

Licensing Sub Committee A - 31 May 2022

Minutes of the meeting of the Licensing Sub Committee A held at Committee Room 1, Town Hall, Upper Street, N1 2UD on 31 May 2022 at 6.30 pm.

Present: **Councillors:** Nick Wayne (Chair), Phil Graham and Angelo Weekes.

Councillor Nick Wayne in the Chair

1 INTRODUCTIONS AND PROCEDURE (Item A1)

Councillor Nick Wayne welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.

2 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillors Marian Spall and Praful Nargund.

3 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Phil Graham substituted for Councillor Marian Spall and Councillor Angelo Weekes substituted for Councillor Praful Nargund.

4 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

5 ORDER OF BUSINESS (Item A5)

The order of business would be as the agenda.

6 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 24 March 2022 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

7 WORK AND PLACE SPACE, 111 SEVEN SISTERS ROAD, N7 7FN - NEW PREMISES LICENCE (Item B1)

The licensing officer reported that a meeting had been held with the licensing team, the applicant and residents and in response the applicants had submitted additional conditions. The applicants had also proposed to reduce hours on Mondays to Wednesdays until 10pm. Residents had also submitted their response to these proposals.

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Two residents attended the meeting and spoke against the application. One resident stated that this was a residential building. He was keen to see a co working space on the ground floor but the hours were a concern. There had been a party event in the past that had loud music with vibration until after midnight and he went down to complain. During the week the hours of 11pm were late for young couples working and he would like to see the hours reduced to 9pm on weekdays. People had also congregated outside smoking, there had been no limit to the numbers outside and it would be difficult to monitor the noise. The residents would have no recourse and their quality of life degraded. The residents were concerned that they would be left in a worse position than currently with noise from people speaking outside loudly and for long hours.

In response to questions, it was noted that there had been no further noise issues from music but residents had heard people speaking outside on a few occasions. At the event held in February, patrons brought their own alcohol. There had been other events that had been held using temporary event notices.

The applicant stated that this was a co-working and small scale events business. They would be selling desk space and looking at events supplemented by the retail sale of alcohol including corporate events. This was not a bar, restaurant or club and the sale of alcohol would be ancillary to the core business. They had accepted conditions from the police and responded to the concerns of residents. They wished to form a dialogue with residents and would look at the outside area for dispersal and smoking. They had operated a number of temporary events and it was good to hear that there at been minimal disruption arising from these. Following a meeting with residents, a number of conditions had been proposed and these had been circulated to the Sub-Committee. There were restrictions to the numbers allowed in the building under building control regulations. The main issues were regarding noise. It was considered that, with the hours proposed, the events would not cause additional harm or nuisance. A 9pm cut off time throughout the week would prohibit events and put them at a competitive disadvantage. They had tried to compromise on the hours proposed by suggesting the 10pm cut off time for Monday to Wednesday. The planning consent for the ground floor of the premises is retail use so residents would always have some business activity in the building.

In response to questions, it was noted that the fire regulations limited 100 occupants at the site. It was expected that residents could know about events, at their request, as soon as it was reasonably practicable. The smoking area was monitored and was visible from inside the premises. For evening events they made assessments of the area every half an hour. The designated premises supervisor stated that he had the experience of working in bars for the past six or seven years. For events, patrons needed ID for entry and were refused entry if not provided. This refusal was then logged. There was a concern that five smokers outside was quite a low number for larger events. The Sub-Committee raised concerns regarding the noise threshold that would trigger an acoustic consultant report as the licensees would not want one instance to breach this condition. Any subcontracted event would require a member of staff to be present and any person included on the guest list would be entitled to drink alcohol.

In summary, the residents were concerned that even though there had not been any disruption recently it would not mean that there wouldn't be in the future. They considered that 11pm was unreasonable and they would prefer a cap on numbers smoking outside. They felt that the outside area would be difficult to monitor. The applicant stated that they saw themselves as an active and focal point in the community and were invested in being proactive and engaged with residents. Additional conditions had been proposed to meet the residents' half-way.

Following the announcement of the decision, the Chair stated that, regarding condition 2 detailed below, the Sub-Committee considered that the Licensing team would need to negotiate any disagreements between the residents and the applicant regarding the appointment of a noise consultant.

RESOLVED

- 1) That the application for a new premises licence, in respect of Work and Place Space, 111 Seven Sisters Road, N7 7FN, be granted to allow the sale of alcohol, on supplies only, from Monday to Wednesday from 4pm until 10pm, Thursday and Friday from 4pm to 11pm and on Saturday and Sunday from 11am until 7pm:-
- 2) That conditions detailed on pages 50 to 51 of the agenda shall be applied to the licence with the following additions:-
 1. Noise or vibration must not emanate from the premises to cause a nuisance to Cottonworks House properties.
 2. In the event of noise nuisance being established and evidenced, the licensee shall appoint an acoustic consultant accredited by the Institute of Acoustics or the Association of Noise Consultants to come to agreements with the Council regarding maximum levels of amplified sound at the premises.
 3. If the above licence condition is required, the agreed maximum levels of amplified sound shall be expressed on the premises licence.
 4. There shall be a written dispersal policy, a copy of which shall be kept on the premises and produced to an authorised officer upon request.
 5. Notices must be prominently displayed at all exits reminding customers to respect the local residents and depart in a quiet and orderly manner.
 6. The contact's name and telephone number of person(s) in charge of the premises shall be supplied to nearby residential premises to enable residents and/or authorised officers the opportunity to telephone the person in charge to advise of problems/nuisance as this occurs so that action can be taken immediately.
 7. The licence holder will supply a list of weekly events with terminal hours after 8pm and a capacity of over 75 persons to Cottonworks house residents on request.
 8. No more than five patrons be permitted to gather outside the premises after 7pm.

REASONS FOR DECISION

The Sub-Committee considered the application papers, the written submissions of the residents and the oral submissions from the applicant and one of the residents.

The Sub-Committee noted that there were no representations from any of the Responsible Authorities. The Sub-Committee was also informed that the residents who made representations held a meeting with the applicant and the Licensing Authority and that an additional seven conditions were agreed.

The premises are within the Holloway and Finsbury Park cumulative impact area. Licensing Policy 3 is accordingly applicable. This special policy creates a rebuttable presumption that applications will normally be refused unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. Exceptions to the Holloway and Finsbury Cumulative Impact Policy are that the premises are not alcohol led; that the hours of operation are consistent with the framework hours, the premises provide live music and other cultural activities and that they implement match day controls as per licensing policy 15.

The application was for a licence to sell alcohol only on the premises and to members. Alcohol would not be sold to members of the public. The hours of permission as applied for (4pm- 11pm- Mondays to Thursdays) and (11am-7pm Fridays and Saturdays) are within the framework hours. Licensing Policy 5 and 6 apply- 8am- 11pm (Mondays to Thursdays) and 8am to midnight (Fridays and Saturdays).

The Sub-Committee heard submissions that the applicant and residents had met recently to discuss the concerns of the residents and that seven additional conditions had been agreed, which addressed some of the concerns of the residents in relation to noise and dispersal.

The applicant further agreed to reduce the hours requested for sale of alcohol on Mondays to Wednesdays to 4pm to 10pm.

The business was not alcohol led, it was a small scale local business and members only would be able to purchase alcohol at specific times.

The Sub-Committee was satisfied that the applicant had dealt thoroughly with the cumulative impact issue and steps would be taken to promote the licensing objectives.

The Sub-Committee noted the concerns of the resident relating to patrons gathering outside the premises while having some breaks.

The Sub-Committee concluded that the granting of the application with the suggested conditions, together with an additional condition restricting the number of people allowed to gather outside the premises was reasonable and proportionate and would promote the licensing objectives.

8 MR CHANS, 21 CLERKENWELL ROAD, EC1M 5RD - NEW PREMISES LICENCE (Item B2)

The Sub-Committee noted that this item had been deferred to a future meeting.

The meeting ended at 7.30 pm

CHAIR