

**MINUTES OF THE LICENSING SUB-COMMITTEE C  
WEDNESDAY, 19 MARCH 2008**

Councillors Baker, Beacham (Chair) and Dodds

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCC01.	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence.</p>	
LSCC02.	<p><b>URGENT BUSINESS</b></p> <p>None received.</p>	
LSCC03.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest.</p>	
LSCC04.	<p><b>SUMMARY OF PROCEDURE</b></p> <p>Noted.</p>	
LSCC05.	<p><b>OLD ALE EMPORIUM PUBLIC HOUSE, 405 GREEN LANES N4 (ST ANN'S WARD)</b></p> <p>This item was deferred to another meeting.</p>	
LSCC06.	<p><b>PIZZA EXPRESS - 290 MUSWELL HILL BROADWAY, LONDON N10 2QR (MUSWELL HILL WARD)</b></p> <p>The Licensing Sub Committee (the Committee) was advised by the Licensing Officer that the application was for a premises licence variation to permit live music, sale of alcohol and to incorporate the outside pavement area by extending the sale of alcohol and late night refreshment.</p> <p>The licensing officer informed the Committee that representations had been received from a responsible authority, the noise team and interested parties.</p> <p>The representative from the Noise Team addressed the Committee and advised that Muswell Hill Broadway had become a lively area and concerns had been raised over the behaviour of patrons in public areas. The proposed operating hours for the outside pavement area were a concern and the Committee was asked to decide on the appropriate time and to take into account the implications for live music, sound levels could cause disturbances to residents particularly those in the flat above the premises. A number of complaints regarding the levels of noise nuisance had been received by the noise team. The Committee was also asked to consider whether it was appropriate that the licence should be granted for every day of the week for the permission of live music.</p>	

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The Committee question the representative with regard to the complaints they had received and whether any were from restaurants with live music and what was the call out frequency. In response the Committee was advised that the noise team regularly attended venues in Muswell Hill every weekend, however it was mainly to night clubs, whose licensable hours were later than those requested by the applicant.

The applicant's representative presented their case and explained that they would agree to the conditions requested by the Police. The conditions offered by the Environmental Officer were not all in relation to the application. The representative proposed conditions which were felt to be proportionate and reasonable. He further reiterated that there had been no noise complaints in the past in relation to the premises and they had played live jazz music in the past under the old licence and the management had controlled the sound levels.

The Committee enquired of the applicant how often they were likely to have live music within the premises and were informed that it was difficult to narrow down though the option to be flexible was a desirable one. Live music was not the primary business and it was unlikely that it would occur this during busiest periods of operation.

In summary the applicant's representative stated that the conditions proposed should relate to the provision of live music and its operating period.

**RESOLVED**

The Licensing Sub Committee (the Committee) decided to grant the application as requested:

- To vary a condition on the Premises licence by removing the condition on Annex 1 restricting the sale of alcohol to persons taking table meals only.
- To incorporate the outside pavement areas as detailed upon the plans, thereby extending the sale of alcohol and late night refreshment to the outside area.
- To permit the sale of alcohol for consumption off the premises.

Subject to the following additional conditions:

1. The outside pavement area not to be used for the consumption of food or alcohol after 22:30 every evening and the table and chairs to be removed.
2. Customers may only purchase alcohol to consume on the premises whilst waiting for their take away meal to be prepared or with a table meal or by people in the company of people taking a table meal.
3. Alcohol to be taken from the premises only with a take away meal and the alcohol container to be unopened.
4. All doors and windows will remain closed during the live music activity except for access and egress.
5. The live music activity shall conclude 30 minutes before the premises

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	<p>are due to close to prevent excessive noise breakout as the premises empties.</p> <ol style="list-style-type: none"><li>6. The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property.</li><li>7. No music will be played in, or for the benefit of patrons in the external areas of the premises.</li><li>8. No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises.</li><li>9. Signs shall be displayed on the frontage instructing patrons to recognise the residential nature of the area and conduct their behaviour accordingly.</li><li>10. A record of complaints shall be kept and must be made available at all times for inspection by the Police and Council Officers.</li><li>11. Where people queue to enter the premises a member of staff shall supervise and ensure the potential patrons behave in an acceptable manner.</li></ol>	
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**Cllr David Beacham  
Chair**