

MINUTES OF THE MEETING OF THE LICENSING SUB COMMITTEE A HELD ON THURSDAY, 1ST DECEMBER, 2016, 7pm.

PRESENT:

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

5. FILMING AT MEETINGS

RESOLVED

- That the Chair's announcement regarding the filming of the meeting for live or subsequent broadcast be noted

6. APOLOGIES FOR ABSENCE

None.

7. URGENT BUSINESS

None.

8. DECLARATIONS OF INTEREST

None.

9. SUMMARY OF PROCEDURE

RESOLVED

- That the procedures be noted.

10. MEZZO, 63-64 GRAND PARADE, LONDON N4 1AF

The Committee carefully considered the application for a new premises licence, the representations of the Enforcement Response team and Licensing Authority as responsible authorities, the applicant, Cllr B Blake and a local resident who objected to the application and the Council's Statement of Licensing Policy and the s182 guidance.

The Committee resolved to grant the application as follows:

Live music

Monday to Sunday 1000 to 0000

Recorded music and facilities for making music

Monday to Sunday 1000 to 0130

No amplified music at any time

Late night refreshment
Monday to Sunday 2300 to 0200

Supply of alcohol
Monday to Sunday 1000 to 0130
For consumption on the premises

Opening hours
Monday to Sunday 0700 to 0200

And subject to the following conditions:

- Live music is to be restricted to no more than two artists performing at any one time and the performance of music shall be located in the front part of the premises not beyond the stairs to the mezzanine floor. No amplified music at any time or live music after midnight.
- The provision of alcohol to be solely as an ancillary to the service of meals.
- The doors to the conservatory area to the rear of premises to be closed at 2300 each day with no customers permitted to enter/exit from this area except as required as an emergency exit route.

The Committee considered that the licensable hours were in keeping with those of similar establishments in the locality and that the concerns raised by residents regarding the potential impact that longer opening hours would have on them were valid. In particular, the licensing objective relating to the prevention of public nuisance would be less likely to be upheld since noise emanating from the premises so late at night would disturb residents living nearby and have a detrimental impact on their quality of life.

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

11. O'NEILLS, 87 MUSWELL HILL BROADWAY, LONDON N10 3HA

The Committee carefully considered the application for a premises licence review, the representations of the Enforcement Response team, the applicant, representatives for the premises licence holder, the Council's Statement of Licensing Policy and the s182 guidance.

The Committee resolved to modify the premises licence as follows:

Supply of alcohol
Sunday to Wednesday 1000 to 0000
Thursday 1000 to 0100
Friday and Saturday 1000 to 0200

Films, indoor sporting events
Sunday to Wednesday 1000 to 0000

Thursday 1000 to 0100
Friday and Saturday 1000 to 0200

Live music

Friday and Saturday only 1000 to 2300

No further restrictions imposed on the hours for the playing of recorded music for background. For the avoidance of doubt, the levels should not be above normal conversation levels.

Provision of late night refreshment

Sunday to Wednesday 2300 to 0000
Thursday 2300 to 0100
Friday and Saturday 2300 to 0200

The opening hours of the premises:

Sunday to Wednesday 0700 to 0030
Thursday 0700 to 0130
Friday and Saturday 0700 to 0230

New Years Eve opening hours from the start of permitted hours on 31 December until the start of permitted hours on 1 January.

Additional hours on the days listed below only:

1 January – 1hr, 14 February (Valentines Night) – 1 hr, Burns Night – 1 hr, 1 March (St David's Day) – 1hr, 17 March (St Patrick's Day) - 2hrs, Easter Sunday - 1 hr, Easter Monday – 1 hr, May Bank Holiday (1st) Sunday prior – 2 hrs, Bank Holiday Monday – 1hr, May Bank Holiday (2nd) Sunday prior – 2 hrs, Bank Holiday Monday – 1 hr, August Bank Holiday Sunday prior – 1 hr, Bank Holiday Monday – 1 hr, Halloween – 2hrs, Christmas Eve – 2 hrs, Boxing Day – 2 hrs, 27 December – 2 hrs, 28 December – 2 hrs, 30 December – 2 hrs. Opening times for additional hours listed not to exceed those permitted by planning conditions.

Subject to the following conditions:

- All doors and windows will remain closed during the licensed regulated entertainment activities or in any event after 11pm. 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.
- Regulated entertainment activities other than live music shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.
- All speakers to be mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.
- The licensee shall ensure that no music played in the licensed premises after 2300 is audible at or within the site boundary of any residential property.
- All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.
- 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.

- The management will keep a mobile phone at the premises which will act as a direct contact for the duty manager. Residents of Chapel Court and the licensing authority will be provided with the mobile phone number. A log of any phone calls, relating to noise issues, received by management via the mobile phone will be kept at the premises for at least 12 months and made available upon request to an officers of any responsible authority.

The Committee considered that the decision to restrict live music to the hours and days stated above was appropriate and proportionate given the extensive history of attempts on the part of the applicant and the responsible authority to address the issue of noise emanating from the premises. Efforts by the licence holder to address the problem were inconsistent and it was noted that given the nature of the premises, physical measures to reduce the impact of noise by way of soundproofing could only go so far in addressing the problem. Very clear and credible evidence was provided by the applicant on the detrimental impact the noise was having on her life and as such, a reduction in the hours permitted for live music were deemed to be in order.

The Committee decided that it would afford the licence holder a further opportunity to demonstrate that it would comply fully with the law and its obligations as a licence holder. It wanted the licence holder to be aware however that it would take a dim view of any repetition or continuation of the activities highlighted in this review.

12. ITEMS OF URGENT BUSINESS

None.

CHAIR: Councillor Natan Doron

Signed by Chair

Date