

**MINUTES OF THE LICENSING SUB COMMITTEE B
TUESDAY, 27 MARCH 2012**

Councillors Beacham, Brabazon and Demirci (Chair)

Also Present: Dale Barrett (Licensing), Antonios Michael (Legal), Derek Pearce (Environmental Response Team) and Felicity Parker (Clerk)

The Edge

Colin Kelsey – Applicant
Paul Bernard – Applicant Representative
Martin Parrott – Interested Party
Councillor McNamara – Interested Party

MINUTE	SUBJECT/DECISION	ACTION BY
PRCE28.	APOLOGIES FOR ABSENCE There were no apologies for absence.	
PRCE29.	URGENT BUSINESS There were no items of urgent business.	
PRCE30.	DECLARATIONS OF INTEREST There were no declarations of interest.	
PRCE31.	MINUTES RESOLVED That the minutes of the meeting held on 27 February 2012 be approved and signed by the Chair.	
PRCE32.	SUMMARY OF PROCEDURE NOTED the summary of procedure. Councillor Demirci asked whether there were any requests by any party to introduce late documentary evidence. Paul Bernard, Applicant Representative, informed the Committee that he had a petition and two letters of support which he would like to submit to the Committee. Councillor Demirci asked the Interested Parties whether they would accept the late documentary evidence, to which they responded that they would not.	
PRCE33.	THE EDGE, 117 BRUCE GROVE, TOTTENHAM, LONDON N17 Dale Barrett, Licensing Officer, introduced the application for a new premises licence, as set out in the agenda reports pack. The premises had previously operated as a snooker hall, but in 2010 a	

**MINUTES OF THE LICENSING SUB COMMITTEE B
TUESDAY, 27 MARCH 2012**

new licence was granted to permit regulated entertainment, and the premises was now used as a function hall with a restaurant now incorporated within the building. The reason for this new application was that the previous company had dissolved, and the Applicant was applying for the premises licence under his own name.

Representations had been made by the Police (and subsequently withdrawn, following the agreement by the Applicant to the requested conditions), Environmental Health, Planning and Interested Parties. The Applicant had agreed to all conditions requested by Environmental Health, except for those relating to hours.

Councillor Brabazon referred to the representation made by Planning and asked for Ms Barrett to comment on this. Ms Barrett explained that she had tried to get clarification from the Planning department on this and her understanding was that there had been no previous issues with the hours as they had stood for the previous licence but that any use of the premises past the permitted hours of 08.00 – 03.00 would be a breach. Antonios Michael, Legal Officer, added that potential breaches of planning permission should not be a consideration of the Committee when considering the application.

Martin Parrott, Interested Party, outlined his representation against the application. Mr Parrott lived opposite the premises and had experienced the following issues:

- Noise from people leaving the premises at 03:00
- Noise from cars driving away from the premises at 03:00
- Parking issues
- Large numbers of people congregating in the streets

Mr Parrott explained that he had not experienced these issues when the premises was a snooker club, it was only since the premises had started to be used as a music / party venue. He requested that the Committee refuse the application.

In response to Councillor Brabazon, Mr Parrott stated that the late night noise disturbance was mainly at the weekends, Sunday night being the worst. He had contacted the Council noise team some time in December and they had attended the premises to turn the music down.

In response to Councillor Beacham, Mr Parrott explained that he slept at the rear of his premises with the windows closed, and he was still disturbed by the noise.

Derek Pearce, Enforcement Response Service, outlined the representation against the application. A number of conditions were requested for inclusion in the operating schedule, all of which, except for the one referring to opening hours of the premises, had been agreed by the Applicant. Mr Pearce stated that in order for the Enforcement Response Service to be satisfied, the closing time of the premises should be 02.00 on weekdays and 03.00 at weekends. He referred to noise complaints and explained that some complaints

**MINUTES OF THE LICENSING SUB COMMITTEE B
TUESDAY, 27 MARCH 2012**

were made with regards to the Bruce Grove area, and it was hard to attribute a complaint to a particular premises.

In response to Mr Parrott, Mr Pearce explained that risks assessments were generally carried out on an annual basis and any potential problems were dealt with proactively.

In response to Paul Bernard, Applicant Representative, Mr Pearce confirmed that only two noise complaints had been registered against the premises since 2007, but added that there may have been others which had been classed as noise in the general vicinity.

Councillor McNamara outlined his representation against the application. The main issues was the closing times of the premises. Councillor McNamara stated that he had no issue with the running of the premises and that he supported local businesses in Tottenham, but he considered that no premises in the area should have closing times of 02.00 and 03.00.

In response to Councillor Demerci, Councillor McNamara stated that he would prefer the closing time to be 01.00 on the weekdays and 02.00 at the weekend. There had to be a balance between business and residential in the area.

Paul Bernard, Applicant Representative, presented the application for a new premises licence. The premises was a well run establishment, serving community needs. There were no substantial reasons for the Committee to not grant the licence as applied for and Mr Bernard objected to the opening hours suggested by the Enforcement Response Service and the Interested Parties. Colin Kelsey, Applicant, added that he had never experienced problems at the premises whereby the Police had to be called and whenever he had arranged a dance night at the premises, he regularly patrolled the outside area to monitor the noise from the premises.

Councillor Brabazon asked for clarification with regards to the hours, as the application stated that the premises would effectively be open 24 hours a day (06.00-06.00). Mr Kelsey explained that the premises would not be open at 06.00 – this was the time that the back office staff would come into the premises to prepare for the day.

Mr Kelsey provided the following responses to questions from the Committee:

- There were a minimum of 5 security guards present at events, 1 of which was female.
- Metal detectors were used as part of the initial searches.
- He would be happy to provide information of any 'hirers' to the Police and the Licensing Authority.
- The premises held a maximum of 500 people.
- 50 parking spaces were provided for patrons, in a car park 150 yards away from the premises (other spaces in the car park were owned by another premises).

**MINUTES OF THE LICENSING SUB COMMITTEE B
TUESDAY, 27 MARCH 2012**

- He required permission to show films from 08.00 because a regular event was held at the premises for a childrens' charity to show educational films from 08.00-12.00.
- The premises was used for the local community as a church, function hall for christenings, birthdays, small weddings and seminars.
- A regular dance event was held on the first Saturday of every month (for patrons over 40) and another held every 3 months.
- Drinking and smoking was not permitted at the front of the premises, and signs were displayed to ask patrons to leave the premises quietly.

Mr Kelsey provided the following responses to questions from Mr Parrott:

- He monitored the noise level by standing outside the premises to see if the noise was audible. If it was, then he would turn it down. If the DJ adjusted the volume, the event would be cancelled.
- He would ensure that the car park gates were opened, and offered to provide a steward / security guard to manage it when events were taking place at the premises.

The Committee adjourned at 20.55 to consider the application.

RESOLVED

The Committee carefully considered the application, all representations, the Council's Statement of Licensing Policy and the Section 182 guidance. The Committee decided to grant the application subject to the following:

The requested hours for all licensable activities are granted as requested, except for the following amendments:

Opening Hours

Sunday to Thursday	08.00 to 02.00
Friday and Saturday	08.00 to 04.00

The Provision of Regulated Entertainment: Live Music, Recorded Music, Performances of Dance & Provision of Facilities for Dancing:

Sunday to Thursday	09.00 to 02.00
Friday and Saturday	09.00 to 04.00

The Provision of Regulated Entertainment: Provision of Facilities for Making Music:

Sunday to Thursday	09.00 to 02.00
Friday and Saturday	09.00 to 04.00

The provision of Late Night Refreshment

Sunday to Thursday	23.00 to 02.00
Friday and Saturday	23.00 to 04.00

**MINUTES OF THE LICENSING SUB COMMITTEE B
TUESDAY, 27 MARCH 2012**

Supply of Alcohol

Sunday to Thursday	09.00 to 01.00
Friday and Saturday	09.00 to 03.00

All the conditions in the operating schedule are imposed.

In addition, under the objective of child protection:

“No alcohol is to be sold at under 18 events.”

“No under 18 year olds are permitted to attend non-family orientated events. Challenge 21 is to be implemented at all such events.”

All the conditions by the Environmental Response Team are imposed except for reference to the hours of operation. In addition:

“An SIA supervisor will direct traffic at the car park and ask patrons to keep noise to a minimum, as agreed by the applicant.”

All the Police conditions are imposed, subject to the following amendments:

“Reference to alcohol not being served 30 minutes before closing time does not apply, since the granted hours require this to be 1 hour.”

“Reference to the Police being informed of booked events shall now read – details of external hire shall be provided to the Police and the Licensing Authority with at least 10 days notice prior to the event, where possible.”

The following condition shall be added:

“Contact detail for a person in control of events shall be displayed for the public to raise any concerns.”

The Committee did acknowledge that there were issues in relation to public nuisance. The fact, however, that the premises had been operating on a similar basis without a great number of complaints was an important factor.

The Committee did consider that the conditions imposed would adequately promote the licensing objectives, which are more stringent than those attached to the previous licence.

The applicant was considered to be experienced, credible and appeared receptive to the concerns raised.

With the imposition of the more stringent conditions, it was difficult to justify the necessity for reducing hours any further. It was considered necessary and proportionate to reduce the hours of operation for

**MINUTES OF THE LICENSING SUB COMMITTEE B
TUESDAY, 27 MARCH 2012**

	<p>Sunday to Thursday based on the fact that Sunday was presented as a particular problem and the fact that tolerance for disturbance is naturally lower during weekdays.</p> <p><u>Informative</u></p> <p>All parties are reminded that if these conditions do not adequately address licensing objectives, procedures exist to have the licence reviewed.</p>	
PRCE34.	ITEMS OF URGENT BUSINESS	
	<p>There were no items of urgent business.</p> <p>The meeting closed at 22.15.</p>	

CLLR ALI DEMIRCI

Chair