

**MINUTES OF THE LICENSING SUB-COMMITTEE B  
TUESDAY, 18 JANUARY 2011**

Councillors Brabazon, Browne (Chair) and Jenks

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCB16.	<p><b>WEBCASTING</b></p> <p>The meeting was webcast for broadcast on the Council's website.</p>	
LSCB17.	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence.</p>	
LSCB18.	<p><b>URGENT BUSINESS</b></p> <p>There were no new items of urgent business.</p>	
LSCB19.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>Cllr Brabazon declared a personal interest as a resident of the Ward in which the premises was located.</p>	
LSCB20.	<p><b>MINUTES</b></p> <p><b>RESOLVED</b></p> <p>That the minutes of the Special Licensing Sub Committee held on 2 August 2010 and the Licensing Sub Committee B held on 12 October 2010 be approved and signed.</p>	
LSCB21.	<p><b>SUMMARY OF PROCEDURE</b></p> <p><b>NOTED</b></p>	
LSCB22.	<p><b>KASSABA, 1 NEW RIVER AVENUE, HORNSEY, N8 7QD</b></p> <p>The Committee was advised that this item was adjourned to a future meeting.</p>	
LSCB23.	<p><b>THE OPERA HOUSE, 2 CHESNUT ROAD, TOTTENHAM, LONDON, N17 9EN</b></p> <p>At the start of the hearing, the Committee members confirmed that they had no prior contact with any of the parties in respect of the application. The applicant's representative, Mr Rankin, advised the Committee that he had late evidence to submit in relation to residents neighbouring the premises, who had reported that they had not experienced any problems of public nuisance from the Opera House. The Committee accepted the submission of this evidence.</p> <p>Ms Barrett presented the report on the application for a new premises</p>	

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licence, and advised that the hours applied for were the same as on the previous, lapsed licence. The Fire Officer had commented on the capacity of the venue, and this was reflected in the report. Representations had also been received from the Noise Team and from Cllr Reg Rice, a local Ward Councillor, on the grounds that the premises would cause public nuisance and that excessive noise would disturb local residents at night.

In response to a question from the Committee, Ms Barrett clarified that the applicant had accepted the capacity outlined by the Fire Officer, and that the overall capacity at the venue would be 550.

The Noise Team officer, Mr Buckle, addressed the Committee in respect of the application, and advised that he had recommended a number of conditions in relation to noise. In response to questions from the Committee, Mr Buckle advised that there was parking near to the venue, but that he was not aware whether any complaints had been received from local residents regarding parking in the vicinity. The Committee asked whether the Noise Team had measured the noise emanating from the venue from outside, in response to which Mr Buckle advised that they had not.

The applicant's representative, Mr Rankin, advised the Committee that the site had been a licensed premises for around 30 years, and that if there had been issues in relation to noise during this time, these would have been reported. Mr Rankin advised that residents closest to the premises had been contacted and had indicated that they had no complaints with regards to noise. The Committee was advised that the previous licence had expired when the former owners of the site had ceased trading, and the new owners were now seeking a new licence to replace the previous one. The hours applied for and the conditions had been lifted straight from the previous licence, which had been operated for 15 years with no issues. A number of new conditions had also been added to this new application to address any potential concerns, and it was reported that a sound engineer would be on the premises whenever they were open, to monitor the sound levels and ensure that these were within the accepted limits.

Mr Rankin advised the Committee that, were the hours to be pegged back, this would result in a large number of customers leaving the premises at the same time, causing a disturbance to local residents. The extended opening hours permitted customers to leave the site gradually and get straight into taxis to leave the area immediately with no disturbance outside the premises. Mr Rankin advised the Committee that Club Scan was among the new conditions offered; this system was highly regarded by the Police and ensured that identification and contact details were held on file for every person present in the premises and also enabled the identification and exclusion of any person who had been previously barred. Mr Rankin confirmed that the applicants were happy to accept all the conditions proposed by the Council's Noise Enforcement officer.

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The Committee asked to hear from the sound engineer, who confirmed that his role was to monitor the sound levels, to ensure that the limiter was working correctly and to make sure that there was no sound leakage outside the premises. The engineer would use a decibel metre to check that the sound levels at the nearest property to the premises were no higher than the accepted level of 65 decibels. The engineer confirmed that all speakers were mounted on non-vibrating concrete platforms and that in a recent test with the sound system at its highest level and no customers inside the building, the levels outside the premises were below 65 decibels. It was confirmed that the sound engineer would be present whenever the premises was open and that all music, even when visiting DJs were playing, would be controlled by the premises own in-house sound system and limiter.

In response to a question from the Committee, the sound engineer confirmed that 65 decibels was about the level of a quiet conversation between two people. The Committee asked about the complaint that had been received in July, and whether changes had been made since that time to remedy the problem; Mr Rankin advised that they did not have the details of the complaint as this had been under the previous ownership, however the testing undertaken indicated that there was no problem with sound leakage from the premises now. In response to further questions from the Committee, Mr Rankin advised that there would be eight SIA-registered door staff on duty during operating hours, three of whom would be monitoring the outside of the premises, it was also confirmed that there would be a toilet attendant in each toilet whenever the premises was in operation.

The Committee emphasised their concerns with regard to waste in the area, in response to which Mr Rankin confirmed the premises' arrangements for waste management and collection. In response to questions from the Committee regarding the activities applied for, it was confirmed that these were the same as under the previous licence. Proof of age issues would be addressed by the Club Scan system, for which photographic ID was an essential condition of entry.

In summing up, Ms Barrett read out a further representation from Cllr Rice, which he had asked to be taken into consideration. Cllr Rice expressed concern regarding the proximity of the venue to a housing estate and Protheroe House, and the impact that the late hours would have on these residents. Cllr Rice requested that if the licence were to be granted, the opening hours should be no later than 3am. Mr Rankin concluded by stating that if there had been any concerns in relation to noise from the premises, these would have become apparent over the past 15 years and the lack of objections from residents during this time showed that such a licence could be well-managed.

The Committee went to deliberate. In presenting their decision, the Committee emphasised the need for the applicants to be 'good neighbours' and to ensure that the vicinity of the premises was kept free from litter in order to benefit the area.

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**RESOLVED**

The Committee carefully considered the application, representations from one of the local Ward Councillors, the applicant and Environmental Health, and also took into account section 182 of the Licensing Act 2003 guidance and the Council's Licensing Policy and resolved to grant the application by 247 Leisure Limited in the following terms:

The Provision of Regulated Entertainment: Films

Monday to Wednesday: 2000 to 0300  
Thursday and Sunday: 2000 to 0600  
Friday and Saturday: 2000 to 0800

Live Music, Recorded Music, Performances of Dance, Provision for Facilities for Dancing

Monday to Wednesday: 2000 to 0300  
Thursday and Sunday: 2000 to 0600  
Friday and Saturday: 2000 to 0800

Where Bank Holidays, New Years Eve, New Years Day, Christmas Eve or Boxing Day fall on a Monday, Tuesday or Wednesday: 2000 to 0800 hours.

The Supply of Alcohol

Monday to Wednesday: 2000 to 0230  
Thursday and Sunday: 2000 to 0530  
Friday and Saturday: 2000 to 0730

Where Bank Holidays, New Years Eve, New Years Day, Christmas Eve or Boxing Day fall on a Monday, Tuesday or Wednesday: 2000 to 0800 hours.

Opening hours

Monday to Wednesday: 2000 to 0300  
Thursday and Sunday: 2000 to 0600  
Friday and Saturday: 2000 to 0800

Where Bank Holidays, New Years Eve, New Years Day, Christmas Eve or Boxing Day fall on a Monday, Tuesday or Wednesday: 2000 to 0800 hours.

The licence is subject to the implementation of the conditions proposed by the applicant in the operating schedule and also the conditions put forward by the Council's Environmental Health officer.

The premises licence is to be granted only once the Licensing Authority has provided written confirmation to the applicant that it is satisfied that all conditions have been met. The licence is subject to review if the

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	conditions are not met.	
<b>LSCB24.</b>	<b>NEW ITEMS OF URGENT BUSINESS</b>  There were no new items of urgent business.  The meeting closed at 20:15hrs.	

Clr David Browne  
Chair