

MINUTES OF THE MEETING OF THE LICENSING SUB COMMITTEE A HELD ON MONDAY, 7TH NOVEMBER, 2016, 7pm

PRESENT:

Councillors: Natan Doron (Chair), Dhiren Basu and Clive Carter

1. FILMING AT MEETINGS

RESOLVED

- That the Chair's announcement regarding the filming of meetings be noted.

2. SUMMARY OF PROCEDURE

RESOLVED

- That the procedures to noted.

3. ANTWERP ARMS, 168-170 CHURCH ROAD, LONDON N17 8AS

RESOLVED

The Committee carefully considered the application for a variation of the existing premises licence, the representations of a local resident in objection and the applicant, the Council's Statement of Licensing Policy and the s182 guidance.

The Committee resolved to grant the variation as requested detailed as follows:

Regulated entertainment: live music, performance of dance, provisions for making music and provisions for dancing.

Monday to Thurs	0930 to 2230 hours
Fri to Sat	0930 to 2359 hours
Sunday	1100 to 2200 hours

Recorded music

Monday to Thurs	0930 to 2300 hours
Fri to Sat	0930 to 0100 hours
Sunday	0930 to 2230 hours

Supply of alcohol

Monday to Thurs	0930 to 2300 hours
Fri to Sat	0930 to 0030 hours
Sunday	0930 to 2230 hours

For consumption on and off the premises.

Hours open to the public

Monday to Thurs	0930 to 2330 hours
Fri to Sat	0930 to 0100 hours

Sunday 0930 to 2300 hours

The Committee also resolved to grant the requested amendment to the condition on the current licence covering children to permit children into the pub if they are under the control of a responsible adult. Children will leave by 1930 hours unless they are having a meal: Children are not permitted to be in the pub past 2130 in any event.

The Committee also resolved to grant the requested variation to the layout of the premises in accordance with the plans submitted by the applicant.

The Committee approached its enquiries with an open mind and only made its decision after having heard from all parties.

4. **RAKKAS, 369 GREEN LANES, LONDON N4 1DY**

The Committee carefully considered the application for a premises licence review issued by the enforcement response team, the representations of two local residents and the licence holder, the Council's Statement of Licensing Policy and the s182 guidance.

The Committee resolved to

- 1) Suspend the following licensable activity for the period of time set out below:

The playing of live and recorded music on the premises is suspended for one month

- 2) Modify the conditions of the licence as follows:

- **Live & Recorded Music** – with effect from the date of the expiry of the one month suspension of the playing of live and recorded music, live music will thereafter be permitted as follows:

Sunday to Thursday	1800 to 2230 hours
Friday and Saturday	1800 to 0000 hours

Supply of alcohol

Monday to Sunday	1100 to 0130 hours
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Late night refreshment

Monday to Sunday	2300 to 0200 hours
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Hours open to the public

Monday to Sunday	0800 to 0200 hours
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The external areas can only be used during the following times:

Sundays	1000 to 2100 hours
Monday to Thursday	0800 to 2100 hours
Friday and Saturday	0800 to 2300 hours

- Prior to the re commencement of the licensable activity of live and recorded music, an acoustic volume control (noise limiting device) shall be installed and operated to any sound system used at the premises. The level of the automatic volume level controller must be set by and operated at a level agreed in writing by an authorised officer of Haringey Council's Enforcement Response team. The noise limiting device will be secured by and to the satisfaction of the authorised officer. The noise control device setting shall not be altered in any way, and its operation interfered with in any way without the prior written consent of an authorised officer of Haringey Council's Enforcement Response team.
- The Committee strongly recommends that the licence holder and his staff undertake appropriate training so as to improve their awareness of the impact that events at their establishment have on their neighbours.

The Committee considered that a one month suspension of the playing of live and recorded music and modification of the licence were appropriate and proportionate responses to the representations made by the Enforcement Response team. The committees reasons for suspending the licence and modifying the licence conditions were because the responsible authority had identified that ten noise nuisance complaints related to the premises had been investigated by the team in the period of October 2014 to July 2016. These incidents which resulted in the current review were in the committees view (and by the licence holders own admission) not taken seriously. The Committee noted that enforcement action had been taken more than once in response to these incidents including the issuing of noise warning letters and the serving of a number of abatement and fixed penalty notices. The Committee considered the license holder would have been in no doubt that his failure to uphold the licensing objectives and prevent public nuisance was an offence and that such an offence could put his license at risk. Despite this the committee concluded that there was a clear and deliberate failure by the license holder to uphold and promote the licensing objectives in relation to the prevention of public nuisance and that efforts were only now being taken by the licence holder in response to the bringing forward of a review.

The Committee decided that it would afford the licence holder a further opportunity to demonstrate that he would comply fully with the law and his obligations as a licence holder but wanted the licence holder to be aware that should this matter come before the Committee again, it would take a dim view of any repetition of the activities highlighted in this review. The Committee also noted that it found the representations of the residents to be credible.

The Committee approached its enquiries with an open mind and only made its decision after having heard from all parties and considered that a variation in the licence conditions was an appropriate and proportionate response to those representations that were put before it.

CHAIR: Councillor Natan Doron
 Signed by Chair
 Date