

**MINUTES OF THE MISCELLANEOUS FUNCTIONS SUB COMMITTEE
2 August 2005**

Councillors Haley* (Chair), Cllr Rice* (Vice Chair), Cllr Aitken*
*Members present

MFS25 APOLOGIES FOR ABSENCE (Agenda item 1)

None

MFS26 URGENT BUSINESS (Agenda item 2)

The Chair, Councillor Haley, asked the Licensing Officer, Daliah Barrett, to explain to the Committee why Item 10 had been withdrawn. Ms Barrett explained that the item had been withdrawn because the Police had now decided to withdraw their objection to the application due to insufficient evidence. This would result in the licence being automatically granted under delegated powers since there was no other valid objection to the application. Objections could be further lodged in September 2005 to the renewal application then due. Councillor Aitken raised his concern that much officer time had been spent on this matter, to no avail. The Committee established that the papers relating to Item 10 would remain exempt given that the matters remained both sensitive and subject to police investigations.

MFS27 DECLARATIONS OF INTEREST (Agenda item 3)

None

MFS28 DEPUTATIONS/PETITIONS (Agenda Item 4)

None

MFS29 MINUTES (Agenda item 5)

RESOLVED

That the minutes of the meeting of the Miscellaneous Functions Sub Committee of 12 July 2005 be signed by the Chair as an accurate record.

At this point in the proceedings, the Chair advised that the order of business on the agenda would be varied to next consider Agenda Item 8, followed by Items 6, and 7.

MSF30 O'LIMP BAR, 373 High Road, Tottenham N17. Application for a new Annual Weekday and Sunday Music and Dancing License (Agenda item 8).

The Commercial Group Manager, Environmental Services (Mr Betts) presented the report on the application, highlighting that the original application was for a 4am terminal hour on Fridays and Saturdays

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but that this was not permitted under the terms of the premises' planning permission. Thus, the application was now for a 2am terminal hour. Mr Betts drew attention to letters of objections from the statutory authorities, including the London Fire & Emergency Planning Authority (LFEPA), and the Metropolitan Police. The Police expressed serious concerns in regard to the running of the premises based on evidence they had gathered. They also indicated that the premises' alcohol licence had been revoked due to mis-management of the premises, but that this had subsequently been granted to the Applicant's mother who was involved in the operation of the premises. LFEPA stated that although required works to the premises had been carried out now, the Applicant had not gained planning permissions previous to making alterations in the past which had resulted in the an enforcement notice being issued. Mr Betts continued by highlighting a series of investigations by the enforcement services, listing consistent breaches of the terms of the alcohol licence for the premises over the past 18 months. The conditions set out by the building control group were set out in respect of this application, and the Committee noted these.

The Applicant queried the report's reference to planning permission relating to opening on Sundays. The Applicant showed the Committee a copy of a planning permission letter which appeared to grant the premises a licence to open on Sundays. However, the Report indicated that Sunday opening was not permitted under restrictions of the planning permission. After discussions, the Chair agreed to seek clarity from the Planning Service in relation to the premises.

The Chair then referred to Police briefing papers in respect of the premises and various investigations they had carried out. He asked the Applicant to explain why there was a consistent list of offences. In response, the Applicant fully admitted the breaches of the hours of the alcohol licence which had resulted in that licence being revoked by the Court on the application of the Police. The Applicant advised that no more mistakes would occur in the future. Cllr Aitken sought clarity on what the Committee was being asked to approve. It was established that the Annual Weekday and Sunday Music and Dancing License would not affect nor bring into line the permitted hours of the alcohol licence and planning permission. Councillor Rice asked the Applicant why the Committee should grant the Application. The Applicant responded that she would never make a mistake again, having accepted that there had been serious mistakes made in the past due to her lack of knowledge for running such a business.

The Chair probed the evidence from the LFEPA further, asking the Applicant why alterations to the premises had been made without permission. He also raised his concerns that customers had been witnessed inside the premises with shutters closed the over exit

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points. Finally, the Chair probed the problems raised by enforcement officers in relation to dumped rubbish outside of the premises, and the failure of the Applicant to adhere to the contract with the waste removal company.

RESOLVED

That the application for a new Annual Weekday and Sunday Music and Dancing License be refused on the ground that the Applicant is not a fit and proper person to hold such a licence.

MFS31 VLLAZNIA, 4 Queens Parade N4. Application for a new Night Café Licence. (Agenda Item 6).

The Commercial Group Manager, Environmental Services (Mr Betts) presented the Report on the application pointing out that this was a new application in light of the old licence expiring on 31 March 2005. Mr Betts highlighted that there were objections from the Ladder Community Safety Partnership (LCSP) and Councillor Adamou would speak on their behalf. Mr Betts drew the Committee's attention to remarks made by the Metropolitan Police in relation to anti-social behaviour in the area immediately around the premises, although this was not a reason for objection by the Police. He also pointed out that the planning permission for the premises did not correlate with the Application being made in terms of terminal hour and did not allow for hours beyond 01.00am Sunday to Thursday and until 02.00am Friday and Saturday. Finally, Mr Betts raised the Committee's attention to the sale of alcohol on the premises when it did not hold a licence to sell alcohol. The Police had taken no formal action.

The Applicant showed the Committee a petition of seven signatures which he had collected which suggested that those who had signed, had no objections to the hours applied for. Cllr Adamou asked if these signatures were from neighbouring residents or businesses. The Applicant stated that because he did not currently hold an alcohol licence, he had applied for one recently and was undertaking training at a cost to himself of some £108.

Cllr Adamou outlined to the Committee various incidences that had occurred in relation to the premises although she advised that this was when the premises was under previous management. She claimed that late night opening in the area around the premises had attracted the wrong people in terms of reducing crime and anti-social behaviour and called for the terminal hours of 12midnight midweek, and 2am on Fridays and Saturdays only. Mr Ian Sygrave of the LCSP emphasised the points made by Cllr Adamou, adding that, whilst this was not directly linked to the premises, there were on-going issues of prostitution in the area, and that the area was one of only two in the borough with a dispersal order against it, Thus,

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further late night opening would not help to alleviate these problems. In responding to these concerns, the Applicant agreed to abide to a 1:00am midweek terminal hour and assured the Committee that as the premises now welcomed a mixed clientele (it previously had been a men only club), the problems outlined should be dealt with.

RESOLVED

That the application for a new Night Cafe License be granted in line with the planning permission for the premises, and on the condition that terminal hours are 1.00am Sundays to Thursday, and 2.00am Fridays and Saturdays.

MFS32 KAPTANS CHARCOAL GRILL, 651 Green Lanes N4. Application for the renewal and transfer of a Night Café Licence. (Agenda Item 7).

This item was deferred to a future meeting of Miscellaneous Functions Sub Committee due to the absence of the applicant.

NOTED

The meeting ended at 9:00pm

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Councillor BRIAN HALEY
Chair