

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE
THURSDAY, 18 OCTOBER 2012**

Councillors Brabazon, Demirci (Chair) and Scott

Also Present Daliah Barrett (Licensing Officer), Tony Michael (Legal), Derek Pearce (Enforcement Response Service) and Felicity Parker (Clerk)

Earl Haig Social

Max Alderman – Applicant
Miki Lentin – Interested Party
James Key - Interested Party
Peter Myers - Interested Party
Amber Djemal - Interested Party

SLSC01.	APOLOGIES FOR ABSENCE There were no apologies for absence.
SLSC02.	URGENT BUSINESS There was no urgent business to discuss.
SLSC03.	DECLARATIONS OF INTEREST There were no declarations of interest.
SLSC04.	SUMMARY OF PROCEDURE The Chair outlined the summary of procedure.
SLSC05.	EARL HAIG SOCIAL, ELDER AVENUE, N8 9TH Daliah Barrett introduced the application for a new premises licence for the Earl Haig Social, as set out in the agenda papers. Representations had been made a subsequently withdrawn by the Police, Regulatory Services and Trading Standards, following agreement by the Applicant to the conditions set out in the representations. Representations had been made by a number of Interested Parties (details as set out in the agenda pack), and some of these were in attendance at the hearing. Ms Barrett informed the Committee that from the 1 October 2012, the provision of live music was no longer a licensable activity between the hours of 0800-2300 hours. Derek Pearce – Enforcement Response Service – outlined the representation made against the application. Any premises operating beyond 2300 hours was considered to be a potential nuisance to local neighbours. The hours requested on the application were inappropriate for a premises situated close to residential dwellings. The conditions as set out in the Enforcement Response Service

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representation would reduce the risk of disturbance to local residents, but any premises open after 2300 hours would increase the risk.

Miki Lentin – Interested Party – outlined his representation against the application. He had received over 120 signatures to an online petition, which demonstrated a strong local objection to the application. Local residents already experienced incidents of public nuisance, and this would only be exacerbated should the licence be granted. The premises were located on a residential street with many young families, and there were concerns that a licensed premises would lead to an increase in noise and cause parking issues on the street. In response to questions from the Committee, Mr Lentin explained that the nuisance currently experienced by local residents was mainly from the Queens Pubs (at the corner of the road) and including late night noise, fighting, vomiting and other anti-social behaviour.

Mr James Key – Interested Party – outlined his representation against the application. He lived opposite the premises and his bedroom faced the premises. If the premises were to operate then there would be a huge impact on noise in the area, which would affect his sleep. There was little noise when the premises operated as the British Legion, if a pub opened in the premises, there would be a big impact on the noise levels. Mr Key explained that if the premises opened then the sporadic issues experienced with the Queens pub would be magnified.

Mr Peter Myers – Interested Party – outlined his representation against the application. Mr Myers had been the operator of the Queens pub for the past six years. He had worked with neighbours and residents to deal with any potential issues of crime and disorder and public nuisance. His customers were encouraged to leave by Tottenham Lane and not use the residential streets, the garden was closed early following complaints from local residents and he had reduced the opening times of the premises to reflect the location. He was objecting on the grounds of crime and disorder and the cumulative impact on the local area.

Councillor Weber was in attendance to speak on behalf of residents in Fairfield Gardens. There was a range of issues in the area – anti-social behaviour, urination, vomiting. The operators of the Queens pub had put in a lot of effort to work with the local Safer Neighbourhood Team to reduce the impact on local residents. Councillor Weber added that majority of people leaving the Queens pub would use the main road – Tottenham Lane – but people leaving Earl Haig would be using a residential street, and this would cause issues for residents. In response to questions from the Committee, Councillor Weber explained that parking was already an issue in the residential roads – if there was demand for parking by patrons of Earl Haig, further pressure would be put onto the side streets.

Mr Max Alderman (Antic Ltd) – Applicant – presented his application for a new premises licence at Earl Haig Social. He explained that the premises had been purchased by a property developer, who had

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originally planned to knock down the premises and build flats in its place. Antic Ltd had an agreement with the owners whereby if a premises licence was granted, then the premises would be sold to Antic Ltd.

It was intended that the premises would operate as a community based premises. The application for regulated entertainment reflected this – it was anticipated that the premises would be a useful addition to the community, rather than just a pub.

Mr Alderman addressed the issues raised by the Interested Parties. He explained that although the premises were situated on a residential road, it was closer to the main road. The application would always be contentious, due to the location, but the premises would be operated as a good local pub, serving good food.

Antic Ltd operated a number of premises and had experience in turning around problematic pubs. They had dealt with issues of anti-social behaviour and had taken steps to reduce the impact on local residents. SIA door staff were always employed at their premises. Mr Alderman added that he would be happy to reduce the closing time to midnight Sunday – Thursday, and would restrict admission after midnight Friday and Saturday.

Mr Alderman provided the following In response to questions from the Committee:

- Antic Ltd had traded since 1999. They currently had 26 licensed premises in mixed locations, but generally in residential / 'up and coming' areas.
- In order to manage terrace noise, Mr Alderman agreed that the outside areas would be closed at 22.00 hours, and this area would be monitored.
- SIA door staff would be used to help manage departures, and would remain at the premises until the last person has left.

Amber Djemal – Interested Party - outlined her representation against the application. She felt that if the application was granted, then this could increase the risk of crime and disorder, which would impact on single women who lived in the area, who may have to walk past the premises late at night. Ms Djemal added that there was already a parking issue in the area, and this would only increase.

The Chair asked for all speaker to summarise before the Committee retired to make their decision.

Miki Lentin – his main objective was on the grounds of public nuisance. Many residents in the area had taken the time to sign the petition and to submit written representations to the Licensing team.

James Key – to open a premises on Elder Avenue would cause a detrimental effect to local residents.

The Committee retired to consider the application.

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RESOLVED

The Committee carefully considered the application, the Borough's Statement of Licensing Policy, section 182 guidance and all relevant representations.

The Committee decided to grant the application, but only subject to reduced operating hours and numerous other conditions which it considered appropriate and proportionate to promote the licensing objectives.

The Committee accepted that there were many concerns relating to a number of the licensing objectives, with public nuisance being the primary concern. The experience of the operator was an important factor as was the applicants plan for the premises which, while catered for a different clientele in the past, is nonetheless a premises that has historically been used for recreation.

The conditions of the licence are as follows:

Opening Hours

Monday – Thursday	0900 to 2330
Friday – Saturday	0900 to 0030
Sunday	1000 to 2330

Recorded Music

Sunday – Thursday	1200 to 2300
Friday – Saturday	1200 to 0000

Supply of alcohol

Sunday – Thursday	1100 to 2300
Friday – Saturday	1100 to 0000

The provision of regulated entertainment and facilities for dancing is granted as detailed in the application.

Reference to Bank Holidays, Christmas Eve and Boxing Day applies as laid out in the Enforcement Response Representation.

All of the conditions of the Enforcement Response Team are imposed as reflected on pages 44-46 of the agenda pack, subject to the following minor amendments:

Reference to “the external area” shall read – “Any external areas”/frontage will be closed and patrons requested to come inside the main structure of the premises at 2200hrs, except for smoking (i.e. no drinks allowed”).

All of the conditions requested by the police and trading standards on pages 40-41 and 48 of the agenda pack are imposed.

Reference to the licensed door supervisor to include the requirement

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	<p>only from 2100hrs until 15 minutes after closing time on Fridays, Saturdays and on New Years Eve, Bank Holidays, Christmas Eve and Boxing Day.</p> <p>The Committee respects the extent of the concern for potential Anti-Social Behaviour but considered conditions at this stage would address the licensing objectives. All parties are reminded however that should issues actually arise, clear procedures exist to have the licence reviewed.</p>
SLSC06.	<p>TURKISH CYPRIOT COMMUNITY ASSOCIATION, 628-630 GREEN LANES, N8 0SD</p> <p>This item was withdrawn from the agenda, as there was insufficient time to discuss the application.</p>

Cllr Ali Demirci
Chair