

MINUTES OF THE MEETING OF THE LICENSING SUB COMMITTEE A HELD ON TUESDAY, 4TH JULY, 2017, 7pm

PRESENT:

Councillors: Natan Doron (Chair), Zena Brabazon and Clive Carter

35. FILMING AT MEETINGS

Noted.

36. APOLOGIES FOR ABSENCE

None.

37. URGENT BUSINESS

None.

38. DECLARATIONS OF INTEREST

None.

39. SUMMARY OF PROCEDURE

The Chair outlined the procedure to be followed during the hearing.

40. LA TABERNA DEL PAISA, 43 WEST GREEN ROAD, N15 5BY

Daliah Barrett, Licensing Officer, introduced the application for a new premises licence at La Taberna Del Paisa, 43 West Green Road, N15 5BY. Representations had been received from local residents, Metropolitan Police and Enforcement Response. The applicant had agreed to the conditions put forward by the Police.

Ms Barrett advised the Committee that the Street Enforcement team had visited the premises on 29 May, and found a collection of waste bags on the public highway, which was due to the premises operating under a TEN, but had not arranged any waste collection.

The premises had previously operated as a fishmongers, and the Committee was advised that a planning application would need to be submitted for a change of use.

Charles Buckle, Enforcement Response, outlined his representation against the application. He felt that the application had provided limited information on how the premises would be run, and the licensing objectives promoted. Mr Buckle requested that if the Committee were minded to grant the application that the closing time should be moved back to 2300hrs, and a number of standard noise conditions should be added to the licence.

Glen Lake, Applicant's Representative, presented the application for a new premises licence. The Applicant, Mr Pablo Tabon-Pineda, had accepted all of the conditions put forward by the Police, and Enforcement Response. Mr Lake advised that the premises currently had A1 planning permission, and as it would continue to run as a café, it did not require a change in planning use.

Khumo Matthews, Legal Officer, advised that A1 planning permission was for premises that sold cold food for consumption off-site. A3 planning permission was for premises that sold hot and cold food for consumption on and off-site. Mr Matthews advised that there would be a requirement by planning for a change of class. Ms Barrett advised the Committee that if they were minded to grant the licence, the premises can still operate under the Licensing Act 2003, and it would be the responsibility of the Planning Authority to pursue any enforcement action.

In response to questions from the Committee, Mr Lake explained that the premises had been operating under Temporary Event Notices, and the Applicant had run his previous premises for four years with no incidents. He also advised that a waste contract had now been set up with Veolia.

In response to the Committee, Ms Barrett advised that a fire safety visit had not been carried out at the premises, however, this would be carried out should the licence be granted, and if there were any concerns then the licence could be revoked.

In his closing statement, Mr Lake advised that the Applicant was a fit and proper person to run the premises, and that if required, he would apply for a change in planning class.

The Committee retired to consider the application.

RESOLVED

The Committee carefully considered the application for a new premises licence, the representations made by the Metropolitan Police, Enforcement Response, local residents, the representations made by the Applicant and his representative, the Council's Statement of Licensing Policy and the Licensing Act 2003 s182 guidance.

Having heard the parties' evidence, the Committee resolved to grant the application as follows:

Regulated Entertainment: Recorded Music

Monday to Sunday 1100 to 2230 hours

Supply of Alcohol

Monday to Sunday 1100 to 2230 hours

For consumption ON the premises.

Hours open to the Public

Monday to Sunday 0800 to 2300 hours

The Committee added the following conditions as requested by the Metropolitan Police and Enforcement Response:

- A digital CCTV system to be installed in the premises.
- Cameras must be sited to observe the entrance doors from the inside.
- Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
- Cameras must be sited to cover all areas to which the public have access including any outside smoking areas.
- Provide a linked record of the date, time of any image.
- Provide good quality images - colour during opening times.
- Have a monitor to review images and recorded quality.
- Be regularly maintained to ensure continuous quality of image capture and retention.
- Member of staff trained in operating CCTV at venue during times open to the public.
- Digital images must be kept for 31 days. The equipment must have a suitable export 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.
- An incident log shall be kept at the premises 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
 - g) Any refusal of the sale of alcohol
 - h) Any visit by a relevant authority or emergency service

- The following shall be used for the verification of a person's proof of age:
 - A valid passport
 - A photo driving licence
 - A proof of age standard card system
 - A citizen card, supported by the Home Office

- 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 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.

- All speakers shall be mounted on anti-vibration mountings to prevent transmission of sound energy to adjoining properties.

- All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.

- No music will be played in, or for the benefit of patrons in external areas of the premises.

- 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.

- Signs shall be displayed on the frontage (communicating to smokers) requesting to 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.

- 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.

- 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 complainant's name, location, date, time and subsequent remedial action undertaken. This record must be made available at all times for inspection by Council Officers.

- Signs should be displayed (in a prominent position, visible as customers exit the premises) requesting patrons to respect the neighbours and behave in a courteous manner.
- Illuminated external signage shall be switched off when the premises is closed.
- All plant and machinery shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise.
- 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.

The Committee noted that the premises did not currently have the correct planning permissions in place and noted the applicant's intention to address any outstanding issues with the planning authority.

The committee recommended that the Applicant should continue to liaise with the Licensing Authority and other Responsible Authorities so as to have information about local licensing initiatives and best practice.

The Committee approached its deliberations with an open mind and only took its decision after having heard all the parties representations. The Committee considered that the decision was appropriate and proportionate

41. ITEMS OF URGENT BUSINESS

None.

CHAIR: Councillor Natan Doron

Signed by Chair

Date