

BEFORE THE LICENSING SUB-COMMITTEE OF HARINGEY COUNCIL

APPLICATION FOR PREMISES LICENCE FOR THE VENUE N10 LIMITED, IN RELATION TO 272 MUSWELL HILL, BROADWAY, LONDON, N10 2QR

1. These submissions are made in support of the application for a premises licence, for the Venue N10 (the applicant), 272 Muswell Hill, Broadway, London, N10 2QR (the 'premises'), which will be presented at the Special Licensing Committee, to be held on 20 September 2021 at 19:00.
2. In these submissions, we have taken full account of feedback received during the statutory consultation period from residents and responsible authorities and believe the applicant has addressed the concerns raised.

The application

3. We hereby set out the application made by the applicant, together with amendments to the application, which have been made during the course of the consultation period. The applicant applied for a premises licence for the premises, to provide the following regulated entertainment 7 days a week at the times stated below:

- Live music – 12:00 – 02:00 hours
- Recorded music – 12:00 – 02:00 hours
- Dance – 12:00 – 02:00 hours
- Late-night refreshment – 23:00 – 02:00 hours
- Alcohol – 12:00 – 02:00 hours

4. We can now confirm that following consultation with the responsible authorities and in particular, with the police, that the proposed hours for all regulated entertainment are amended as follows:

Sunday to Thursday: 12:00 – 00:00 hours

Friday to Saturday: 12:00 – 02:00 hours

Accordingly, the amendment is to reduce the hours of operation from 02:00 to 23:00 hours from Sunday to Thursday, whilst Fridays and Saturdays would remain the same, as per the application submitted to the council.

Objections

5. A large volume of objections has been received from residents living near and around the premises. There have also been representations with proposed conditions and points of action from the following responsible authorities:
- ASB enforcement (Noise)
 - Building control
 - Licensing
 - Police
 - Trading standards

6. Unsurprisingly, the council saw the need to convene a 'Special' Licensing Subcommittee to deal with the weight of public opposition to this application. We wish to face the issues of concern to residents, head on. The history of the premises is of course uppermost in the minds of residents and there is no doubt that the Licensing Subcommittee will wish to take full account of the history of the premises and how the current application would be different to what was operating before and there not be a repeat of the sorry history.
7. The 'VenueN10' was previously known as the 'Socialite Bar' and effectively operated as a nightclub. The premises became associated with crime and disorder. As a result of the serious issues of continuing crime and disorder, the police applied for a review of the premises license and the matter was heard before a Special Licensing Subcommittee on 16 December 2016. We have attached the submissions, a copy of the minutes of that hearing, the police application and associated documents (but not the voluminous representations made by residents at that time).
8. It was noted that the premises are located near a roundabout on Muswell Hill, which is associated with serious incidents of crime and disorder. The review application stated a number of serious incidents, including the stabbing which took place on 17 April 2016, a shooting incident on 5 November 2016, an assault on 16 August 2015 and incidents of disorder on 23 August 2015.
9. From the police and residents' representations, there emerges a picture of serious crime and disorder, which presented not only a nuisance, but a real threat to the safety of residents nearby. We also note that the then operator was working with the police to try and control the situation, but the police (and ultimately the Licensing Subcommittee) came to the view that the operator was simply unable to control the situation. The Licensing Subcommittee resolved to revoke the premises licence of the Socialite Bar.
10. We have carefully reviewed each of the representations made by residents to this application. The representations essentially proceed on the basis that the premises will, or may, be operating as a nightclub and that if this application were granted, it would signal a return to the 'bad old days' of the Socialite Bar. The representations referred to past incidents of stabbings, a shooting, vomit on the street, females feeling unsafe to walk near, or past, the premises at night time, shouting and screaming and noise nuisance, to name but a few of the matters.
11. The residents' concerns are real and genuine, but it is our respectful submission that they are, in this application, fundamentally misplaced. We say this, because the premises will not be operating as a nightclub. Rather, the premises will be operating under an entirely different business model, which will not in any way attract the type of clientele and the associated behaviour, which led to the problems associated with the Socialite Bar. We would invite the Licensing Sub Committee to assess the application on the merits of the current applicant as opposed to its predecessor the Socialite Bar which was closed in 2017. We here also draw attention to the applicant's business plan which also accompanies these submissions. We further address the new operation below.

How will the VenueN10 operate?

12. The Venue N10 will solely be operating as a venue for private parties. It will not be open to members of the public to casually drop in during licensing hours to purchase alcohol.
13. A feature of the Socialite Bar, was that members of the public could enter the premises after 00:30 hours. Members of the public also contributed to the incidents of disorder, which have been well-documented.

14. The applicant has already in fact already commenced operating according to this new model by using (8) Temporary Event Notices. The Venue N10 is a venue for the hire of birthday parties, corporate events and family-related events, such as bar mitzvahs. We reference family-related events and 'bar mitzvahs', as we note that one of the criticisms of residents is that the premises does not contribute to, or aid, the community. While this is not strictly speaking a licensing objective under the Licensing Act 2003, the applicant does wish to convey that the premises is already serving the community in a very real way, by providing services of direct benefit to members of the community.
15. The DPS for the premises is Ms Sergal Suleyman. Ms Suleyman holds a personal licence and has been operating the new business model from the premises, since 2019. Ms Suleyman has also held 8 Temporary Event Notices and confirms that she has had no problems with them. We do wish to respond to an assertion made in one of more of the representations, that an incident of disorder occurred on the premises, whilst the applicant was operating under the current business model. In response to this, we would say that Ms Suleyman categorically denies that the applicant was in any way involved in this incident. She herself was standing outside of the premises at the time she received a call from council officers. Ms Suleyman was shocked to hear the complaint of disorder and is adamant that the issue had nothing to do with the premises. Ms Suleyman would point out that the venue is opposite the Mossy Wells and believes this was the source of the matter complained of.
16. When an individual(s) books an event Ms. Suleyman carried out a detailed risk assessment on the person booking. The booking will not be confirmed if any concerns emerge as to the suitability of the individual(s) concerned. Ms. Suleyman also takes full names, addresses and ID information such as a passport from the individual(s). This is a robust approach that helps ensure the applicant (and police) always know who has hired a given event.
17. We also note that in the representation from ASB Enforcement Specialists (Noise), two complaints were received on 27 June 2021 (booming base and loud music emanating from the Venue N10 in Muswell Hill) and 31 July 2021 (drunken people leaving the Venue N10, which was operating illegally without a licence), screaming and shouting on the street and drinking and eating on the road where cars are parked, with music blaring from 02:15 to 02:55. In relation to these incidents, we are instructed that for the incident on 27 June 2021 a patron had opened the rear door in the basement without authority which led to an escape of noise. The applicant proposes as a condition that the rear door will be alarmed and a prominent warning sign nearby to avoid a repetition of this incident. In relation to the 31 July 2021 incident it is denied that the premises were operating illegally. This event was a wedding reception and guests had bought their own alcohol. It is denied that drunken guests exited the premises as alleged. The applicant is proposing the use of SIA security staff and a Dispersal Policy which will avoid such conduct occurring in any event.
18. We would also refer the Licensing Subcommittee to the business plan, which is implemented by the applicant.
19. A key element of the Socialite Bar, was that it attracted the 'wrong crowd' and in particular, young men from outside the area, who had come to the Socialite Bar for entertainment. The challenge for the applicant in our submission is to ensure that they do not attract the type of clientele that caused so many problems. We are confident that the new operating model, which attracts an entirely different set of clientele (and note, in particular, that the applicant will NOT be hosting 18th or 21st birthday parties, which in their experience are associated with the most unruly behaviour from young people), residents can be assured that granting the licence will not see the return to the bad old days that they have outlined

in their representations. We stress again that the venue will not be, and is not, a nightclub. The applicant's website also makes clear that they only run birthday parties for under eighteens and over thirties. The persons under eighteen are required to be accompanied by an adult such as a parent or guardian. We refer also to an enclosed extract of the applicant's website and their Business Plan. The Licensing Sub Committee will be aware that it can of course make it an express condition that the premises will only be licensed for the purposes of running hired events.

Responsible authorities

20. Representations have been made by the stated responsible authorities. The applicant has carefully considered all of the representations and has agreed to the conditions set out by the responsible authorities. These conditions will also go a long way to preventing/deterring, crime and disorder and nuisance, which is a major concern of the responsible authorities and indeed of the residents.
21. In relation to the police's comments, the applicant maintains that the hours can safely remain at 12:00 to 02:00 on Fridays and Saturdays and in view of the other measures being implemented, that these hours would be consistent with the licensing objectives. In relation to Building Control, the applicant has now consulted another company, which has now produced an independent report, addressing the points raised with regard to building control. We enclose a report from Capital Fire Safety. The Licensing Subcommittee can, of course, include as a condition on any grant to the licence, compliance with any conditions as set out in a report, to the satisfaction of the Licensing Department and the Council.
22. In relation to the specific points raised by Building Control the applicant has instructed a fire safety company called Capital Fire Ltd. Officers from the company attended the premises to carry out a fire risk assessment and have produced a detailed report and plan of action which accompanies these submissions. Capital Fire Ltd have provided a detailed plan of action and the applicant believes that all Building Control's concerns have been addressed and further that if the Licensing Sub Committee is so minded they could grant a premises license on condition that the recommendations in Capital Fire Safety Ltd's report are implemented to the satisfaction of Building Control. The report has been forwarded to Building Control via Licensing and their comments are invited.

Conditions

23. We here set out a summary only of the combined conditions, from the various responsible authorities, together with the applicant, including any further conditions proposed, which we believe will give residents an entirely different experience to what they have had before. It is also a state of affairs, which would be consistent with the licensing objectives.

Illegal drugs

24. The premises will operate a zero-tolerance policy towards illegal drugs. This will ensure that illegal drugs are not tolerated on the premises.

CCTV

25. Both the applicant and the police have referred to CCTV conditions. The police have provided extensive conditions in relation to CCTV and what the cameras must capture, when the images must be captured and the storing/recording of those images. A member trained in operating CCTV must also be present on the premises at all times. The presence

of CCTV will itself operate as a deterrent to crime and disorder and in the event of any untoward incident, the police would have evidence at their disposal, to be able to investigate the matter as expeditiously as possible.

SIA (Security)

26. The premises will have a minimum of two licenced SIA door supervisors on duty on the premises from 20:00 until the premises close and until 30 minutes after the premises close on Friday and Saturday nights. It was a feature of the Socialite Bar, that patrons leaving the premises appeared to be out of control. In addition, many of the representations cited experiences of females walking past the venue and being harassed by young men, who were also congregating outside of the venue after exiting the premises. The SIA security staff would help to ensure orderly behaviour of patrons. The applicant also proposes a dispersal policy, which will further assist in ensuring that patrons do not congregate outside of the premises, causing nuisance and disturbance to passers-by/residents.

Noise

27. The premises would have a notice displayed at the exit, reminding patrons to respect local residents and to leave the area quietly. The SIA staff and door supervisors will be required to actively monitor and control patrons queueing, leaving and entering the premises and to ensure that they also do so quickly and quietly.
28. The licence holder would be responsible for conducting regular assessments of the noise coming from the premises, whilst it is open for business. The applicant has accepted a condition from the ASB enforcement team, to keep a written record of the assessment in a log book kept for that purpose.
29. Further extensive conditions have been proposed by the ASB team, under the heading *Controlling noise and emissions*. Those further conditions include a noise-management plan, which would have to be agreed with the ASB enforcement team. The applicant would only be allowed to play background-level noise, until the noise management plan is fully implemented. We have no doubt that the ASB-enforcement team will be keen to ensure that any noise Management Plan is robust and avoids any noise issues.

Further Conditions

30. The applicant also proposes the following be added to the license:
- a. *The premises shall only be used for the hire of private events*
 - b. *There shall be no admittance to members of the public other than invited guests to the event in question*
 - c. *The premises shall operate a dispersal Policy which shall be agreed with the council to ensure patrons do not congregate outside the premises after leaving the premises*
 - d. *The rear door in the basement shall be fitted with an alarm which signals loudly whenever the door is opened and there shall be a sign located near the door in a prominent location alerting patrons that the door is alarmed*
 - e. *The license holder shall operate a Dispersal Policy which has been agreed with the council's Licensing Department and the police.*
 - f. *The applicant shall provide a contact telephone number which neighbours can use on during the opening times of the premises to raise any concerns*
 - g. *The applicant shall convene a meeting with local residents to discuss any concerns about the operation of the premises within 24 hours of any request for such a meeting from residents*

31. Members may also wish to make the grant of a premises license conditional upon the applicant's compliance with the report of Capital Fire Safety Ltd.
32. The guidance issues under the Licensing Act 2003 envisages a constructive discussion before and at a Licensing Sub Committee hearing and the applicant welcomes discussion of any further or alternative conditions which may be raised as part of the deliberation process.

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