

THE LONDON BOROUGH OF CAMDEN

At a hearing of **LICENSING PANEL E** held on **THURSDAY, 6TH FEBRUARY, 2025** at 10.00 am, which was held remotely via Microsoft Teams

MEMBERS OF THE PANEL PRESENT

Councillors Sylvia McNamara (Chair), Meric Apak and Patricia Leman

ALSO PRESENT

Councillor Kemi Atolagbe

The minutes should be read in conjunction with the agenda for the hearing. They are subject to approval and signature at the next hearing of Licensing Panel E and any corrections approved at that hearing will be recorded in those minutes.

MINUTES

1. GUIDANCE ON REMOTE MEETINGS HELD UNDER THE LICENSING ACT 2003 AND ASSOCIATED REGULATIONS

RESOLVED –

THAT the guidance on remote meetings be agreed.

2. APOLOGIES

There were no apologies.

3. DECLARATIONS BY MEMBERS OF STATUTORY DISCLOSABLE PECUNIARY INTERESTS, COMPULSORY REGISTERABLE NON-PECUNIARY INTERESTS AND VOLUNTARY REGISTERABLE NON-PECUNIARY INTERESTS IN MATTERS ON THIS AGENDA

There were none.

4. ANNOUNCEMENTS

Webcasting

The Chair announced that the meeting was being broadcast live to the internet and would be capable of repeated viewing and copies of the recording could be made

available to those that requested them. Those participating in the meeting were deemed to be consenting to being filmed.

5. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT

There was no urgent business.

6. MINUTES

Consideration was given to the minutes of the previous meeting.

RESOLVED –

THAT the minutes of the meeting held on 19 September 2024 be approved and signed as a correct record.

7. SIR RICHARD STEELE, 97 HAVERSTOCK HILL, LONDON NW3 4RL

Consideration was given to the report of the Executive Director Supporting Communities, which detailed an application to review a premises licence under section 51 of the Licensing Act 2003.

The Licensing Officer introduced the report and highlighted the following information:

- The review was requested by Haverstock Action Group.
- There had been complaints about excessive noise and breach of conditions on the premises licence.
- The review sought to amend the hours for licensable activity and amend the current licence conditions.
- 12 representations had been received, with two in support of the review and 10 opposing it.
- Environmental Health did not submit a representation but had provided a list of complaints.
- The premises was not in a Cumulative Impact Policy Area.

Responding to a question of clarification, the Licensing Officer stated that the Police Responsible Authority had been consulted with regard to the review but had not submitted a representation.

Haverstock Action Group, the applicant for the review, were represented by Amanda Zeiler, Richard Goldblatt, Esther Klagg and Samuel Teshuva.

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Amada Zeiler outlined the application for review by providing the following information:

- Haverstock Action Group did not seek revocation of the licence and acknowledged the pub was important to the community.
- Residents had coexisted peacefully with the pub until new ownership and management took over in April 2023, after which complaints began.
- Significant noise disturbances had been reported, including large gatherings outside the premises on the pavement, extremely loud music playing from the premises, amplified and live music in the garden outside permitted hours, and excessive noise from bottle and canister disposal at unreasonable hours,
- The Environmental Health Service had been frequently called to assess disturbances, with complaints documented.
- Residents and the Camden Licensing Team had made multiple attempts to engage with the licensee, but the responses were either discourteous or ignored.
- The group viewed the review as a last resort, as other avenues of resolution had been exhausted.
- The current licence was outdated and in need of updating to reflect its operation as a live music and drinking venue.
- Compliance with existing conditions should be ensured.

The Haverstock Action Group requested that the following conditions be applied to the Licence:

- A designated security person to be present outside from 21:00hrs until 30 minutes after closing.
- Live music should be limited to 22:00hrs and recorded music to 22:30hrs.
- Clear signage should be displayed inside and outside the premises reminding patrons to be quiet and respect the residential area.

The Haverstock Action Group provided the following information in response to questions:

- It was noted that the licence condition stated that bottles should be disposed of at "reasonable hours." It was suggested that specifying exact times could provide clarity.
- A dispersal policy could be useful, but it was questioned whether the licence holder would comply, given the lack of previous engagement from the premises.
- Residents had made attempts in 2023 to address noise concerns directly with the licence holder, requesting that doors remain closed during live music events. Initially, they had agreed but then failed to act, and when approached again, was reportedly rude and uncooperative.
- Due to a lack of communication from the licence holder, residents instead pursued formal channels to address the issues, such as engaging with the Council and submitting complaints.

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- The last direct engagement with the premises took place in 2023, after which contact was made solely with the Council due to lack of response. Meetings had been scheduled but the licence holder failed to attend on three occasions.
- Residents of Steel's Studios had also attempted engagement, but this was unsuccessful.
- Residents requested that live music be limited to 10:00 pm and recorded music to 10:30 pm, citing the disturbance caused by excessive noise
- A distinction was made between live and recorded music, with live performances being described as significantly louder, sometimes even disruptive with doors closed.
- Concerns were raised about potential live performances in the function room at the rear of the premises, which had caused disturbance to nearby residents.
- It was confirmed that the current licence did not require a noise limiter, but a condition requiring this was supported.

The Legal Adviser clarified that performances of Live Music and Recorded Music was now a deregulated activity before 23:00hrs and for audiences smaller than 500 people.

The Licensing Responsible Authority outlined their representation, as set out in the written submission in the agenda pack, and provided the following information in support of the review:

- The Licensing Authority submitted a representation in support of the residents' review, citing concerns related to the prevention of crime and disorder and, primarily, the prevention of public nuisance.
- It was noted that the premises had a history of complaints from residents regarding noise disturbance from music and patrons' behaviour, particularly in the immediate vicinity.
- The Licensing Authority had made multiple attempts to engage with the premises, including visits, emails, postal letters, and hand-delivered correspondence, but had received no response.
- Copies of the letters were included in the Licensing Authority's submission as part of the review.
- While supporting the residents' request for reduced operating hours, the Licensing Authority also proposed three additional conditions for consideration by the panel:
 1. The number of people allowed to smoke outside the premises at any time should be limited to two, due to concerns about the venue's ability to manage larger groups.
 2. A designated staff member should be responsible for ensuring that the smoking limit is not exceeded.
 3. The premises should implement a formal dispersal policy to facilitate the orderly and quiet departure of patrons.

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- A dispersal policy would outline specific steps the premises should take to manage the orderly departure of patrons at closing time. The policy would include measures to ensure patrons leave the premises in a controlled manner, minimising noise and disturbance to residents.
- For example, it could require a staff member to be present outside the venue to direct patrons towards transport links, such as the train station.
- It was noted that the policy could be a standalone document, with a reference to it included in the premises licence to ensure compliance.

The Interested Party, Councillor Kemi Atolagbe, outlined their representation as set out in their written submission in the agenda pack, and provided the following information in support of the review:

- It was acknowledged that the purpose of the review was not to seek the closure of the premises but to strike a balance between the needs of the business and the rights of residents to a peaceful quality of life.
- Initial attempts to resolve the issue included engaging with a licensing officer to liaise with the pub and explore possible solutions.
- Further engagement with the licensing officer was undertaken, with efforts made to contact the pub directly. However, there was little to no response.
- Eventually, a larger meeting was convened to discuss available options, as previous attempts to resolve the matter had been unsuccessful.
- The need for a balanced approach was emphasised, ensuring that both the business and the neighbourhood could coexist without ongoing disruption.

The Interested Party, Pamela Gunsell, outlined their representation as set out in their written submission in the agenda pack, and provided the following information objecting to the review:

- The current licensee seemed to be doing everything they could to address concerns.
- The pub did not appear attract drug users or undesirable individuals and was considered a safe venue.
- It was suggested that people outside the pub could be patrons of the neighbouring businesses.
- The speaker highlighted that the current management had recently taken over the running of the pub and had worked to make improvements.

The Licensing Responsible Authority clarified that other outlets in the area have pavement licences allowing customers to sit in designated areas outside of the respective premises.

The Premises Licence Holder, Steven Rooney, objected to the review and responded to questions by providing the following information:

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- The current licence holder had taken over as manager of the pub just before the pandemic and had worked closely with a Licencing Enforcement Officer to address issues at the pub.
- When the pub's building was taken over by a debt management firm, the management was removed, but the licence holder was later invited back once the pub was released.
- Meetings had taken place with Steel's Business Association to discuss concerns.
- Following staff changes within the Licencing Service, the licence holder had noticed a lack of engagement with the new licensing officers, with attempts to mediate being unsuccessful.
- Richard Goldblatt had visited the pub in April, but the licence holder disagreed with Richard's account of the interaction.
- The pub has a dispersal policy in place, implemented five years ago, where last orders were called at 23:45hrs and patrons were dispersed between 00:00hrs and 00:15hrs. The premises were empty by 00:25hrs, and CCTV footage was available to verify this.
- The pub was a community hub, hosting events such as Pilates classes and events for pensioners, and that the function room was used for events and celebrations, such as birthdays and christenings.
- The residents of the four flats above the pub had not submitted noise complaints about the volume of the music.
- No alcohol was allowed to be consumed outside after 22:00hrs.
- Limiting the number of people smoking outside to two was unnecessary, as patrons were dispersed by 00:25hrs.
- Attempts to communicate had been made, but efforts were met with no response.
- The licence holder had responded to communications, including a letter scheduling a meeting, however the licence holder was unable to attend due to personal circumstances.
- A request was made for an alternative meeting time, but no response was received.
- The premises had made efforts to mitigate noise, such as keeping doors closed to prevent noise from music escaping.
- Windows and doors were kept closed even in the hotter summer months.
- Stephen clarified that he had been in contact with Councillor Simon.
- The Premises had implemented a dispersal policy and to address noise and community concerns.
- The licence holder had made attempts to engage with the Council and community members but had faced challenges due to communication issues.
- The licence holder was agreeable to adjusting certain aspects of the operation, including having live music to end at 22:30hrs.

Haverstock Action Group, the applicant for the review, represented by Amanda Zeiler and Richard Goldblatt, made some closing remarks.

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Peter Agleby, on behalf of the Licensing Responsible Authority, made some closing remarks.

The Interested Party, Councillor Kemi Atolagbe, made some closing remarks.

The Interested Party, Pamela Gunsell, made some closing remarks.

The Premises Licence Holder, Stephen Rooney, made some closing remarks.

Decision and Reasons

Panel Members confirmed that they had been able to follow and understand the submissions and discussion in relation to the application for review of a premises licence in respect of Sir Richard Steele.

In deliberation, the Panel noted the representations and the information provided by the applicant for review, the Licencing Responsible Authority, the interested parties, and the Licence Holder.

The Panel then considered all the options available to them.

Panel Members agreed, having deliberated on all evidence available to them, that they did not consider suspension or revocation to be proportionate in this instance, especially as the applicant for the review had specified that they did not consider this necessary.

However, Panel Members were in agreement that the conditions on the licence should be amended to ensure that the licensing objectives would be upheld and prevent any future disturbance to local residents.

The Panel discussed adding additional conditions, covering the following points:

- That only two smokers be permitted outside the front of the premises, in a designated place which was managed and supervised.
- That the standard condition on a dispersal policy be applied.
- That the Licence Holder should arrange quarterly meetings with local residents and resident associations.
- That a sound limiting device should be installed and set by Environmental Health.
- Visible signs requesting quiet and orderly conduct to be displayed.
- Refuse must not be disposed of or collected between 20:00hrs 07:00hrs
- Windows and doors must remain closed when regulated entertainment is taking place, except for ingress and egress to the premises.
- The premises must sign up for the Ask for Angela scheme and with appropriate training provided to all staff and ensuring new staff are provided with this same training.

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The Panel also discussed amended existing conditions on the Licence as follows:

- Condition 17 to be amended to “customers shall not be permitted to drink or stand on the pavement outside the premises after 21:00hrs”
- Condition 23 to be amended to “glass bottles must not be disposed of or collected between 20:00hrs and 08:00hrs”

The Panel discussed amending the terminal hour for live music to be 22:30hrs and agreed that this was appropriate to minimise disturbance to local residents. The Panel noted that the Licence Holder had be agreeable to this suggestion.

The Panel emphasised the seriousness of a review of a premises licence and urged the licence holder to take communications from the Licencing Authority seriously and to respond proactively.

In their summing up, the panel explained that the additional conditions were imposed to uphold licencing objectives. The Panel emphasised to the licence holder that failure to adhere to the conditions could lead to more severe consequences, including possible revocation of the licence.

Overall, Panel Members determined that amending the licence, modifying existing conditions and applying additional conditions would ensure that the licensing objectives were promoted.

Therefore, it was

RESOLVED –

i) THAT the Premises Licence be amended as follows:

c) Live Music

10:00 – 22:30 Monday to Sunday

ii) THAT existing conditions be amended, as follows:

17. Customers shall not be permitted to drink or stand on the pavement outside the premises after 21:00

23. Glass bottles must not be disposed of or collected between 20:00 and 08:00

iii) THAT the additional conditions be applied to the Premises Licence, as follows:

1. That the number of people allowed to smoke outside at any point in time shall be restricted to maximum of 2 within a designated area that is managed and supervised.

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2. The premises shall have in place a dispersal policy that would support the premises in ensuring the quiet or as best as possible dispersal from their premises of their patrons.to be discussed and agreed between the License and the Licensing Authority.
3. Ask Angela Scheme must be implemented, and all new members of staff must be trained.
4. Contact details should be provided and available to residents and the Leaseholder should undertake quarterly meetings with the residents including resident associations.
5. A sound limiting device should be fitted and the level be approved by Environmental Health.
6. Visible signs should be displayed inside and outside the venue asking patrons to leave quietly.
7. Doors and windows must be kept closed to reduce noise escape, save for ingress to and egress from the premises.
8. Refuse must not be disposed of or collected between 20:00hrs 07:00hrs

The hearing ended at 12.45 pm.

CHAIR

Contact Officer: Rebecca Taylor

Telephone No: 020 7974 8543

E-Mail: licensing.committee@camden.gov.uk

MINUTES END