

MINUTES OF THE MEETING OF THE SPECIAL LICENSING SUB COMMITTEE HELD ON MONDAY, 19TH FEBRUARY, 2018, 7.00 - 7.55 pm

PRESENT:

Councillors: David Beacham, Reg Rice and Ann Waters

52. **FILMING AT MEETINGS**

Noted.

53. **APOLOGIES FOR ABSENCE**

Councillor Reg Rice was in attendance as a substitute for Councillor Zena Brabazon, who was unable to sit on the Committee due to the application for Finsbury Park which was in her ward (Harringay).

54. **URGENT BUSINESS**

None.

55. **DECLARATIONS OF INTEREST**

None.

56. **SUMMARY OF PROCEDURE**

Noted.

57. **APPLICATION FOR A NEW PREMISES LICENCE AT THE IMPERIAL, 290 WEST GREEN ROAD, N15**

Daliah Barrett, Licensing Officer, introduced the application for a new premises licence for Imperial, 290 West Green Road, N15. Ms Barrett advised the Committee that during the consultation process the applicant had amended the hours originally sought, as follows:

Hours for opening to the Public

Sunday to Thursday	1000 to 2300
Fridays and Saturdays	1000 to 0100

Regulated Entertainment: Live Music & Recorded Music

Sunday to Thursday	1830 to 2300
Fridays and Saturdays	1830 to 0000

Late Night Refreshment

Friday and Saturdays 2300 to 0030

Supply of alcohol for consumption ON the premises

Sunday to Thursday 1100 to 2230

Friday and Saturday 1100 to 0030

Representations had been received from Responsible Authorities and local residents.

The premises had previously operated as a church and had not been licenced for licensable activities. A Temporary Event Notice (TEN) had been used in December 2017, and complaints had been made by local residents, with a visit made by the Noise Team.

The local residents outlined their objection to the application. Local residents currently experienced noise and public disorder issues and were concerned that an increase in people to the area would exacerbate this. They referred to the application for licensable activities for seven days per week, and questioned the applicant's assertion that the premises would only be used for birthday parties and weddings and would surely not need to be in operation seven days per week. The residents requested that the application be refused, or if it were to be granted that a number of conditions be added. The conditions requested were that the hours open for licensable activities would be weekend only and for a maximum number of events per year; a mobile phone number be made available for the management of the premises; and for no re-entry to the premises after 2100hrs.

Graeme Hopkins, Applicant Representative, presented the application for a new premises licence. The premises operated as a function suite for weddings and parties, and had a capacity of 150, including staff. There were other licenced premises in the vicinity, therefore it could not be said that all noise and disorder issues could be attributed to these premises. Mr Hopkins informed the Committee that the Noise Enforcement Officer and the Police Licensing Team had withdrawn their representations.

Mr Hopkins added that the Applicant would be happy to accept a condition regarding the provision of a mobile phone contact number to residents. He added that there would be appropriate signage at the venue to ask customers to leave quietly, and that all regulated entertainment would cease at midnight on Friday and Saturday.

Mr Hopkins referred to the TEN and explained that the Applicant had since installed a noise limiter on the premises, which would need to be set by the Noise Enforcement Team.

Mr Hopkins requested that the condition requested by the Licensing Authority in relation to the automatic inclusion of conditions on any Temporary Event Notice not be included in the licence, as he considered this to be unlawful. He reminded the

Committee that any request for a TEN would have to be considered by the Police and the Noise Enforcement team, and they would need to raise any objections.

In response to questions from the Committee, the local residents explained that they had experienced noise issues even when the premises was a church, so it was an issue with the fabric of the building.

All parties made a short closing statement and the Committee retired to consider their decision. The Chair informed all present that the decision would be provided in writing within 5 days following the hearing.

RESOLVED

The Committee carefully considered the application for a new premises licence, the representations made by the Licensing Authority, 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 and the Licensing Act 2003 s182 guidance.

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

Hours for opening to the Public

Sunday to Thursday	1000 to 2300
Fridays and Saturdays	1000 to 0100

Regulated Entertainment: Live Music & Recorded Music

Sunday to Thursday	1830 to 2300
Fridays and Saturdays	1830 to 0000

Late Night Refreshment

Friday and Saturdays	2300 to 0030
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Supply of alcohol for consumption ON the premises

Sunday to Thursday	1100 to 2230
Friday and Saturday	1100 to 0030

The Committee added the following conditions as requested by the Enforcement Response and the Licensing Authority:

- CCTV

The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police and Council Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.

All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV.

- **Incidents**

An incident log shall be kept at the premises and maintained for a minimum period of 12 months, and made available on request to an authorised officer of the Council or the Police which will record the following:

- a) All crimes reported to the venue
- b) All ejections of patrons
- c) Any complaints received concerning crime and disorder
- d) Any incidents of disorder
- e) All 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.

- **Staff Training**

Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:

- a) The responsible sale of alcohol
- b) The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification
- c) The responsibility to refuse the sale of alcohol to any person who is drunk
- d) Fire safety & emergency evacuation procedures

- Drinks will not be permitted to leave the premises at any time, including for those leaving for the purpose of smoking.

Prevention of public nuisance

- Regular waste disposal is undertaken in accordance with the Council's requirements. No collections of waste or recycling materials (including bottles) from the premises shall take place between 2300 and 0800 Monday to Sunday.
- The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared, including cigarette butts / packets etc, periodically throughout the premises opening hours and specifically at the end of trading hours.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- Music should be inaudible from the nearest noise sensitive premises.

- The pavement shall be kept clear for pedestrians and not be blocked by patrons. If at any time the capacity is reached at both the tables and bar, any new patrons will be turned away at the door rather than being invited to queue outside.
- All doors and windows shall remain closed (not locked) during the provision of Regulated Entertainment except for the ingress/egress of persons and in the event of an emergency.
- The premises shall devise and implement a robust dispersal policy to ensure that patrons leave the premises and vicinity as quietly and speedily as possible.
- The premises shall prominently display signage informing customers:-
 - a) To leave quietly and to respect your neighbours
 - b) Stating that CCTV is in operation and police have instant access to the footage
 - c) Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed.
- No customers shall be allowed to leave the premises while carrying open drinking vessels ('open' shall be taken to mean an opening of the original manufacturers sealing of the vessel) or to consume alcohol on the public highway.

Public Safety

- A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:
 - a) Heat / smoke detectors are installed and maintained by a competent person.
 - b) Fire detection and fire safety equipment checks are recorded.
 - c) Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment
 - d) Emergency lighting is installed in accordance with the recommendations of the fire risk assessment
 - e) All emergency exits are marked on the premises plan.
- Adequate first aid boxes will be maintained.

Protection of children from harm

- No children under the age of 18 shall be permitted on the premises without an adult to supervise.
- A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- Staff will be trained in, and fully aware of, the law relating to sales of alcohol to those under the age of 18.
- 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.

- Entry to the premises will be restricted to main front door whilst the premises is being used 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 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.
- The fire doors at the rear of the premises shall have a person monitoring their use and ensuring that they are open only for patrons that are smoking.
- The windows will be fitted with an electronic device that cuts the power to the stage / performers area when the windows are 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 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 a 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.
- The number of persons permitted to utilise the external area at the rear of the premises will be restricted to 6 till 2300 and 3 thereafter.
- Deliveries and collections associated with the premises will be arranged between the hours 0800 – 2100 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.
- 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.
- When the premises turn out, a licensed door supervisor shall supervise patrons and ensure they leave in a prompt and courteous manner, respecting the neighbours.
- A licensed door supervisor will be positioned on the exit door to ensure, as far as reasonably practical, that patrons do not leave with 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.
- 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.

Of the conditions suggested by the Licensing Authority, the Committee did not include the condition relating to TENs, as it felt that there were sufficient controls in place regarding TEN applications. The Committee also felt that it would be sufficient to request that a minimum of two SIA be present at the venue, depending on the size of the event.

The Committee therefore added the following conditions:

- A minimum of two SIA staff to be present when events are taking place at the venue.
- A contact number shall be provided for local residents to raise any issues or concerns with the management of the venue.

The Committee noted the concerns of the local residents in relation to the potential for noise nuisance and anti-social behaviour in the vicinity but considered that the

implementation of the above conditions and operating hours would address any potential issues. The committee felt that the representations on whole could not be linked to the operation of these but was keen for the licensee to remain vigilant about the residents.

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.

Informative

The Committee wished to request that the management continue to communicate with local residents regarding any issues or concerns that they may have. The Committee also advised that improvement works be carried out in a timely manner to lessen the impact of noise on local residents.

58. APPLICATION FOR A NEW PREMISES LICENCE ON THE FINSBURY PARK BANDSTAND AREA BY LONDON OKTOBERFEST

This item was withdrawn from the agenda.

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This item was withdrawn from the agenda.

CHAIR: COUNCILLOR ANN WATERS

Signed by Chair

Date