

MINUTES OF MEETING Special Licensing Sub Committee HELD ON Thursday, 1st April, 2021, 19:00

PRESENT:

Councillors: Peter Mitchell, Viv Ross and Sarah Williams (Chair)

1. FILMING AT MEETINGS

Noted.

2. APOLOGIES FOR ABSENCE

Cllr Adamou gave apologies for absence. Cllr Williams Chaired the meeting as a substitute.

3. URGENT BUSINESS

It was noted that it being a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17, of the Council's Constitution, no other business shall be considered at the meeting.

4. DECLARATIONS OF INTEREST

None.

5. APPLICATION FOR A VARIATION OF A PREMISES LICENCE AT ALLORA HALL, 2 PARK ROAD, LONDON N8

Daliah Barrett, Licensing Officer, introduced the report, as set out in the agenda. The Committee considered an application for a variation of a Premises Licence at Allora Hall, 2 Park Road, N8.

The Committee were referred to the agenda pack and it was noted that Albion & East had applied to vary the licence to request an increase in operating times for both AM and PM. The PM requested hours had subsequently been withdrawn by the applicant. The variations to the licence put forward were:

- For an increase in operating hours from 10am on a Saturday and Sunday morning.
- A change to layout of the premises.
- The removal of a condition for alcohol to only be ancillary to food in the final hour.

The Committee noted that the previous licence holders Monkey Nuts was a restaurant and therefore had no concerns with meeting such a condition. Albion & East operated

the premises as a cocktail bar under the licence and so would not be a food led operation and sought the removal of this condition.

The agent for the applicant, Mr Craig Baylis addressed the Committee and advised them Albion & East wished to extend the hours of operation in order to match the other venues in their portfolio, which were open until 1am on a weekend. However, in light of concerns by local residents, the applicant was happy to withdraw this request with the understanding that they may apply for an extension at a later date. It was hoped that this would give the residents an opportunity to get to know the new owners and see how well the site was managed. The applicant wished to extend the hours of operation in the morning to from 10am at weekends in order to facilitate offering brunches. This was a significant part of their business model.

Mr Baylis advised that describing the venue as a cocktail bar was not necessarily accurate as the business' takings were made up of approximately 50% from food and 50% on drinks. The accuracy of describing the previous premises as a restaurant, rather than a bar, was also questioned.

Mr Baylis set out that, due to a historical anomaly from licenses granted pre 2005, some premises were able to carry on selling alcohol for an another hour until midnight, if they had tables out. The applicant was seeking to remedy this anomaly with the removal of a condition for alcohol to only be ancillary to food in the final hour. The applicant was happy to offer a condition that substantial food would be on offer at all times.

The Committee queried whether there would be any provision for outdoor seating. In response, Ms Barrett advised that the previous owners used to have tables and chairs outside, under the London Local Authorities Act 2012. The new owners would need to make an application for a new pavement licence if they wished to have outdoor seating. The Committee was advised that the Secretary of State for MHCLG had been vocal in his support for businesses to be able to do this in order to support the recovery as the country emerged out of lockdown.

The Committee questioned the licensing arrangements on special days, such as New Year's Eve. In response, it was noted that the applicant had left that box blank and so, as this was a variation, the provisions of the existing licence would just transfer across as is.

The Committee also sought assurances around how amendments to the application would be captured. In response, Ms Barrett advised that the decision made by the Committee at the hearing would be transferred to the premises licence and that this would include any amendments to the opening hours, for example.

The Committee received a representation from Ms Wallace, who was a local resident. Ms Wallace raised concerns about any increase in the hours of operation as it was in a large residential area where lots of families lived and it was not a suitable location for an extension of late hours. Ms Wallace urged that there needed to be a balance between the need to support business and the need to respect the residential nature of the area. The Committee noted these concerns and the applicant's agent reiterated

that there was now no extension to the terminal hours, only that the premises would open from 10am on a weekend.

In response to a query around complaints and the representation from the ASB officer noting complaints from 2016, the licensing officer acknowledged this and noted that when drafting a report she would usually only look at complaints made within the last 12 months or so.

In relation to the provision of loud music, Ms Barrett advised that due to deregulation some years ago, alcohol licenced premises were able to offer live and recorded music from 8am to 11pm. The only way this could be restricted was through the imposition of conditions to the licence, if it were to come before the Committee for a review.

The Committee queried whether the licence could include provision of Challenge 25, as was consistent with Haringey's licensing objectives. In response, the agent advised that this was a voluntary scheme but he was happy to agree to it.

Ms Wallace requested that local residents be contacted if a subsequent application was made to extend the hours of operation. In response, Ms Barrett advised that the authority did not notify residents individually but that a notice would be published in the local press as well as posted on the front of the premises. The Licensing Officer advised that the complaints process for noise nuisance etcetera had been set out to those making a representation as part of an earlier email but that she would send out the links to the relevant information again. **(Action: Daliah Barrett).**

RESOLVED

The Committee carefully considered the application for a variation to the premises licence, the representations from local residents, the representations made by the Applicant's representative, the Council's Statement of Licensing Policy and the Licensing Act 2003 s182 guidance.

Having heard the parties' evidence, the Committee considered it appropriate and proportionate to grant the variation of the licence and to impose the conditions set out below in order to promote the licensing objectives.

The Committee agreed to increase the operating hours from 10.00 a.m. on Saturday and Sunday and to grant the varied hours for the supply of alcohol as follows:

Supply of Alcohol

Monday to Saturday	1000 to 0000
Sunday	1000 to 2330

For consumption ON and OFF the premises

The amended layout plan was approved and the Committee resolved to remove the requirement for the supply of alcohol to be ancillary to a meal in the final hour. This requirement was replaced by a new condition that substantial food shall be available at all times.

Furthermore, the Committee decided to impose a condition, offered by the licence holder, that it will operate a challenge 25 Policy. The condition will read as follows:

The Licensee to adopt a "Challenge 25" policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age. The Licensee to prominently display notices advising customers of the "Challenge 25" policy. The following proofs of age are the only ones to be accepted:

- Proof of age cards bearing the "Pass" hologram symbol
- UK Photo Driving licence
- Passport

In considering the application for the variation the Committee was informed that the licence holder had withdrawn its request to extend the terminal hour for closure and for the sale of alcohol and only sought to open earlier for the supply of alcohol on a Saturday and Sunday. which was primarily being sought to enable the premises to offer brunch in line with its operating model. The Committee considered that the licensing objectives would not be undermined if the premises were able to open and supply alcohol from 10.00 a.m. at the weekend in line with its week day operating times.

CHAIR: Councillor Sarah Williams

Signed by Chair

Date