



Licensing Act 2003 Sub-Committee on 12TH SEPTEMBER 2006

Report title: Application for a VARIATION of a Premises Licence NIGHTINGALE PUBLIC HOUSE, 40 NIGHTINGALE LANE, LONDON, N8 7QU Report of: The Lead Officer Licensing Ward(s) affected 1. **Purpose** To consider an application for a variation to a New Premises Licence by PATRICK DESMOND QUINN to provide a licensable activity in the form of the sale of Alcohol. 2. Recommendations 2.1 (a) Grant the application as asked Modify the conditions of the licence, by altering or omitting or adding to them (b) (c) Reject the whole or part of the application The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application unless it is necessary to promote the licensing objectives. Report authorised by: Robin Payne..... **Assistant Director Enforcement Services** Contact Officer: Ms Daliah Barrett Telephone: 020 8489 5103 3. **Executive summary** For consideration by Sub Committee under Licensing Act 2003 for a Premises Licence with variation to the existing conditions 4. Access to information:

Local Government (Access to Information) Act 1985 Background Papers

The following Background Papers are used in the preparation of this Report:

File: NIGHTINGALE PUBLIC HOUSE

The Background Papers are located at Enforcement Service, Civic Centre, High Road Wood Green N22

5. REPORT

Background

5.1 Variation of the Premises Licence under Schedule 34, of the Licensing Act 2003.

Application by **PATRICK DESMOND QUINN**, for a Variation of a Premises Licence in respect of **NIGHTINGALE PUBLIC HOUSE**, **40 NIGHTINGALE LANE**, **LONDON**, **N8 7QU** under the Licensing Act 2003.

PATRICK DESMOND QUINN has applied for a variation to their existing licence and to extend the hours of the sale of alcohol. App1

5.2 Details of variation being sought under a new Premises Licence

Opening Hours for Public

Monday to Sunday

10.00 - 02.00

Sale of Alcohol for Consumption on the Premises

Monday to Sunday

10.00 - 01.00

Provision of Regulated Entertainment

Monday to Sunday

10.00 - 01.00

The proposed variation is to enable the applicant to provide recorded and live music at the venue. If professional entertainment is provided the applicant will limit this to no more than two performers at the same time.

A copy of the current licence is attached at - Appendix 1A.

The current licence permits the sale of alcohol.

The applicant is able to have recorded music only for background premises.

Designated Premises Supervisor: PATRICK DESMOND QUINN

5.3 Crime and Disorder

No additional steps are seen to be required in order for the prevention of crime and disorder as a result of the proposed variation.

5.4 Public Safety

No additional steps are seen to be required for public safety as a result of the proposed variation.

5.5 Public Nuisance

No additional steps are seen to be required for public safety as a result of the proposed variation.

5.6 Child Protection

No additional steps are seen to be required for public safety as a result of the proposed variation.

6. RELEVANT REPRESENTATIONS (CONSULTATION) Responsible authorities:

6.1 Comments of Metropolitan Police

Have no objections to this application.

6.2 Comments of Enforcement Services:

Noise Team

Have no objections to the variation

Food Team

Have no objections to the variation

Health and Safety

Have no objections to the variation

Trading Standards

Have no objections to the variation

6.3 Fire Officer

Has the following objections to this variation. App 2

Licensing Objective not adequately addressed	Location and detail of matters which are considered to put people at risk in the event of a fire emergency	Steps considered necessary to promote the public safety licensing objective
Public Safety	Throughout premises	Means of giving warning and detection:- Mains powered and battery back-up (minimum BS5839 Pt6 grade C)
Public Safety	Bar area and cellar	1 x foam extinguisher in test date per area.

6.4 Planning Officer

Has made no representation on this matter.

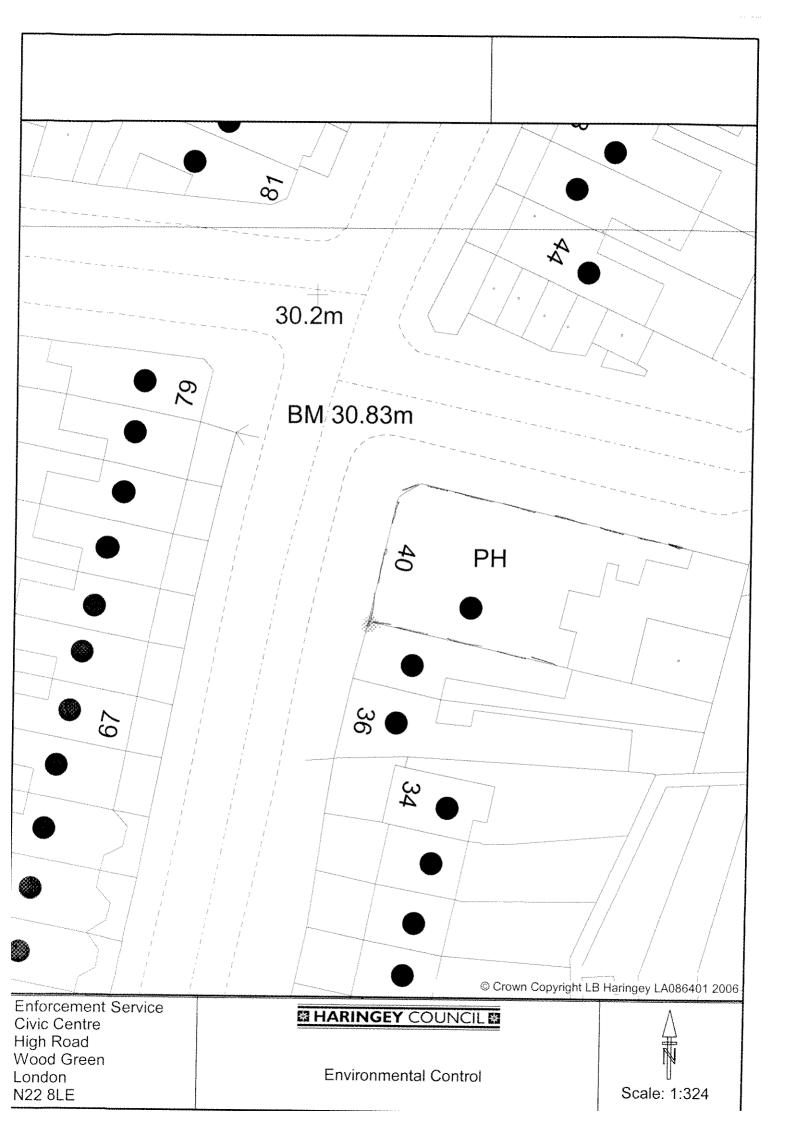
6.5. Comments of Child Protection Agency or Nominee

7.0 Interested Parties

No objections have been raised against this variation

8.0 Financial Comments

The fee which would be applicable for this application was £190.00



APPENDIX 1



Application to vary a premises licence under the Licensing Act 2003

£190

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Reference	number:

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records

(2) VWe

Patrick Desmond Quinn

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	172					
Part 1 - Premises details						
Postal address of premises or, if none, Ordnance Survey ma NIGHTINGALE PUBLIC HOUSE 40 NIGHTINGALE LANE HORNSEY	p reference or description					
Post town LONDON	Postcode N8 7QU					
Telephone number at premises (if any)	020 8340 5647					
Non-domestic rateable value of premises	£ 6,845-00					
Part 2 - Applicant details						
Daytime contact telephone number	0208 340 5647					
E-mail address (optional)						
Current postal address if different from premises address						
Post town	Postcode					

⁽¹⁾ Insert name and address of relevant licensing authority and its reference number (optional)

⁽²⁾ Insert name(s) of applicant

Part 3 - Variation

Do you want the proposed variation to have effect as soon as	possible		ase tick v yes	
If not do you want the variation to take effect from	Day	Month	Year	

Please describe briefly the nature of the proposed variation (Please read guidance note 1)

The proposed variation is because music previously thought to be background music occasionally reaches a volume the could be considered to be, and fall under the category of, "Recorded Music" On very rare occasions a spontaneous sing-a-long has developed on the premises. Rather than breach the licensing regulations it is felt that a variation in the license to cater for these events would be the appropriate. In the event that professional entertainment is provided, this will be limited to not more

than two persons performing at the same time.

No entertainment that may give rise to concern in respect of children will take place on the premises.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time. please state the number expected to attend

Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Pro	vision of regulated entertainment	
		Please tick ✓ yes
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	T
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	
Pro	vision of entertainment facilities for:	
i)	making music (if ticking yes, fill in box I)	
j)	dancing (if ticking yes, fill in box J)	
k)	entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) $$	
Prov	vision of late night refreshment (if ticking yes, fill in box L)	
Sale	by retail of alcohol (if ticking yes, fill in box M)	

In all cases complete boxes N, O and P

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3		Will the performance of a play take place indoors or outdoors or both		
ard days an	d timings	- please tick ✓ (please read guidance note 2)		
(please read guidance note 6)		Indoors Outdoors Both		
Start	Finish	moors outdoors botti		
		Please give further details here (please read guidance note 3)		

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		State any seasonal variations for performing plays (please read guidance note 4)		
		Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 5)		
	ard days an read guidanc	ard days and timings read guidance note 6)		

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Films		Will the exhibition of films take place indoors or outdoors or both		
		- please tick 🔽 (please read guidance note 2)		
Start	Finish	Indoors Outdoors Both		
		Please give further details here (please read guidance note 3)		
		State any seasonal variations for the exhibition of films (please read guidance note 4)		
		Non-standard timings. Where you intend to use the premises for the exhibition of films at different times from those listed in the column on the left, please list (please read guidance note 5)		

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Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
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Thur			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 5)
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entertainments			both - please tick 🗸 (please read guidance note 2)		
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Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur			•		
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)		
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Live music			I Will the performance of live manifold by the control of the cont		
Live music			Will the performance of live music take place indoors or outdoors or both		
Standard days and timings (please read guidance note 6)			- please tick ✓ (please read guidance note 2)		
Day	Start	Finish	Indoors ☑ Outdoors ☐ Both ☐		
Mon	10.0	01.00	Please give further details here (please read guidance note 3)		
Tue	10.00	01.00			
Wed	10.00	01.00	State any seasonal variations for the performance of live music (please read guidance note 4) New Years Eve from the start of permitted hours on 31 December until the start of permitted hours on 1 January		
Thur	10.00	01.00			
Fri	10.00	01.00	Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat	10.00	01.00			
Sun	10.00	01.00			

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Recorded music		usic	Will the playing of recorded music take place indoors or outdoors or both	
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Mon	10.00	01.00	Please give further details here (please read guidance note 3)	
Tue	10.00	01.00		
Wed	10.00	01.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)	
Thur	10.00	01.00	New Years Eve from the start of permitted hours on 31 December until the start of permitted hours on 1 January	
Fri	10.00	01.00	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times from those listed in the column on the left,	
Sat	10.00	01.00	please list (please read guidance note 5)	
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	•		those listed in the column on the left, please list (please read guidance note 5)		
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Provision of facilities for making music			Please give a description of the facilities for making music you will be providing		
Standard days and timings (please read guidance note 6)			Will the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2)		
Day	Start	Finish	Indoors Outdoors Both		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)		
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Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
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Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

No adult entertainment, services or other activities or maters ancillary to the use of the premises that may give rise to concern in respect of children will take place on the premises.

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Hours premises are			State any seasonal variation (please read guidance note 4)		
open to the public					
Standard days and timings (please read guidance note 6)			N. W. D. Court of remaitted hours on 21		
Day	Start	Finish	New Years Eve from the start of permitted hours on 31 December until the start of permitted hours on 1 January		
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Wed	10.00	02.00	the promines to be open to the		
			Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list		
Thur	10.00	02.00	(please read guidance note 5)		
Fri	10.00	02.00			
Sat	10.00	02.00			
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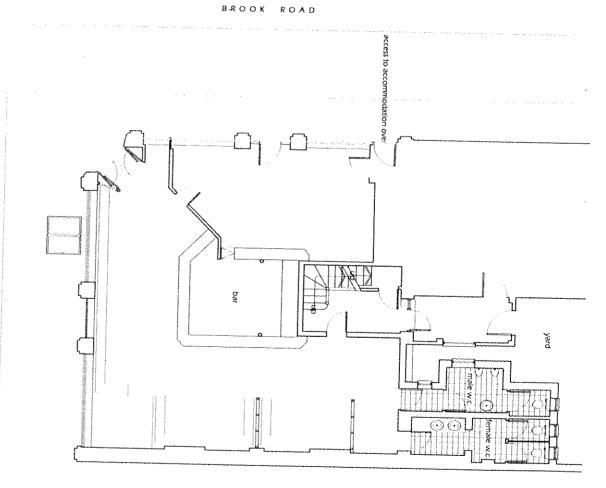
	neral - all four licensing objectives (b, c, d, e) (please read guidance note 9)
	No addition steps are seen to be required in order to promote the four licensing objectives as a result of the proposed variation.
Th	e prevention of crime and disorder
	No addition steps are seen to be required in order for the prevention of crime and disorder as a result of the proposed variation.
Pu	ublic safety No addition steps are seen to be required for public safety as a result of the proposed
	variation.
) T	he prevention of public nuisance
	No addition steps are seen to be required in order for the prevention of public nuisance as a result of the proposed variation.
e) T	The protection of children from harm
-	No addition steps are seen to be required for the protection of children from harm as a

v. ·	Please tick 🗸 yes
I have made or enclosed payment of the fee	
 I have sent copies of this application and the plan to responsible authorities and others where applicable 	Ø
I understand that I must now advertise my application	
I have enclosed the premises licence or relevant part of it or explanation	n 🗹
 I understand that if I do not comply with the above requirements my application will be rejected 	Ø
IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVE SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAK IN OR IN CONNECTION WITH THIS APPLICATION	
Part 5 - Signatures (please read guidance note 10)	
Signature of applicant (the current premises licence holder) or applicant's so authorised agent. (please read guidance note 11) If signing on behalf of the applicant please state in what capacity.	olicitor or other duly
Signature	
Date Applet	
Capacity Premises License Holder	
Where the premises licence is jointly held signature of 2nd applicant (the cuholder) or 2nd applicant's solicitor or other authorised agent. (please read guidant If signing on behalf of the applicant please state in what capacity.	
Signature	
Date	
Capacity	
Contact name (where not previously given) and address for correspondence application (please read guidance note 13)	e associated with this
Post town Postcode	
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address	(optional)

ground floor plan

NIGHTINGALE LANE

bailer room store cellar cold store



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THE NIGHTINGALE PUBLIC HOUSE

APPENDIX 1A

Receipt: AG763065

Premises Licence Number: LN00001472

This Premises Licence has been issued by:

The Licensing Authority, London Borough of Haringey, Civic Centre, High Road, Wood Green, London, N22 8LE

Signature:

Monseth

Date: 24TH November 2005

Part 1 - PREMISES DETAILS

<u>Postal Address of Premises or, if none, Ordnance Survey map reference or description:</u>

NIGHTINGALE PUBLIC HOUSE 40 NIGHTINGALE LANE HORNSEY, LONDON N8 7QU

Telephone: 020 8340 5647

Where the Licence is time limited, the dates:

N/A

Licensable activities authorised by the Licence:

Supply of Alcohol

The times the Licence authorises the carrying out of licensable activities:

Supply of Alcohol

Monday to Sunday

1000 to 0100

New Years Eve licensable activities from the start of permitted hours on 31 December until the start of permitted hours on 1 January.

The opening hours of the premises:

Monday to Sunday

1000 to 0200

New Years Eve opening hours from the start of permitted hours on 31 December until the start of permitted hours on 1 January.

Where the Licence authorises supplies of alcohol whether these are on and/or off supplies:

Supply of alcohol for consumption both ON and OFF the premises.



Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence:

Mr Patrick Desmond Quinn C/O: Nightingale Public House 40 Nightingale Lane Hornsey, London N8 7QU

Registered number of holder, for example company number, charity number (where applicable):

Name, address and telephone number of designated premises supervisor where the Premises Licence authorises the supply of alcohol:

Mr Patrick Desmond Quinn C/O: Nightingale Public House 40 Nightingale Lane Hornsey, London N8 7QU

Personal Licence number and issuing authority of personal licence held by designated premises supervisor where the Premises Licence authorises for the supply of alcohol:

LN/00001489

Issued by London Borough of Haringey

Expires: 23rd November 2015





Annex 1-Mandatory Conditions

Section 19 - Supply of Alcohol

- (2) No supply of alcohol may be made under the premises licence-
- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Section 21 - Door Supervisors

Any individual required by condition to be present at the premises to carry out a security activity must be licensed by the Security Industry Authority.





Annex 2 - Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

No persons will be served on the premises that are under the influence of drugs or alcohol or that are known to be of a violent, drunken or abusive nature or who is a known troublemaker.

Any person or persons seen handling or distributing stolen, counterfeit or other illegal goods will be reported to the police.

All alcohol stored in the stock room will be secured and the room alarmed.

PUBLIC SAFETY

Procedures to ensure the safety of customers and staff in the event of fire or other emergency will be in place at all times.

Suitable safe child seating will be provided.

All advertising of taxis will solely relate to taxis licensed by the local authority.

Persons participating in anti-social behaviour of any form will be barred from the premises.

An incident book will be kept on the premises.

THE PREVENTION OF PUBLIC NUISANCE

No stacking of crates or empty bottles will take place at unsociable hours.

Doors and windows will be kept closed and/or other methods of noise control will be in operation during licensing hours.

No specific drinks promotions will take place on the premises unless they conform to national promotions of new products and traditional product advertising.

THE PROTECTION OF CHILDREN

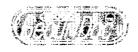
No child under the age of 16 will be permitted on the premises unless accompanied by an adult and they must depart before 9 p.m.

All staff will be instructed as to what action is to be taken in the event of concerns for the welfare of children in the care of intoxicated adults.

Restrictions on access to the public bar area of the premises by children under the age of sixteen will be enforced.

Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:

- A valid passport
- A photo driving licence issued in a European Union Country
- · A proof of age standard card system.
- · A citizen card, supported by the Home Office

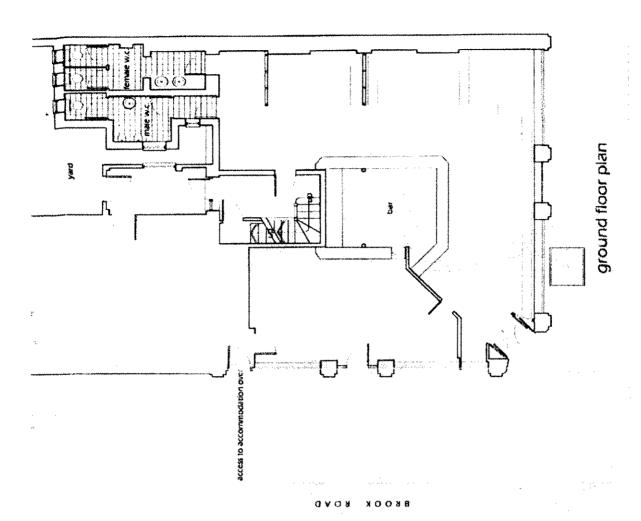


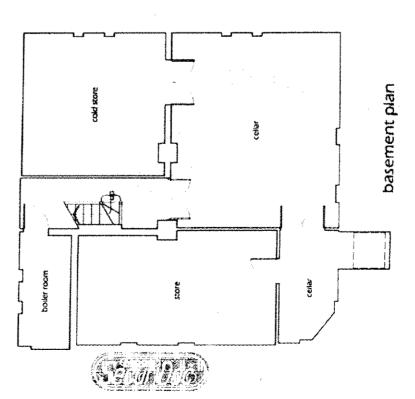


Annex 3 - Conditions attached after a hearing by the licensing authority



Annex 4 - Plans





APPENDIX 2

FIRE AND COMMUNITY SAFETY DIRECTORATE Roy Bishop Deputy Commissioner

Date

27 July 2006

Addressee

Mr Patrick Quinn Nightingale Public House 40 Nightingale Lane

Hornsey London

N87QU

Our Ref

FS/16185/MW

Please reply to
Tony Cadman
Inspecting Officer

Direct Telephone 020 8803 7530

Direct Fax

Your Ref

020 8807 7196

Direct E-mail

haringeygroup@london-fire.gov.uk

Dear Sir,

LICENSING ACT 2003

Premises: Nightingale Public House, 40 Nightingale Lane, Hornsey, London N8 7QU

With reference to the application dated 31 June 2006 as shown on plan the application has been examined and **the Fire Authority will make a representation** to the Licensing Authority.

The items that are of concern to this authority are detailed on the attached schedule.

The representation may be withdrawn if all of the matters detailed in the attached schedule are addressed to the satisfaction of the Authority. The Authority must be advised of the completion of the work at least 5 working days before the committee hearing date, so that an inspection can be arranged.

This letter is without prejudice to the powers of the Licensing Authority and to any requirements or recommendations that may be made by enforcing authorities under other legislation.

Any queries regarding this letter should be addressed to the person named at the top of the letter. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully.

for Assistant Commissioner

Encl: FS_GN 71

Data Protection Act 1998: The information you have given on this form will be processed by London Fire Emergency Planning Authority for the purpose of **fire and emergency planning and control**. We will keep your details secure and will not disclose them to other organisations or third parties (except contractors or suppliers working on our behalf) without your permission unless we are legally required to do so.

For more information about how we use your personal information, see our notification entry (Z7122455) www.informationcommissioner.gov.uk or visit: www.london-fire.gov.uk

Switchboard 020 7587 2000 www.london-fire.gov.uk



FIRE AND COMMUNITY SAFETY DIRECTORATE

Roy Bishop Deputy Commissioner

SCHEDULE 40 Nightingale Lane N8 7QU

Schedule referred to in the letter reference FS/31/016185 under the Licensing Act 2003, issued by the London Fire and Emergency Planning Authority on **27 July 2006**

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the fire authority, need to be taken in order to promote the public safety objective.

NOTE: Notwithstanding any consultation undertaken by the fire authority, **before** you make any alterations to the workplace, **you** must apply for local authority building control department approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.

Licensing Objective not adequately addressed	Location and detail of matters which are considered to put people at risk in the event of a fire emergency	Steps considered necessary to promote the public safety licensing objective
Public Safety	Throughout premises	Means of giving warning and detection:-Mains powered and battery back-up(minimum-BS5839 Pt6 grade C)
Public Safety	Bar area and cellar	1 x foam extinguisher in test date per area
Public Safety	Bar area adjoining door	Fire exit signs either side of opening(BS5499 running man design)

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