

Decisions of the Licensing Sub-Committee

11 November 2021

Members Present:-

Councillor Barry Rawlings (Chairman)

Councillor Val Duschinsky

Councillor Zakia Zubairi

1. APPOINTMENT OF CHAIRMAN

RESOLVED that Councillor B Rawlings be appointed Chairman for this Licensing Sub-Committee meeting.

2. ABSENCE OF MEMBERS (IF ANY)

None.

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

None.

4. LICENSING SUB-COMMITTEE HEARING PROCEDURE

The Chairman explained the procedure that would be followed for the meeting.

5. REPORT OF THE LICENSING OFFICER

The Sub-Committee considered an application for a Temporary Events Notice for Tiferes Sholomo School, NW4 2NA, starting 19:00, 20 November 2021 finishing 01:00, 21 November 2021.

6. MOTION TO EXCLUDE THE PRESS AND PUBLIC

RESOLVED that the parties be excluded from the meeting, together with the press and public, in accordance with Regulation 14(2) of the Licensing Act 2003 (Hearings and Regulations 2005).

Prior to exclusion, parties were notified that they would be informed of the decision within 5 working days.

7. DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION

The Sub-Committee deliberated in private session, accompanied by the Officer from HB Public Law and the Governance Officer.

8. RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE

On Thursday, 28th of October 2021 the licensing authority received from the premises user Mr Henry Bondi, a temporary event notice in respect of proposed temporary licensable activities due to take place from 19:00 am on 20.11.2021 and finishing at 01:00 am on the 21.11.21 within Tiferes Shlomo School, Danescroft Avenue, London, NW4 2NA.

NOTICE OF DECISION

(a) DECISION NOT TO ISSUE A COUNTER NOTICE

The Licensing Authority, having received a notice of objection from the relevant chief officer of police under section 104(2)(a) of the Act and in accordance with section 105(2)(a) of the Act, having held a hearing on 11th November 2021 at 10:30am to consider the objection notice hereby;

(a) does not consider it necessary to give a counter notice for the promotion of the crime prevention objective. **The event may go ahead.**

NOTICE STATING REASONS FOR THE DECISION

The following reasons are given:

The TEN seeks to permit the sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshments for the school's annual school fundraiser dinner. This event is due to take place from 19:00 hours on Saturday 20th November 2021 until 01:00 hours on Sunday 21st November 2021.

An objection notice was received from the Local Authority's Environmental Health Noise Team regarding concerns that allowing the premises to be used in accordance with the TEN would undermine the licensing objective of the prevention of public nuisance.

The Sub-Committee must consider whether or not the Applicant can positively promote the licensing objectives in the local area. The options available to the Sub-Committee are to either approve or reject the TEN. The Sub-Committee are not at liberty to impose conditions on the TEN due to the Premises not having an existing premises licence or club premises certificate.

The Sub-Committee heard from Environmental Health that several reports of noise had been received from local residents. Subsequently, a visit to the Premises had been undertaken by the Environmental Health department, at the most recent event, however, no noise nuisance had been witnessed to warrant issuing a formal abatement notice. Instead a formal warning was issued to the Applicant, and consequently proactive steps have been taken to mitigate the noise emanating from the Premises.

The Applicant advised the Sub-Committee that the event taking place on 20th November 2021 was a school fundraiser which will include a religious meal and musicians and performers. He acknowledged the concerns of local residents and advised that robust management plans had been put in place to mitigate their noise concerns. He told the Sub-Committee that the Premises has been refurbished with sufficient sound proofing installed. He advised that the event will be marshalled by school committee members and security staff will manage the doors to ensure that they remain closed and will only open for entering and exiting the Premises in order to limit noise. He further advised that the noise levels will be monitored both internally and externally to ensure that the noise does not create a public nuisance.

The Sub-Committee was advised by the Applicant that he had agreed a management plan with Environmental Health. Whilst the Sub-Committee cannot attach the conditions set out in this plan on the TEN, it is advisable that these agreed conditions are adhered to at the event and going forward to minimize the effect on local residents and positively promote the licensing objectives.

The Sub-Committee has carefully considered all written and oral representations, as well as the relevant statutory legislation, statutory guidance, licensing objectives and Barnet's Licensing Policy. In view of the agreed management plans between the Applicant and Environmental Health, the Sub-Committee has approved the Temporary Event Notice.

Right to Appeal

Any party aggrieved with the decision of the Licensing Panel on one or more grounds set out in schedule 5 of Licensing Act 2003 may appeal to the Magistrate's Court within 21 days of notification of this decision and at least 5 working days before the date of the event.

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

None.

The meeting finished at 11.59 am