

**MINUTES OF THE LICENSING SUB-COMMITTEE A (2003 LICENSING ACT)
1 November 2005**

Councillors Haley*, Reynolds*, Beacham*

* denotes members present

LCA53 APOLOGIES FOR ABSENCE (Agenda Item 1)

None received

LCA54 URGENT BUSINESS (Agenda Item 2)

None received

LCA55 DECLARATIONS OF INTEREST (Agenda Item 3)

None received

LCA56 DEPUTATIONS/PETITIONS (Agenda Item 4)

None received

**LCA57 MINUTES OF THE LICENSING SUB-COMMITTEE A OF 21 and 22
SEPTEMBER 2005** (Agenda Item 5)

RESOLVED

That the Committee approved the minutes of the Licensing Sub-Committee A of 22 September 2005.

That the Chair requested an amendment to the minutes of 21 September 2005 at LCA40 paragraph two. The accurate record should have read:

Mr Peter Thompson, objector, raised his concern that documentation/evidence he had submitted in support of his case had not been included in the Report. The Chair explained that the evidence Mr Thompson proposed to table to the Committee was not submitted within the deadline stipulated by the local licensing guidance. The Chair asked the applicants if they would accept this evidence at the Committee, to which they objected. The Chair, after considering the views of all parties, then decided to accept only a letter from a Mr Martin Evans which had been received within the time limit for relevant representations, and from 57 Hillfield Park which was tabled at the Committee.

**LCA58 TO CONSIDER AN APPLICATION FOR A CONVERSION AND VARIATION
OF A PREMISES LICENCE: Fred Knight Sports Centre, Willoughby Lane
N17** (Agenda Item 6)

The Licensing Manager, Ms Daliah Barrett, presented the Report on the application, highlighting that the applicants had applied for a provision of miscellaneous entertainment. Ms Barrett also indicated that the applicants had

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offered no additional steps in respect of the four licensing objectives. Ms Barrett also drew the Committee's attention the renewal of Justices' Licence that the applicant possessed which had a number of conditions relating to restriction of the sale of alcohol. A full outline of this license was presented to the Committee. The application had no representations from the responsible authorities, and had received two letters of objections who were not present at the hearing.

Councillor Reynolds asked Ms Barrett to clarify the reference to planning consent that the two objectors had highlighted. Ms Barrett responded that there had been no response from the Haringey Planning Team in respect of the application, despite having been informed about it in the usual way.

The Chair invited the applicants to address the Committee and to respond directly to the comments made by the objectors. The applicants stated that they took the concerns of local residents very seriously. They continued that the application was to ensure that functions on Friday and Saturday nights were the main priority, and that the applied for hours were not significantly different. They had received no complaints from residents previously and had, in their opinion, enjoyed a healthy relationship with neighbours to the premises. There was signage in the premises to respect the peace of the local residents and door supervisors ensured there was no public nuisance. The Chair asked the applicants to clarify that they had not applied for late night refreshments. The applicants stated that beverages would be sold until 01:00 (Friday and Saturday), and that buffets will only be consumed before 22:00. The sale of food did not occur at the premises and was not applied for.

The Chair referred the applicants to page 8 of their application which made reference to allow accompanied children under 16 to be permitted in the bar. The applicants clarified that this referred to all private functions and would be in accordance with the laws which restrict the sale and supply of alcohol to children. They also informed the Committee that signage in the premises highlighted that children should never be unaccompanied anywhere on the premises. CCTV coverage helped to enforce this.

Councillor Beacham asked how many private functions were held, on average, per month. The response was that an average of 4/5 private functions were held, mainly on Fridays, Saturdays and Sundays.

The applicants were asked to clarify their understanding of the planning consents that were necessary to operate lawfully as licensed premises. The applicants confirmed that they would apply for all necessary planning consents for the variations they were apply for by this Committee. The Chair asked for clarity on the applied for miscellaneous entertainment. The applicants responded that this would include comedy entertainment, charity functions and some gambling, in the form of "Race Nights". The Chair informed the applicants that the term "miscellaneous entertainment" was too vague, and that a clearer definition was needed.

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In summary, the applicants confirmed that they wanted to vary their hours for the sale of alcohol to 01:00, and to allow for an automatic right to hold private functions. They would respect local residents concerns because the management at the premises were vigilant and would use the new hours responsibly.

RESOLVED

That the Committee has decided to grant the application in full and subject to the following conditions:

- (i) Standard mandatory conditions apply (19 and 21).
- (ii) Impose the recommendations of the CPA on age restrictions.
- (iii) Conditions to enforce the operating schedule.
- (iv) Door supervisors accredited by the SIA at the entrance and exist to the grounds of the sports centre at all late night events.
- (v) A restriction of five per year, events providing miscellaneous entertainment. For these events, 72 hours advance notice should be given to the MPS.

There was an informative that the licensee could not operate lawfully until he had obtained planning consent to match the licensing hours.

LCA59 TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE: Oz Sofra, 421 Green Lanes N4 (Item 7, brought forward from Agenda Item 8)

The Licensing Manager, Ms Daliah Barrett, presented the Report on the application, informing the Committee that the premises did not hold a night Café license (this was withdrawn), and thus currently closed at 23:00 daily. Ms Barrett also informed the Committee that the Planning Officer (PO) had objected to the application in light of the fact that a certificate of lawfulness was recently granted on the premises allowing for operation until 23:00 everyday. The PO was not present at the hearing. Ms Barrett stated that a standard letter of objection had been received from the Ladder Community Safety Partnership Board (LCSPB). She also stated that the applicant had not named a designated premises supervisor, which, although sale of alcohol was not being applied for, was necessary in light of the enforcement action being taken.

Councillor Ms Gina Adamou, representing the LCSPB, asked Ms Barrett if there was evidence of enforcement action being taken against the premises earlier in the year. Ms Barrett responded that because this was a new premises licence being applied for, any such evidence was not provided to the Committee, but could be available.

The Chair invited the objectors to address the Committee. Ms Adamou outlined the objection which was on the grounds of the planning consent only permitting a daily 23:00 closure. She stated that failure to comply with this would be a criminal offence. However, Ms Adamou stated that she had no objection if the planning consent reflected the applied for hours. The Chair

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confirmed to the Committee that planning consent was not a valid reason for deciding a licensing application, but that applicants would need to ensure that planning consents were valid.

Ms Barrett was asked by the Chair to comment on enforcement actions that had taken place. She stated that there had been a recent history where the premises had complied with its operating hours. However, Ms Barrett stated that there was no signage in the premises indicating what times the premises operated, ie open and close times. The Chair upheld the request by Ms Barrett to the applicant that a name be given in the application in respect of a designated premises supervisor. The applicant agreed to this, naming Mr Eris' elder brother who did not reside at the same address.

The Chair sought further clarity on the issue of the on the planning consent. The Haringey Council legal advisor confirmed that the certificate of lawfulness was a license of planning or otherwise. The applicant confirmed that no application had yet been made to planning. The Chair confirmed that the applicant would need to submit an application to Planning in order to operate the premises for A3 use. The applicant summed up by stating that he was getting together all the necessary paperwork, licenses and permits in order to operate legally until 02:00.

RESOLVED

That the Committee agreed to grant the application in full and subject to the usual conditions of:

- (i) Standard mandatory conditions apply (19 and 21).
- (ii) Conditions to enforce the operating schedule.
- (iii) To provide the name and address of a designated premises supervisor to the licensing authority.

There was an informative that the licensee could not operate lawfully until he had obtained planning consent to match the licensing hours.

LCA60 TO CONSIDER AN APPLICATION FOR A CONVERSION AND VARIATION OF A PREMISES LICENCE: Mono Bar, 57 Park Road N8 (Item 8, put back from Agenda Item 7)

The Licensing Manager, Ms Daliah Barrett, presented the Report on the application, highlighting that the applicants had provided a list of additional steps that they intended to take in order to promote the four licensing objectives. Ms Barrett informed the Committee that the Metropolitan Police Service (MPS) had made a representation in the form of a recommendation that on Friday and Saturday nights a minimum of two door staff approved by the Security Industry Authority (SIA) be employed on the premises to control the entry and exit of customers. She also highlighted the Committee that one letter of objection had been received in respect of the application, that had been signed by two local residents who were not present at the hearing.

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The Chair invited the applicant to address the Committee with particular reference to the objections raised in the letter of objections. The applicants stated that they had SIA supervisors who were vigilant and would ensure patrons did not loiter outside the premises. They also stated that they were aware of residents concerns and would seek to resolve these wherever possible. They stated that the premises were a private members bar, and thus all patrons were known to the management. All guests of patrons would need to be signed in by the patron who was allowed up to three guests.

RESOLVED

The Committee agreed to grant the application in full and subject to the usual conditions of:

- (i) Standard mandatory conditions apply (19 and 21).
- (ii) Impose the recommendations of the CPA on age restrictions.
- (iii) Conditions to enforce the operating schedule.

LCA61 TO CONSIDER AN APPLICATION FOR A CONVERSION AND VARIATION OF A PREMISES LICENCE: Rudolphys, 750 High Road N17 (Agenda Item 9)

The Licensing Manager, Ms Daliah Barrett, presented the Report on the application, highlighting the applicants had listed in their original application, measures to uphold the four licensing objectives of the Licensing Act 2003. Ms Barrett stated that there were no representations from interested parties. Ms Barrett then gave details about comments received by the MPS in respect of the application. The Committee were told that the MPS, in conjunction with licensees who run Public Houses in and around Tottenham Hotspur Football Club (THFC), have for the past four seasons run an anti-hooligan initiative called Tackling Trouble Together (TTT). This scheme has resulted in a reduction of reported violent crime. The MPS now wished to formalise the previously voluntary conditions and made the following recommendations for conditions to any Premises Licence for compliance on football match days that the Committee were minded to grant.

1. Premises not to open for the sale of alcohol before 11.00 on Saturday and Sunday.
2. All drinks dispensed from the bar are poured into plastic containers - 4 hours before the scheduled kick-off time until 1 hour after the end of the match.
3. No glass bottles are sold over the bar - 4 hours before the scheduled kick-off time until 1 hour after the end of the match
4. A minimum of two Door Staff who have been approved by the Security Industry Authority to be employee on the premises to control the entry and exit of customers - 4 hours before the scheduled kick-off time until 1 hour after the end of the match.

The Committee also noted that the MPS had recommended that on Friday and Saturday evenings, door staff who have been approved by the Security Industry Authority be employed on the premises to control the entry and exit of

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customers. Alternatively the doors are closed for entry to the public at midnight on these days. In reference the MPS recommendations, the Chair sought clarity from the Haringey Legal Services. It was established that advice from the Magistrates Courts was that premises in the defined vicinity of the THFC were only permitted to open at 11:00am on Saturday match days.

The Chair invited the applicants to address the Committee. The applicants began by covering the four recommendations for conditions of the MPS and asked them if this was a blanket policy. The MPS responded that this was the case. The applicant stated that he had applied for a 10:00am opening hours to provide flexibility for when match days kicked-off before 14:00 when he would want to open earlier in order to settle customers and contain them in a controlled manner until the match began. This was entrenched by a tried and tested entry policy which the licensees had been using. The applicants accepted the three other recommended conditions (ie, the use plastic glasses, no glass bottles, and SIA door supervisors) outlined by the MPS.

The Chair invited the MPS to address the Committee. The MPS gave a statement on the history of match day related problems and measures to tackle these including the TTT and partnership agreements with Haringey Council to create a designated "drinking zone" enforced on match days. The MPS highlighted their concerns and risk assessments on football fans congregating outside of the premises to see players enter the grounds.

The applicants indicated that they would be prepared to open at 11:00 only when there was a volatile football match held at the THFC grounds. However, the MPS reemphasised that the 11:00am opening time would be a blanket time for all licensed premises in the defined vicinity of THFC.

The Chair clarified that the Section 77 of the Licensing Act 1964 "Special Hours Certificate" possessed by the applicants remained valid to the licensees who would allow the premises to remain open late with regulated entertainment and the sale of alcohol to cease an hour before closing times.

RESOLVED

The Committee agreed to grant the application subject to the following conditions:

- (i) Standard mandatory conditions apply (19 and 21).
- (ii) Impose the recommendations of the CPA on age restrictions.
- (iii) Conditions to enforce the operating schedule.
- (iv) All recommendations of the MPS are imposed as conditions; that there are no alcohol sales before 1100hours Monday to Sunday.
- (v) Agreed to lift the restrictions imposed by the 1964 Licensing Act
- (vi) To agree to the additional hours as applied for in the terms of closing/finishing times
- (vii) For a designated premises supervisor to join the *Pub Watch* scheme.

LCA62 ITEMS OF URGENT BUSINESS (Agenda Item 10)

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None received

The meeting ended at 22:45

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Councillor BRIAN HALEY
Chair of Licensing Sub-Committee A

Date.....