

Decisions of the Licensing Sub-Committee

20 August 2014

Sub-Committee:
Councillor John Hart (Chairman)
Councillor Jim Tierney
Councillor Anne Hutton

Officers to the Panel
Bob Huffam– Legal Services
Faith Mwende – Governance Service

Licensing Officer
Daniel Pattenden

Applicant
Mr Ryan Piri – Applicant
Mr Peter Mayhew – Applicant's Agent

1. APPOINTMENT OF CHAIRMAN (Agenda Item 1):

Councillor John Hart was appointed Chairman.

2. ABSENCE OF MEMBERS (IF ANY) (Agenda Item 2):

There were none.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY) (Agenda Item 3):

There were none.

4. LICENSING SUB-COMMITTEE HEARING PROCEDURE (Agenda Item 4):

The Chairman introduced the sub-Committee Members and explained the procedure that would be followed at the meeting.

5. NEW PREMISES LICENCE, FINCHLEY COTTAGE, 289 REGENTS PARK ROAD, LONDON, N3 3JY (Agenda Item 5):

The Sub-Committee considered an application for a new Premises Licence, under section 17 of the Licensing Act 2003.

The Sub-Committee heard oral representations from the Licensing Officer and the Applicant(s).

6. MOTION TO EXCLUDE THE PRESS AND PUBLIC (Agenda Item 6):

RESOLVED – That, under Regulation 14(2) of the Licensing Act 2003 (Hearings Regulations 2005), the parties be excluded from the meeting.

7. DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION (Agenda Item

7):

The Sub-Committee deliberated in private session.

8. RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE (Agenda Item 8):

RESOLVED – That the press and public be re-admitted.

The Sub-Committee, having considered the application and all verbal and written representations received, unanimously **RESOLVED** –

This is an application for a new premises licence in respect of Finchley Cottage, 289 Regents Park Road, Finchley.

The application is:-

1. To allow recorded music indoors only from 11:00hrs until 23:30hrs Monday to Wednesday, 11:00hrs; until 00:30hrs Thursday, 11:00hrs until 01:30hrs Friday to Saturday and 11:00hrs until 23:00hrs Sunday.
2. To allow the late night refreshment indoors and outdoors from 23:00hrs until 23:30hrs Monday to Wednesday, 23:00hrs until 00:30hrs Thursday, and 23:00hrs until 01:30hrs Friday to Saturday.
3. To allow the supply of alcohol on the premises only from 11:00hrs until 23:30hrs Monday to Wednesday, 11:00hrs until 00:30hrs Thursday, 11:00hrs until 01:30hrs Friday to Saturday and 11:00hrs until 23:00hrs Sunday.
4. To allow the premises to remain open to the public from 07:00hrs until 00:00hrs Monday to Wednesday, 07:00hrs until 01:00hrs Thursday, 07:00hrs until 02:00hrs Friday to Saturday and 07:00hrs until 23:30hrs Sunday.

Following discussions with the Police the application has been amended and neither the Police nor any other responsible authorities have objected to the application.

There are however two objections, one from a local resident and one from the owner and manager of the block Grove Lodge, to be considered. They both relate to the licensing objective of the prevention of public nuisance, mostly from the noise that they fear would be created by customers leaving the premises late at night. The noises include car doors slamming, people talking and staff cleaning. There is concern that the premises will be a “nightclub”.

The applicant is quite specific in saying that the premises are intended to be a restaurant providing substantial table meals rather than a nightclub. There is to be no live music or dancing, just recorded music indoors only. Alcohol is only to be served by waiters and waitresses. Various conditions (13-15) are offered which suggests that the applicant has considered the possible problems caused to local residents and the best way in which to resolve them.

It does not seem to the Panel that a nightclub is intended. The applicant has shown a reasonable approach to the residents, and will be aware of the possibility of a review should the noise from the premises be a nuisance.

The one issue that concerned us related to the outside areas. The objections referred to this and Grove Lodge, where the objectors live, is quite close to the premises. We have

not considered any possible loss of revenue for the owners as a relevant issue, but noise disturbing residents is. The outside area at the front of the premises is already due to close at 23.00. The area at the back is further from Grove Lodge and backs on to a car park. The side area however is close to Grove Lodge, and does not have an awning as is intended at the rear. We feel it appropriate therefore to impose a condition that the outdoor seating to the side of the premises be rendered unusable after 23.00 hours every day of the week. The side area shall end in line with the rear wall of the premises. This should keep down the noise for residents of Grove Lodge.

Save for this condition we grant the application.

9. ANY OTHER ITEM(S) THE CHAIRMAN DECIDES ARE URGENT (Agenda Item 9):

There were none.

The meeting finished at 11.50 am