

MINUTES OF THE MEETING OF THE LICENSING SUB COMMITTEE A HELD ON MONDAY, 21ST AUGUST, 2017, 7.00 – 11.10pm

PRESENT:

Councillors: Zena Brabazon (Chair), Clive Carter and Dhiren Basu

49. FILMING AT MEETINGS

Noted.

50. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Doron. Councillor Brabazon chaired the hearing in his absence.

Councillor Basu was in attendance in Cllr Doron's absence.

51. URGENT BUSINESS

As it was a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17, of the Council's Constitution, no other business was considered at the meeting.

52. DECLARATIONS OF INTEREST

None.

53. SUMMARY OF PROCEDURE

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

54. THE LORD NELSON, 232 HIGH ROAD, N22

Daliah Barrett, Licensing Officer, introduced the application for a new premises licence at The Lord Nelson, 232 High Road, N22. The application was for a 24 hour licence. The premises currently held a licence, with opening hours of:

Monday – Wednesday 1100 to 0100

Thursday to Sunday 1100 to 0300

Sunday 1100 to 0200

with licensable activities ceasing one hour before closing time.

Representations had been received from Enforcement Response, the Licensing Authority, Metropolitan Police, Public Health and Councillor Mitchell as ward councillor.

The Licence had been transferred to the Applicant on 2 June 2017.

PC Mark Greaves, Metropolitan Police outlined his representation against the application which was set out at pages 55-57 of the agenda pack. He outlined eight incidents which had been reported to the Police between October 2016 and July 2017. Three of the incidents had occurred after the Applicant had taken over the premises – 7 June, 2 July and 24 July – one of which resulted in the arrest of a male for a Public Order offence and Drink Driving.

PC Greaves outlined his concern that the premises did not have a fixed number of SIA door supervisors, and suggested that it would be appropriate for the premises to have 3 SIA door supervisors at the premises from 2100hrs if the licence was granted as requested, or 2 SIA door supervisors if the hours were reduced. It was felt that as the later opening hours would lead to an increase in alcohol consumption, and increase the risk of crime and disorder. PC Greaves also added that it was likely that if the premises had 24 hour opening then it would encourage drinkers from other licensed premises nearby to make their way to the Lord Nelson to continue late night drinking.

Monica Ukandu, Public Health, outlined her representation against the application which was set out at pages 59-62 of the agenda pack. She provided some background of the local area and informed the Committee that in 2015, Woodside ward was ranked 1st out of the 19 wards for sexual assault incidents, 1st for probation clients with alcohol misuse risk, and 3rd for alcohol illness treated by London Ambulance service for 18+. There were 208 alcohol related injuries within 500m of the premises in 2015. Public Health considered that there were sufficient licensed premises in the area to meet the demand for alcohol, and whilst it was accepted that the applicant had provided a number of conditions in the operating schedule to uphold the licensing objectives, it was felt that there would be significant disturbance to local residents from patrons leaving the premises at all times of the morning. The recommendation from Public Health was to not grant the application, however, in the event that it was granted, a number of conditions had been requested for inclusion on the licence.

Charles Buckle, Enforcement Response, outlined the representation against the application. Enforcement Response did not support the application and had recommended that the premises close no later than 0100 Monday to Wednesday, 0300 Thursday to Saturday and 0200 on Sunday, with all regulated entertainment ceasing one hour prior to closing. A number of conditions had been put forward for inclusion on the premises licence. In response to the Committee, Mr Buckle confirmed that there had been no incidents of noise at the premises since 2015.

Councillor Wright addressed the Committee on behalf of Councillor Mitchell, who had made written representations on behalf of the Woodside ward. There had been no justification made for a 24 hour premises licence. The premises was located in a highly residential area, and Ward Councillors had received complaints from local residents in relation to noise, and it was not clear from the application what additional steps would be taken to deal with existing issues and any potential future issues. There were 6 schools in the vicinity, and there were concerns that children would be exposed to drunk people leaving the premises, whilst on their way to school.

Councillor Wright referred to existing premises in the area, with closing times of 0300 and 0330 and raised his concern that providing a 24 hour licenced premises would change the offer for the area. He considered that the proposed hours put forward by the Metropolitan Police and the Licensing Authority were still a step too far.

Kevin Baumer, Applicant's Representative, presented the application for a new premises licence. The licensees were a responsible company, with many years experience in running licensed premises. Mr Baumer referred to section 35 of the Licensing Act 2003 and reminded the Committee that representations made should be about the likely effect of granting the application on the promotion of the licensing objectives, and should not be about assuming the worst. The Applicants were not intending to keep the premises open for 24 hours every day, and had applied for the licence to allow for flexibility in opening hours. The nature of the premises would not change, and would remain a local pub rather than turning to a late night venue. Mr Baumer suggested to the Committee that by fixing an artificial early closing time, this would encourage binge drinking and lead to patrons all leaving the premises at the same time which would cause a bigger nuisance to local residents. Having a 24 hour licence should alleviate these issues.

Mr Baumer referred to the applicants, and informed the Committee that they owned and ran a number of businesses in London, and that the structure of the organisation was such that it was flexible in terms of staffing between the premises and the provision of SIA Officers as necessary. The company had employed a licensing consultant – Paul Merry – who had been involved in Licensing for many years as a Metropolitan Police Officer. A number of conditions had been put forward by the applicants which would address concerns raised by the Responsible Authorities.

Mr Baumer referred to the objections made by the Police and the Licensing Authority and stated that there had not been a flat out refusal to any extension of hours. He also referred to the Public Health and Enforcement Response representations and expressed his concern that both objections were generic and not related specifically to the premises in any way.

Mr Baumer understood the Committee's concerns, however he considered that the combination of good management, experience and licensing conditions should alleviate these.

In response to questions from the Committee, Mr Baumer explained that the premises would be closed for a period of time each day to allow for staff turnover and for cleaning of the premises. The premises would only be open at times when there was a demand for it, and the flexibility of a 24hr licence would allow for this. The applicants currently ran another premises with a 24hr licence, and this premises was closed each day between 0500-0700.

In relation to the incidents referred to by PC Greaves, Mr Baumer agreed that the premises was not incident free, but considered that in reporting these incidents to the Police that the SIA Officers were acting responsibly. Mr Baumer informed the Committee that since acquiring the premises there had been a decline in turnover as the staff had been filtering out the unwanted customers, with a zero tolerance approach. The applicants had suggested a ratio of 1:100 SIA Officers, and it was felt

that the imposition of a condition of 3 SIA Officers irrespective of the number of customers was unworkable.

Paul Merry responded to the Committee in relation to risk assessments. Risk assessments would be carried out on a day to day basis, depending on what was happening at the venue. The company employed 50-60 SIA Officers across their venues, and these can be redeployed to other venues according to demand. All of the management team were also SIA qualified, and could step in if required.

All parties made a closing statement and the Chair informed the applicant that the decision would be provided within 5 working days of the hearing.

RESOLVED

The Committee carefully considered the application for a new premises licence, the representations made by the Metropolitan Police, Enforcement Response, the Licensing Authority, Public Health, a Ward Councillor, and the representations made by the Applicants and their representative, the Council's Statement of Licensing Policy and the Licensing Act 2003 (LA2003) and the LA2003 section 182 guidance.

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

Regulated Entertainment: Plays, Films, Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance & Anything of a similar nature

Monday to Wednesday	1100 to 0030 hours
Thursday to Saturday	1100 to 0230 hours
Sunday	1100 to 0130 hours

Late Night Refreshment

Monday to Wednesday	2300 to 0030 hours
Thursday to Saturday	2300 to 0230 hours
Sunday	2300 to 0130 hours

Supply of Alcohol

Monday to Wednesday	1100 to 0030 hours
Thursday to Saturday	1100 to 0230 hours
Sunday	1100 to 0130 hours

For consumption ON and OFF the premises.

Hours open to the Public

Monday to Wednesday	1100 to 0100 hours
Thursday to Saturday	1100 to 0300 hours
Sunday	1100 to 0200 hours

The Committee added the following conditions as requested by the Metropolitan Police, Enforcement Response, Licensing Authority and Public Health:

- A digital CCTV system to be installed in the premises.
- Cameras must be sited to observe the entrance doors from the inside and outside to protect SIA searching entrants or refusing entry / ejecting clients.
- 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.
- Members 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.
- 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.
- Entry to the premises will be restricted to the main front door whilst the premises is being use for regulated entertainment licensed activity.

- Entrance/exit from the premises whilst regulated entertainment licensable activities are ongoing shall be via a lobbied door to minimise noise breakout.
- The regulated entertainment licensable activity shall conclude one hour before the premises is due to close to prevent excessive noise breakout as the premises empties.
- The rear side doors will be fitted with an alarm that instructs staff when the door has been opened.
- All speakers are mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.
- The licensee shall ensure that no music is played in the licensed premises 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 the responsibility of the premises licence holder to request assistance, in writing and to ensure that the limiter is working effectively.
- 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 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 they could be disturbing neighbours.
- The rear external area should be kept clear and not used as a smoking area due to its close proximity to residential properties.
- Deliveries and collections associated with the premises will be arranged during normal working day hours so as to minimise the disturbance caused to the 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.
- 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.
- 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.
- Regular liaison meetings will be held where specifically requested by residents to enable neighbours to raise concerns about any aspect of the licensed activities.
- There will be no queuing outside the premises.
- Where people queue to enter the premises, a licensed door supervisor shall supervise and ensure the potential patrons behave in an acceptable manner.
- Signs should be displayed requesting patrons to respect the neighbours and behave in a courteous manner.
- A licensed door supervisor will be positioned on the exit door to ensure, as far as reasonably practical, that patrons do not leave drinks.
- A licensed door supervisor will patrol the curtilage of the premises to prevent patrons urinating in public areas in the vicinity of the premises.
- Adequate litter receptacles for use by patrons will be provided. The positioning of the receptacles will be agreed with the licensing officer.
- 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.
- Illuminated external signage shall be switched off when the premises is closed.
- Security lights will be positioned to minimise light intrusion to nearby residential premises.

- All staff shall be trained in recognising signs of drunkenness, how to refuse service and the premises duty of care. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of the Council.
- Challenge 25 policy to be enforced.
- Challenge 25 posters to be displayed in areas of high visibility to customers throughout the premises.
- Proof of age – only a passport, photo-card driving licence, Armed Forces ID cards or a proof of age card bearing the official “PASS” accreditation hologram should be accepted as proof of age.
- A clear and detailed record of any refusals is to be logged and be made available upon request.
- No children under the age of 18 to be present after midnight (Monday-Sunday).
- There shall be 2 SIA registered officers at the premises Sunday to Wednesday from 2100 until the venue closed and patrons are dispersed. From Thursday to Saturday there shall be 2 SIA registered officers at the premises controlling the entrance to monitor patrons entering and leaving the premises, and 1 inside monitoring patrons.
- Smokers shall be directed to the area at the rear of the premises, and this area shall be monitored to ensure that there are no more than 5 people in the area at any one time.

The committee resolved to grant the application subject to conditions as set out above. In reaching its decision the committee took account of the representations that it received from all the parties. The committee took note of the applicant’s concerns regarding whether the representations it heard were merely speculative in nature and was concerned to ensure that its decision was informed solely by relevant considerations, namely those related to crime and disorder, the prevention of public nuisance public safety and the protection of children from harm.

In the circumstances, the committee was satisfied that it was appropriate, proportionate and in the public interest to grant the licence with the aforementioned conditions.

The Committee accepted that the Applicants had a wealth of experience and did not doubt that they had a strong commitment to running a successful local business. However the committee did not consider that the representations made by the Responsible authorities in particular the police could be discounted. The committee was satisfied that there had been incidents of crime and disorder associated with the premises. In addition to the evidence provided by the Police, the local knowledge provided by the ward Councillor on behalf of local residents, and Public Health both of which raised serious concerns regarding alcohol misuse in the vicinity, and the high level of crime in the ward meant that these conditions were appropriate. The evidence which did not relate specifically to the premises set matters in context regarding the local area and the committee therefore did not feel it could be completely disregarded.

The Police representation referred to a number of recent incidents which had occurred at the premises, and the Committee noted that some of these had occurred since the Applicants had taken over the premises.

The Committee did acknowledge the Applicant's assertion that the premises was not going to be promoted as a destination venue, but felt that in light of the evidence put forward by the Interested Parties, longer hours and close proximity to other late night venues in the area would encourage late night drinkers to move to the premises once these venues had closed with the attendant risk of Crime and Disorder, as well as late night noise and disturbance in what is a residential area. The Applicant felt that a conscious decision to bar drunks from the premises would be a sufficient means to address this but the evidence from the Police strongly suggested that an incident such as ejecting a patron from the premises can rapidly descend into disorder requiring police attention. The Committee appreciated the diligence of the Applicant in relation to the reporting of incidents (as set out in the Police's representation), however, they felt that these incidents served to support the evidence set out in the Interested Parties representations regarding crime and disorder in the local area.

The Committee did not accept that the Applicant's flexible approach to the use of SIA door supervisors was an adequate means of preventing crime and disorder, and considered that it was not practical to rely on SIA door supervisors being able to attend the premises at short notice from other venues should any incidents occur at the premises. A key point in having SIA was that they should serve as a first line to respond to incidents at premises. For this reason, the Committee decided that it would be appropriate to include a condition about this on the licence.

The Committee noted that the Applicant wanted extended hours for the purpose of having flexibility to operate, and heard the representations regarding staggered closing but was not satisfied that this was an appropriate way to operate. If the venue was characterised as having 24 hour opening, it would be likely to attract visitors on the off chance that it would be open and with the likely effect of individuals

approaching and congregating at the premises at all hours whether open or closed thereby causing nuisance and annoyance to residents.

After considering all of the evidence, the Committee considered it to be appropriate not to grant the application in its entirety.

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, proportionate and in the public interest.

55. THE LORD PALMERSTON, 197 PHILIP LANE, N15

Daliah Barrett, Licensing Officer, introduced the application for a new premises licence at The Lord Palmerston, 197 Philip Lane, N15. The hours of operation sought by the applicant were:

Regulated Entertainment: Plays, Films, Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance & Anything of a similar description

Sunday to Wednesday	0900 to 0300 hours
Thursday to Saturday	0900 to 0500 hours

Late Night Refreshment

Sunday to Wednesday	2300 to 0300 hours
Thursday to Saturday	2300 to 0500 hours

Supply of Alcohol

Sunday to Wednesday	0900 to 0300 hours
Thursday to Saturday	0900 to 0500 hours

For the consumption ON and OFF the premises

All licensable activities to have one extra hour of operation permitted on the day British Summer Time starts.

On Sunday proceeding a Bank Holiday, licensable activities to cease at 0500 hours. On New Years Eve the premises will be permitted operation from the start of the permitted hours until the end of permitted hours on New Years Day.

Hours Open to the Public

Sunday to Wednesday	0900 to 0330 hours
Thursday to Saturday	0900 to 0530 hours

One extra hour of operation permitted on the day British Summer Time starts.

On Sunday proceeding a Bank Holiday, licensable activities to cease at 0500 hours. On New Years Eve the premises will be permitted operation from the start of the permitted hours until the end of permitted hours on New Years Day.

The current premises licence could be found at page 96 of the agenda pack.

Representations had been received from the Metropolitan Police, Licensing Authority, Enforcement Response, Public Health, Ward Councillor and Local Residents.

PC Mark Greaves outlined his representation against the application. There had been two crimes reported at the venue since April 2017 – 24 April 2017 at 2045hrs where 2 intoxicated males had been ejected from the premises, and one was subsequently arrested for GBH; and 15 July 2017 at 2355hrs where a male had been ejected from the premises due to behaviour towards female staff, and upon hearing breaking glass outside of the premises, the assistant manager locked the doors of the pub. The male was assaulted outside of the premises and left with a cut to his head.

PC Greaves considered that suitable opening hours for the premises would be Sunday to Wednesday 0900 – 0100hrs, with all licensable activity ceasing at 0030hrs, and Thursday to Saturday 0900 – 0200hrs, with all licensable activity ceasing at 0130hrs. A number of CCTV conditions were put forward, along with a request for 2 SIA Officers at the premises, although this could be reduced to 1 SIA Officer Sunday to Wednesday from 2100hrs if the Police hours were implemented.

Monica Ukandu, Public Health, outlined the representation against the application. Philip Lane was a hugely residential area, and was included in an alcohol control zone. There were concerns that later opening hours would increase noise nuisance and antisocial behaviour already experienced in the area.

Charles Buckle, Enforcement Response, outlined the representation against the application. A list of recommended conditions had been suggested at page 107 of the agenda pack, and the recommended hours of operation were Sunday to Wednesday 0900 – 0100hrs and Thursday to Saturday 0900 – 0200hrs, with licensable activity ceasing 30 minutes before closing.

Tim Sparrow, local resident, outlined his representation against the application. The hours sought by the applicant did not match the hours suitable for a local public house, and there was no protection for residents that these premises would not be operated as a nightclub. Mr Sparrow felt that the applicant had not addressed a number of issues – the inadequacy of the building for containing music, how dispersal into a highly residential area in the early hours of the morning would be managed, how SIA officers would be employed.

Michael Fosher, local resident, outlined his representation against the application. The hours applied for were completely unaligned with a residential area, and he suggested to the Committee that the current hours were more suitable. The premises were close to local schools, and there were already issues with rubbish and urination in the vicinity of the premises. Mr Fosher stated that although the current management team may believe that they would be able to operate properly, there was the concern that the licence could be sold on to new owners who would not be suitable.

Vishal Sethi, local resident, outlined his representation against the application. He explained that there were a number of vulnerable residents in the area close to the premises, and that many of these residents had not been told of the extension in

hours. The area was already affected by crime and disorder, and a later licence would only increase this.

Elaine Walker, local resident, outlined her representation against the application. She referred the Committee to the Haringey Village Supported Housing scheme, and stated that while there would be noise and disturbance to all residents, it would have a severely detrimental effect to those in Summerhill Village. She requested that the application be rejected.

Valerie Hayward, local resident, outlined his representation against the application. She had lived opposite the premises for 40 years, and was a full time carer and nurse for her husband. With the current hours of the premises she experienced disturbances from the premises, which interrupted both her and her husband's sleep. Any extension in hours would lead to further disruptions and she requested that the application be refused.

Alexis Shepherd, local resident, outlined his representation against the application. He supported the objections raised by the other local residents, and added that he felt that more residents should have been notified about the application. In response to this, Daliah Barrett explained that under the Licensing Act 2003, it was the responsibility of the applicant to place a blue notice on the premises in relation to any applications, and the Local Authority had no responsibility to notify.

Councillor Felicia Opoku addressed the Committee in her role as Ward Councillor. She referred to her written representation at page 122 of the agenda pack in which she stated that the requested hours were not suitable for a premises in a residential area, and requested that the application be refused.

Kevin Baumer, Applicant Representative, presented the application for a new premises licence. He informed the Committee that the applicant had no intention of running the premises as a nightclub, and it would remain as a local pub. The applicant had included a number of conditions which it considered would address all concerns raised by the objectors, and promote the licensing objectives. He considered that it would be highly unlikely for customers to arrive at the premises in the early hours of the morning following the closure of nightclubs, as it was not a destination venue, and so felt that this would not be a disturbance to local residents. The longer hours would allow for flexibility and a soft closure of the premises so as not to encourage binge drinking.

Mr Baumer referred to the objections made by local residents, and stated that there was little to differentiate one representation from another, and that there was little evidence provided to prove that a later opening hour would contribute to any issues. He added that the noise and public health representations were generic, and referred to matters that were addressed by the conditions set out in the application.

Mr Baumer concluded by reminding the Committee that the applicant had no alternative but to act responsibly in running the premises.

The Chair invited all present to ask question of Mr Baumer, who provided the following responses:

- He considered the conditions put forward by the noise team to be generic, as they had not been specifically tailored to the premises. The conditions put forward by the applicant were specifically tailored to the premises in order to address the issues raised.
- The proposal to have 1 SIA officer was appropriate to the venue, however there was the flexibility of the organisation to redistribute SIA officers between premises as required.
- The management and staff at the premises would be responsible for managing the dispersal of customers, although it was anticipated that customers would leave gradually throughout the night, rather than en masse. There would be notices in the premises to remind customers to leave quietly.
- The rear area would still be used as a smoking area, and this could only be accessed via the building.

All parties made a closing statement and the Chair informed the applicant that the decision would be provided within 5 working days of the hearing.

RESOLVED

The Committee carefully considered the application for a new premises licence, the representations made by the Metropolitan Police, Enforcement Response, Licensing Authority, Public Health, a Ward Councillor, local residents, the representations made by the Applicant and their 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: Plays, Films, Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance & Anything of a Similar Description.

Thursday to Saturday 1900 to 0130 hours

Supply of Alcohol

Monday to Wednesday 1200 to 0000 hours

Thursday and Friday 1200 to 0100 hours

Saturday 1100 to 0100 hours

Sunday 1200 to 2230 hours

Opening Hours

Monday to Wednesday 1200 to 0030 hours

Thursday and Friday 1200 to 0130 hours

Saturday 1100 to 0130 hours

Sunday 1200 to 2300 hours

The external rear area to be closed by 22:00 each day.

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

The Committee added the following conditions as requested by the Metropolitan Police, Enforcement Response, Licensing Authority and Public Health:

- A digital CCTV system to be installed in the premises.
- Cameras must be sited to observe the entrance doors from the inside and outside to protect SIA searching entrants or refusing entry / ejecting clients.
- 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.
- Members 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.
- 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.
- Entry to the premises will be restricted to the main front door whilst the premises is being use for regulated entertainment licensed activity.

- Entrance/exit from the premises whilst regulated entertainment licensable activities are ongoing shall be via a lobbied door to minimise noise breakout.
- The regulated entertainment licensable activity shall conclude one hour before the premises is due to close to prevent excessive noise breakout as the premises empties.
- All speakers are mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.
- The licensee shall ensure that no music is played in the licensed premises 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 the responsibility of the premises licence holder to request assistance, in writing and to ensure that the limiter is working effectively.
- 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 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 they could be disturbing neighbours.
- The number of persons permitted to utilise the external rear area for smoking after 22:00 will be limited to 5 person at any one time and no drinks to be consumed in this area after 22:00..
- Deliveries and collections associated with the premises will be arranged during normal working day hours so as to minimise the disturbance caused to the 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.
- 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.
- 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.
- Liaison meetings will be held where specifically requested by residents to enable neighbours to raise concerns about any aspect of the licensed activities.
- Signs should be displayed requesting patrons to respect the neighbours and behave in a courteous manner.
- 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.
- Illuminated external signage shall be switched off when the premises is closed.
- Security lights will be positioned to minimise light intrusion to nearby residential premises.
- There shall be a minimum of 1 SIA registered officers Sunday to Wednesday, and 2 SIA registered officers Thursday to Saturday from 2100 until the venue closes and clients dispersed.
- All staff shall be trained in recognising signs of drunkenness, how to refuse service and the premises duty of care. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of the Council.
- Challenge 25 policy to be enforced.
- Challenged 25 posters to be displayed in areas of high visibility to customers throughout the premises.

The committee resolved to grant the application in part subject to conditions as set out above. In reaching its decision the committee took account of the representations that it received from all the parties. The committee's decision was informed solely by relevant considerations, namely those related to crime and disorder, the prevention of public nuisance public safety and the protection of children from harm.

The Committee heard evidence from Public Health, the Metropolitan Police, Enforcement Response, and 7 local residents, some of whom had lived in the area for over 30 years. The committee was satisfied that Local resident's personal testimony regarding anti-social behaviour, noise nuisance, urination and vomiting in the streets in the vicinity of the premises was credible. The Committee also noted the concerns raised by local residents of the proximity to Summerhill Village, a sheltered housing development and was not satisfied that the Applicant's had had regard to this when formulating their approach to operating in this residential area.

The Committee also noted concerns that notwithstanding the aim of the applicants to operate as a local pub, the premises would become a destination venue for patrons leaving other establishments nearby. Given the paucity of local transport links the committee considered that this would create noise nuisance for local residents, particularly as people would be walking through residential streets to and from the tube stations, or congregating at the bus stop outside the premises or waiting for taxis. In the early hours of the morning this would be an unacceptable level of disturbance for residents many of whom are elderly.

Although the Applicant had no plans for the premises to become a destination venue, the committee felt that the applicant was not able apart from asking taxis to turn off their engines, show what steps it would take to mitigate any increase in public nuisance as a result of opening so late in this area.

The Committee accepted that the Applicant had proven experience in running other licensed establishments, but felt that whilst the conditions put forward may be proven conditions in other premises, it was felt that they were not specific to the Lord Palmerston.

Despite the assurance of the Applicant that the management team running the premises were highly experienced, the Committee felt that they could not ignore personal testimony of the local residents and the evidence provided by the Responsible Authorities.

The Committee felt that there had not been adequate consideration made in relation to the provision of SIA officers and the use of the smoking area, and so decided to add conditions to the licence.

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.

CHAIR: Councillor Zena Brabazon

Signed by Chair

Date