage shall be switched off when the premises is closed.
20. Security lights will be positioned to minimise light intrusion to nearby residential premises.

The Committee notes that the applicant has agreed to the introduction of a Designated Premises Supervisor (DPS) and that Ms Stevens will apply for a personal licence in order to serve as the DPS. For the avoidance of doubt, no alcohol sales are to be made at the premises until such time as Ms Stevens application has been lodged and successfully processed.

It is also recommended that proper facilities for the disposal of litter will be made available at and or outside the premises.

The Committee notes the representations made by the residents and strongly recommends that there be a regular dialogue between the residents and the management of the premises so that matters of mutual concern can be addressed.

On the evidence that was heard from the Interested Parties, the Committee was satisfied that noise was an issue and felt it was appropriate to address this by way of a reduction in the hours.

The Committee approached the matter with an open mind and only made it's decision after having heard all the parties evidence and considered that the decision is fair and proportionate.

56. ITEMS OF URGENT BUSINESS

None.

CHAIR: Councillor Vincent Carroll

Signed by Chair

Date