

APPLICATION FOR A NEW PREMISES LICENCE AT MISSISSIPI LOUNGE, 114 WEST GREEN ROAD, LONDON, N15 HEARD ON 14th NOVEMBER 2022

The Licensing Sub Committee carefully considered the application for a new premises licence at **MISSISSIPI LOUNGE, 114 WEST GREEN ROAD, LONDON, N15**. In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, section 182 Guidance, the report pack, the applicants and objectors written and oral representations.

Having considered the application and heard from all the parties, the Committee decided to **REFUSE** the application.

REASONS

The Committee gave serious consideration to the submissions by the applicant & their representative, and to the concerns raised by the objectors both of which were made in writing and orally.

The Committee had very serious reservations about the ability or preparedness of the Applicant to be able to combat the potential anti-social behaviour or noise nuisance that will arise from the premises if the application was granted.

The Committee felt that the Applicant had not taken seriously or with sufficient concern the objections raised by residents as detailed in the representations received. Objections had been raised by Residents reporting public urination, night time violence, abusive behaviour, shouting and large gatherings near the bars in the area and noise late into night at premises across the road run by the Applicant. The Police also reported anti-social behaviour and street drinking. The Noise & Nuisance officer reported the receipt of numerous complaints of noise and ASB at another premises run by the Applicant across the road. The Applicant stated that he ran another premises across the road which had not received complaints. This was disputed.

The Applicants response by way of his e-mails to the Licensing Officer was initially dismissive of those concerns informing the LO that the ASB was not within his control and such matters can be reported to the relevant authorities. The Committee did note that during the hearing the Applicant acknowledged there would be potential ASB if the license was granted and did seek to allay residents' concerns, however, no concrete plans or suggestions were made as to how that could be achieved. There was no attempt to engage with Residents' concerns.

The Committee further noted that although the Applicant acknowledged the potential of noise nuisance from later opening hours and the Committee noted that the Applicant stated they would not be playing music (although it would be automatic if the License was granted), the Applicant himself made no proposals to combat that noise nuisance. It was noted the Committee made recommendations such as obtaining a sound acoustic report, implementing any recommendations and installing sound proofing into the Premises and the Applicant agreed to such proposals. However, it

was very evident that that was not forthcoming from the Applicant himself either in the Application proposal or in the meeting, but rather only reluctantly agreeing to it.

It was further noted, by the Applicant himself that sound insulation had been installed in his other Premises across the street but that had not stopped the anti- social behaviour. Most significantly the Committee noted that the Premises were not even in a state ready to be granted a Licence. It was noted there is a pending planning application.

Where it was suggested that the conditions proposed by the Police be accepted- the Applicant again dismissed that suggestion. The Committee again felt this was evidence of the Applicants lack of concern for objections from residents, the Police and noise nuisance officer.

When the Applicant was questioned about the need for SIA's or number of smokers, the responses were vague and simply a reiteration of the Applicants position that if he had to appoint an SIA he would do so- it was not a part of his initial application. The Applicant stated there were no planned smoking facilities, which was particularly unsatisfactory as this was not credible especially where there is a licensed premises selling alcohol with later opening hours. The Committee again felt there was a lack of planning and forethought in the application.

The Committee also noted that the Applicant was late to the meeting, and throughout there were various technical issues relating to his and his Agent's IT connections. This was not a factor in the decision by itself but it was noted that this was as serious matter with a statutory hearing where serious objections had been raised. As such appropriate measures should have been taken to make proper representations. The Committee again felt this demonstrated that the Applicant did not take the objections or the process seriously and so had doubts about his ability to manage the premises in line with the licensing objectives.

The four primary objectives of the Licensing Act 2003 are the prevention of crime & disorder, public safety, prevention of public nuisance & protection of children from harm. The Committee felt that application in its current format would breach these objectives and even if it was granted there was significant risk of an increase in public nuisance and risk to public safety.

It was noted this is a dense area with residential homes. Having taken into consideration all the Objections as well as the Applicants and his Agents representation and in the round taking into all factors it was felt that it was not appropriate to grant this License.

The Committee seriously considered whether, in the event it were to grant the application, the licensing objectives could be met by way of imposition of further conditions. The Committee concluded, given the above factors it was unlikely that any further conditions would mitigate against the risk of harm to the licensing objectives which would result from the extension of operating hours.

The Committee considered granting reduced hours but for the reasons given above concluded that, given the sensitive location and complaints in which the premises is

situated and given the risk of harm to licensing objectives, it was not appropriate to grant the license.

Appeal Rights

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of the appeal period or, in the event that an appeal has been lodged, until the appeal is dispensed with.

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