

**MINUTES OF THE MEETING OF THE LICENSING SUB
COMMITTEE A HELD ON THURSDAY, 10TH AUGUST, 2017, 7.00
- 8.15 pm**

PRESENT:

Councillors: Natan Doron (Chair), Zena Brabazon and Clive Carter

42. FILMING AT MEETINGS

Noted.

43. APOLOGIES FOR ABSENCE

None.

44. URGENT BUSINESS

None.

45. DECLARATIONS OF INTEREST

None.

46. SUMMARY OF PROCEDURE

The Chair outlined the procedure to be followed during the hearing.

47. THE VILLAGE, 118A WEST GREEN ROAD, N15 5AA

Dahlia Barrett, Licensing Officer, introduced the application for a variation of an existing premises licence at The Village, 118a West Green Road, London, N15 5AA. Representations had been received from local residents, Metropolitan Police and Enforcement Response.

Ms Barrett advised the Committee that no recommendations had been made but highlighted that there was CCTV footage available as part of the Metropolitan Police's representation. Graham Hopkins, the applicants representative confirmed that he had seen the CCTV footage and was not contesting it.

Mark Greaves, Licensing Officer Haringey Police, outlined his representation against the application. He felt that since all evidence retrieved showed that the current conditions of the licence were not being upheld that this was strong evidence to show that any new conditions applied would not be complied with. Mr Greaves notified the Committee that Ms Basirika had been issued with a formal caution due to repeat breaches of the conditions of her licence.

Graham Hopkins, Applicants Representative, presented the application for a variation of the existing premises licence. Mr Hopkins notified the Committee of the changes that had been implemented on the premises including a change of sign, employment of door security, installation of a noise limiter and sound proofing.

In his closing statement, Mr Hopkins advised that he would be continually managing Ms Basirika to ensure that all conditions of the licence were complied with.

The Committee retired to consider the application

RESOLVED

The Committee carefully considered the Licence holder's application to vary an existing premises licence, the representations made by the Metropolitan Police, Enforcement Response, local residents and the representations made by the Applicant and her representative, the Council's Statement of Licensing Policy and the Licensing Act 2003 s182 guidance.

Having heard the parties' evidence, the Committee resolved to refuse the application. The Committee noted that over the course of the existing premises licence, there had been a number of incidents of noise nuisance and several occasions when the premises had operated in a manner that was inconsistent with the terms of the licence.

The committee noted this history of incidents and expressed some surprise that a relatively short period of a little over two months after accepting a caution, for repeat breaches of the licensing conditions, the applicant had applied to vary the licence conditions. In the period following the caution public nuisance in the form of noise emanating from the premises was noted. In addition after the caution the premises had served alcohol outside the permitted hours.

The application for a variation was received in May 2017 and during June 2017 CCTV evidence revealed multiple sales of alcohol outside the permitted hours, as well as individuals entering the premises after 2300 hours in breach of the licence conditions. These matters were put to applicant and admitted unequivocally.

The committee noted that the applicant had held her licence for some time. The responsible authorities had engaged with her concerning breaches of the licence on previous occasions, but despite this, the pattern of breaches had continued. The committee noted the applicants statements to the effect that she had misunderstood her obligations under the licence, but did not consider this to be a credible account for her behaviour which appeared to be wilful.

The committee noted that in recent weeks there had not been breaches of the licence conditions but when set against the pattern of repeat breaches of the licence, did not consider that it had sufficient reason to believe that the applicant would comply with

the licence for a sustained period. The committee could not overlook these breaches of the licence and the impact that they had on residents. The committee could not endorse what appeared to be a wilful disregard of the licensing objectives.

The committee recommended that the Applicant should continue to liaise with the Licensing Authority and other Responsible Authorities so as to have information about local licensing initiatives and best practice.

The committee expressed the hope since the applicant now has the benefit of professional guidance, she will place greater importance on adhering to the terms of her licence.

The Committee approached its deliberations with an open mind and only took its decision after having heard all the parties representations. The Committee considered that the decision was appropriate and proportionate

48. ITEMS OF URGENT BUSINESS

None.

CHAIR: Councillor Natan Doron

Signed by Chair

Date

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