

Premium Pubs 1 Ltd**(the “Respondent”)****Application for a review of a Premises Licence****Victoria Stakes, 1 Muswell Hill, London N10 3TH (the “Premises”)****Respondent’s Written Submissions**

This statement is made in response to an application to review a premises licence with the intention of outlining the Respondent’s case. These submissions should be read in conjunction with:

- the witness statements of Lewis Johnson, James Watson and Ben Abrahams; and
- the report of Big Sky Acoustics.

Amplification of the points made below, together with further submissions, will be made orally at the licensing sub-committee hearing.

Background

The Premises is a beautiful former coaching inn which sits in the heart of the local community. The Respondent acquired the site on 20 June 2024 and refurbished it in 2025. The Premises comprises a ground floor bar and dining area, a first floor which is predominantly used for private hire functions but can operate as a dining area overflow and a walled backyard which is mainly used for dining and private events (mainly weddings – please see Haringey Council’s website for further details - <https://haringey.gov.uk/births-deaths-marriages-citizenship/marriages-civil-partnerships/venues-marriages-civil-partnerships-haringey/victoria-stakes>). A list of weddings and other events that took place in 2025 is at **exhibit 1**. These events normally take place in the late afternoon/early evening with background music only. Weddings which are to go on later into the night with music are moved to the first-floor function room after the wedding breakfast. Pictures of the various spaces and indicative menus are at **exhibit 2**.

As can be seen from the witness statement of the previous owner, Ben Abrahams, whilst the style of operation at the Premises has not changed since being acquired by the Respondent (with, if anything, use of the backyard for events decreasing), there has been a concerted effort to improve, what was already a good food offer.

The wider group of the Respondent, Mosaic Pub and Dining, has traded for over 10 years and has 25 premises. This is the first review application it has received and it has come as a shock. Whilst the Applicant has expressed concerns, the Respondent thought that they had either been addressed, or could be addressed, if a face-to-face meeting had been arranged. Before the review application, save for complaints from the single household, there have been no other issues or concerns expressed by either residents or any of the statutory authorities save for in respect of planning (see below). That said, to get specialist acoustic advice, the Respondent has engaged Big Sky Acoustics to produce a report which is lodged alongside these submissions.

Grounds of Review

The Applicant has reviewed the premises licence on all four licensing objectives. Divided into the individual licensing objectives (with the concern being addressed under the first of the four licensing objectives cited if raised multiple times), the Respondent's comments on each of her complaints are as follows:

Prevention of Public Nuisance

- Repeated late-night amplified music

Having amplified music in the backyard is not a breach of the premises licence. Planning conditions are not relevant to licensing proceedings (see below). As referenced in the report of Big Sky Acoustics, there is only a single speaker in the backyard through which music is played and the sound levels are extremely low – falling well within what is considered incidental music and hence not a licensable activity.

Given this, the Applicant is happy to have this conditioned on the premises licence that there can be no regulated live or recorded music and suggests the following condition:

‘There shall be no outdoor regulated entertainment’.

As explained above, when there is a wedding booking, the ceremony and wedding breakfast tends to take place in the backyard with the post-wedding breakfast festivities taking place inside on the first floor with regulated music playing up to 23.00hrs (or later if there is a temporary event notice in place). When Lewis Johnson arrived at the Premises, he noted that the fire exit door on the first floor would occasionally be opened by guests hoping to smoke or vape on the fire escape landing. This was causing noise to leak out. Lewis Johnson stopped this practice. There is now a warning sign on the door (see the report of Big Sky Acoustics) with any smokers having to exit the Premises by the main doors. To formalise this approach, the Applicant is happy to proffer the following condition:

‘The fire exit door on the first floor shall be kept closed at all times except in the event of an emergency’.

The first-floor room also has an obvious decibel reader (see report of Big Sky Acoustics) with music not permitted to go above 75 decibels. This has worked well, but the Respondent is happy to adopt the further recommendations of Big Sky Acoustics.

- Unmonitored outdoor events

All events in the backyard are closely monitored by members of staff and anyone wishing to have an event at the Premises must comply with a strict contract (please see attached at **exhibit 3**).

The Applicant is happy to add the following conditions to the premises licence:

‘The premises licence holder shall ensure that any patrons drinking in the backyard of the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance’.

'The premises licence holder shall give notice in writing of any pre-booked event for over 50 people in the backyard to any local resident that requests to be notified'.

'The premises shall have a Noise Management Policy which will be made readily available to any statutory authority upon request'.

A copy of the Noise Management Policy to be adopted forms part of the report of Big Sky Acoustics.

- Unmonitored fan noise

As detailed in the witness statement of Lewis Johnson, where there have been complaints of extractor noise they have been investigated. However, unless there is proper co-operation between the parties, it is very difficult to ascertain where such noise is emanating from in an urban environment. Such issues regularly crop up with licensed premises. They are solved through a series of trial and error – generally with the complainant being on the phone to the premises with machinery being turned off and on until the problem is isolated. At present there is no audible noise from any extraction or chillers – please see report of Big Sky Acoustics.

- Early morning cleaning

The cleaning contract has now been changed (see the witness statement of Lewis Johnson) and the Applicant is happy to proffer the following condition:

'No cleaning shall take place between close and 08:00hrs on the following day and all cleaning companies will be asked to instruct their staff to ensure that noise levels are kept to a minimum'.

- Construction noise

When the upper floor of the Premises was converted into management accommodation there was some construction noise. This is unavoidable and no different to residential renovations.

However, the vast majority of construction work took place during normal working hours with some scaffolding being erected and taken down early in the morning.

- Raised voices and staff shouting

The backyard is unusually quiet for a pub as it is used primarily for dining. The Respondent has been sent a video showing a noisy group in the backyard on 29 December 2025. This was during the World Darts Championship which takes place at Alexandra Palace once a year over the Christmas period and hence not indicative of a usually trading day. In any event, the group were asked to leave, which they did. If the Applicant ever has a concern about a noisy table, she is encouraged to phone the Premises and staff will take appropriate action. This is not the first time the Applicant has filmed the Premises. On numerous occasions the Applicant has been seen filming, whether this is simply staff or patrons having a coffee at lunchtime or when the backyard is being opened and set up.

Some events do require the use of a microphone (for example wedding speeches) but these are usually conducted in the early evening. To reassure the Applicant the Respondent is happy to proffer the following condition:

‘There will be no use of microphones in the backyard from 20.30hrs until the premises opens the following morning’.

- Excessive light pollution

Lewis Johnson accepts in his witness statement that there were occasional oversights in respect of keeping lights on. The backyard lights have now been put on a timer and the Respondent is happy to proffer the following condition:

‘All lights in the backyard will be switched off within 30 minutes of the terminal time that the area is permitted to be used by patrons’.

Public Safety

- Waste, broken glass and overflowing bins blocking access/fire escape routes

The Applicant accepts that overflowing bins are not only unsightly but also unhygienic. To ensure that this does not occur during busy times, as can be seen in Lewis Johnson's witness statement, he has contacted the Respondent's waste collection company and had additional general waste and glass bins delivered. He is also seeking to achieve a Sunday collection as well.

Prevention of Crime and Disorder

- Suspected intruders accessing covered dining area by climbing over fence

This is not an example of the Premises causing crime and disorder. It is an example of the Premises being the potential victim of crime and disorder from there being a right of way to the Applicant's property via a walkway. Whilst the Respondent is unaware of any burglary at the Premises, the security interests of the Applicant and Respondent are aligned and anything that can reasonably be done to prevent burglaries is welcome.

Protection of Children from Harm

- Swearing, drunken shouting

The Applicant does not accept that the Premises is a rowdy pub, as is confirmed by the representations in favour of the Respondent (see below). The Respondent prides itself on running a civilised establishment with a great food offer and, unless there is an event, the backyard operates as a dining room. Given that the space is so closely monitored by the Applicant it is inevitable that the odd swear word is overheard. This, in itself, is not evidence of harm to children.

Representations received

Residents in favour of the Respondent

The Respondent is overwhelmed by the level of support from the local community. Receiving in the region of 180 representations in support of the Respondent is extraordinary and very welcome. For brevity, these submissions will not comment on each representation. However, certain trends are obvious, namely:

- The Premises is a valuable community asset which local residents would like to see preserved.
- Even residents that live close to the Premises do not experience any noise disturbance.
- The staff of the Premises are considerate and helpful.
- There are no examples of antisocial behaviour.
- The outside areas are kept clean and tidy.
- The style of the Premises' operation has not changed since it was acquired by the Respondent.
- There are no examples of harm to children
- There are other licensed premises in the locality which disturb local residents.

Residents in favour of the Applicant

- Of the nine representations from the local residents, three are from family members of the Applicant.
- Regarding the remaining six, three strongly support the review, two have tempered criticism and one is essentially neutral.
- The Respondent's solicitor and Lewis Johnson have had a brief conversation with Councillor Brennan and the Applicant to discuss their concerns. It was agreed that the Applicant would consider any measures presented by the Applicant.

Representations from the Statutory Authorities

- The Respondent's solicitor and Mr Richard Vivian of Big Sky Acoustics have had an initial constructive conversation with Mr Craig Bellringer of Environmental Health. It is noted that there have been 55 reports of noise from the Premises (of which the vast majority are no doubt from the Applicant) and he has been sent videos taken by the Applicant which purport to show noise nuisance. Videos, especially those taken on mobile phones, are not an accurate record of noise nuisance as their software distorts noise. None of the complaints have been substantiated save

for officers witnessing 'people noise' (not music noise) from the garden area which is to be expected in any outside area of a licensed premises. If officers had witnessed a noise nuisance they would have served a noise abatement notice. Instead, the meeting with Birke Bassen and Lewis Johnson on 28 August 2025 was cordial with no further action being taken.

Several conditions are suggested, many of which are acceptable to the Respondent. The conditions which are agreed are as follows:

(a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Haringey Police Licensing Team.

(b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

(c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.

(d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.

(e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 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 images or data with the absolute minimum of delay when requested

Management must ensure that patrons do not obstruct the public highway in any manner whilst outside the premises.

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

For the reasons cited above, the requested conditions in respect of speakers are not agreed but a condition has been proffered above which prevents any regulated live or recorded music in the backyard.

Planning

There are numerous references in both the review application and the representations to planning conditions. As confirmed by the Section 182 Guidance (the 'Guidance'), planning and licensing are separate regimes which involve different considerations. That said, as has been confirmed by Planning Enforcement, the Respondent has applied for a Lawful Development Certificate to remove the restriction on amplified music in the backyard as there has been amplified music in the backyard for over a ten-year continuous period.

Licensing Policy of Haringey Council (the 'Policy')

As there is no representation from the Licensing Authority – the 'gatekeeper' of the Policy, the Respondent submits that there are no specific policy concerns.

Paragraph 16.10 of the Policy outlines relevant considerations when considering applications for new licences, variations to existing licences and licence reviews. Some of these considerations are more relevant than others given that this is a review application as opposed to a new premises licence. That said, the Policy states that the authority will take into account the views of other persons (namely residents), the past compliance history (which has been exemplary), the type of customers likely to attend the Premises (with numerous representations praising the customers) and whether there is a high standard of management (which the Respondent submits there is). The Policy helpfully lists steps which can be taken to ensure that the four licensing objectives are upheld which have guided the conditions proffered by the Respondent above.

The Guidance & National Licensing Policy Framework for the Hospitality and Leisure Sectors (the 'Framework')

The Guidance has significant sections dealing with reviews and broader relevant points. In paragraph 11.20 it directs that:

‘licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review’.

As can be seen above and in the witness statements, the Respondent has tried to methodically identify each area of concern and has explained what remedial action has/will be taken to address the concerns raised, including instructing an independent expert to provide specialist assistance. Given this, it is the Respondent’s submission that to either add further conditions or fetter the premises licence further than proffered would be inappropriate and disproportionate. Paragraph 11.23 goes on to say that:

‘it will always be important that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives’.

Any steps which would prevent events such as weddings from happening in the backyard (for example by preventing the use of microphones for speeches) or stifle evening service (such as closing the backyard earlier than 23.00hrs) would, as explained in the witness statement of James Watson, have a crippling impact on the business which, again would be inappropriate and disproportionate. This is not a business which has been traded irresponsibly.

Finally, the Guidance incorporates the Framework at paragraph 1.18 when it states that:

‘when making licensing decisions, all licensing authorities should consider the need to promote growth and deliver economic benefits’.

The Framework talks at length about the importance of supporting hospitality businesses. It recognises ‘the significant contribution to local economies and communities’ that hospitality businesses make and states that licensing, ‘must be enabling as well as protective: deliver licences that are granted on the terms

sought, with conditions that are necessary and proportionate, ensuring they are fit for purpose and support the evolving needs of businesses and communities’.

Any steps taken which put the business at risk of insolvency or require redundancies would fly in the face of both the Guidance and the Framework.

Conclusion

The Respondent has carefully considered all the complaints of the Applicant and has sought to take a balanced approach. The steps undertaken and the additional conditions proffered/agreed are considerable and the Respondent looks forward to receiving the Applicant’s comments thereon.

However, there are two requests which, if accepted by the licensing sub-committee, would be extremely damaging to the Respondent, namely:

- having no amplification in the backyard whatsoever; and
- closing the backyard at 21.00hrs.

Without use of a microphone there cannot be events such as weddings and wakes in the backyard. The ability to have an outdoor wedding, albeit covered, is a significant selling point and far more attractive to couples than being restricted to the upstairs room. Also, closing the backyard at 21.00hrs would prevent the area from being used by diners in the evening as the last cover would effectively have to be 18.30/19.00hrs – too early for most wishing to eat. Such a restriction would require the backyard to be used for drinkers only which would generate more noise. This is the opposite of what this review is intending to achieve.

Regardless of the decision of the licensing sub-committee, the Respondent would like to have a constructive relationship with the Applicant and would welcome regular meetings to discuss any issues which can arise when living next to a licensed premises.

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