



**CITY OF WESTMINSTER**

# MINUTES

## **Licensing Sub-Committee (1)**

### **MINUTES OF PROCEEDINGS**

Minutes of a meeting of the **Licensing Sub-Committee (1)** held on **Thursday 24th October, 2019**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Heather Acton (Chairman), Margot Bright and Aziz Toki

**Also Present:** Councillors

**Apologies for Absence:**

#### **1 MEMBERSHIP**

#### **2 DECLARATIONS OF INTEREST**

#### **1 THE ADMIRAL DUNCAN PUBLIC HOUSE, 54 OLD COMPTON STREET, LONDON, W1D 4UD**

### **LICENSING SUB-COMMITTEE No. 1**

*Thursday 24<sup>th</sup> October 2019*

**Membership:** Councillor Heather Acton (Chairman) and Councillor Louise Hyams

**Legal Adviser:** Horatio Chance

**Policy Officer:** Aaron Hardy

**Committee Officer:** Andrew Palmer

**Presenting Officer:** Michelle Steward

**Relevant Representations:** Environmental Health, the Metropolitan Police, the Licensing Authority and the Soho Society.

**Present:** Clare Eames and Helen Ward (Poppleston Allen – representing the Applicant), Paul Wright (Applicant - Director of Operational Licensing, Stonegate Pub Company Limited), James Beaumont (Area Manager,

Stonegate Pub Company Limited), Karl Nixon (Designated Premises Supervisor, Stonegate Pub Company Limited), Richard Sharland (Acoustics Expert), Dave Nevitt (Environmental Health), PC Bryan Lewis (Metropolitan Police), Karyn Abbott (Licensing Authority), Richard Brown (Westminster Citizen's Advice Bureau, on behalf of the Soho Society), Jane Doyle (Soho Society) and Alison Henry (Soho Society).

<b>The Admiral Duncan Public House, 54 Old Compton Street, London, W1D 4UD (The Premises")</b> <b>19/09810/LIPN</b>	
<b>1.</b>	<b>Late Night Refreshment (Indoors)</b>
	<p>Monday to Saturday: 23:00 to 03:00</p> <p><u>Seasonal variations/ Non-standard timings:</u></p> <p>The terminal hour to be 03:00 hours the following day on Bank Holiday Sundays, New Year's Eve and Christmas Eve.</p> <p>An additional hour to the terminal hour on the day that British Summertime commences.</p>
	<p>Amendments to application advised at hearing:</p> <p>None.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>The Sub-Committee considered an application for a new premises licence for the Admiral Duncan public house, which currently had the benefit of a premises licence for core hours that had been granted in 2005. The new application sought to provide late night refreshment, regulated entertainment and the sale of alcohol 'on' and 'off' the premises Monday to Saturday between 10:00 and 03:00; and on Sunday between 12:00 and 22:30. The application also sought the British summertime additional hour; with Bank Holiday Sundays, Christmas Eve and New Year's Eve until 03:00. The Sub-Committee noted that the premises were situated in the West End Cumulative Impact Area (CIA).</p> <p>Clare Eames addressed the Sub-Committee of behalf of the applicant who considered that the application would be an exception to cumulative impact under Policy CB2, as the sale of alcohol would be ancillary to the performance of cabaret which was the primary purpose of the Premises. The applicant also suggested that the operation of the Premises was similar to karaoke venues in Westminster, which had been regarded as exceptions to Policy. If the application were to be granted, an acoustic lobby to reduce possible noise nuisance would be constructed as part of a general refresh investment of £70,000 and additional floor staff would be provided at weekends. The applicant confirmed that cabaret events were not ticketed.</p>

Ms Eames commented on the report of the London Night Time Commission, which had considered the development of business, the night time economy and entertainment premises in Westminster. Ms Eames stated that the Admiral Gordon was a dedicated LGBT+ cabaret venue and one of the top drag clubs in London. She considered that the Admiral Gordon was a cultural institution which was uniquely based because of its future and legacy, and highlighted the importance of preserving particular segments of the night time economy such as LGBT premises. The application sought for the Admiral Gordon to continue to operate as it had been, with the sale of alcohol being ancillary to the offer of live stage cabaret entertainment. Following discussions between the applicant, the Environmental Health Service and local residents, the hours for licensable activities that were being sought for Monday to Wednesday had been reduced to 01:00 to mitigate potential impact, with last entry at midnight and a 30 minute dispersal time. The hours being sought for Thursday, Friday and Saturday would remain at 03:00, and the hours for Sunday would not change. Ms Eames stated that the performance of cabaret would be extended to 02:00, which would allow for a more gradual and less impactful dispersal before the terminal hour. During the day the Admiral Gordon would be a place where people could come in for refreshment; and the operation of the Premises would continue to be robustly enforced by conditions.

The Applicant acknowledged that there was a lot of activity in the area, and proposed increasing the number of smokers outside the premises up to 10 until 02:00 after which there would no re-entry. The new premises licence would not take effect before the acoustic lobby had been installed.

Ms Eames informed the Sub-Committee that Stonegate operated 770 venues across the country, and that some of their 33 premises in Westminster had a terminal hour of 03:00. Stonegate were also an established major operator of LGBT premises, with 14 dedicated venues of which 9 were in London.

Ms Eames commented on Licensing Policy, and stated that although the Admiral Gordon was located in the West End CIA, Environmental Health had considered

that the premises could be an exception to Cumulative Impact Policy under PBC2 if the sale of alcohol was ancillary to cabaret entertainment. The Sub-Committee noted that Policy PBC2 included theatres, cinemas and other performance venues and qualifying clubs where the sale of alcohol was ancillary to entertainment. Ms Eames suggested that the performance of karaoke as part of the cabaret further supported the application being considered an exception, and not attracting the full rigour and robustness of Cumulative Impact Policy. Ms Eames stated that the prime purpose of the Admiral Duncan would be for cabaret, and that the premises licence would include a condition to provide that no dancing was permitted.

Karl Dixon addressed the Sub-Committee as the Designated Premises Supervisor, and confirmed that cabaret would be performed every night of the week. He also stated that the applicants were committed to what they did, and took great responsibility in maintaining the cultural integrity of the night time economy.

	<p>The Sub-Committee heard from Dave Nevitt, who confirmed that the Environmental Health Service maintained their representation on the grounds of public nuisance. Mr Nevitt confirmed that pre-application discussions with the applicant on the scope and nature of the application had been helpful, and that the acoustic report had also helped to identify potential noise control issues and offer solutions. Environmental Health had expressed concern over the possible impact of noise breakout, dispersal and outdoor activity; and had acknowledged that the premises could be an exception to Cumulative Impact Policy under PBC2. Environmental Health had been happy with the proposed licence conditions and link with Stonegate as the operator of the Premises, but had also been concerned that the later time for last entrance would increase the likelihood of the Premises becoming a destination venue. Mr Nevitt stated that although the proposed improvements to sound management would reduce noise breakout, disturbance could be caused by customers at the later hour and their behaviour would need to be managed. The Sub-Committee commented on the findings of the acoustic report, and noted that the last noise complaint relating to the premises had been received in 2017.</p> <p>The Sub-Committee expressed concern that customers drinking alcohol without food could contribute to noise during dispersal. Mr Wright stated that this had not been an issue in the past as customers were well behaved, and that the additional time would allow for a more gradual dispersal with additional floor staff being provided at weekends. Ms Eames commented that the sale of alcohol would continue to be ancillary to the entertainment.</p> <p>Karyn Abbott addressed the Sub-Committee on behalf of the Licensing Authority, who maintained their representation on the grounds of public nuisance, prevention of crime and disorder, public safety and protection of children from harm. Ms Abbott stated that although the Licensing Authority had been happy with the proposed conditions, it considered that the application fell within Policy PB2, and stated that it would be for the Sub-Committee to determine whether exceptional circumstances had been established that would make the application not add to Cumulative Impact.</p> <p>The Sub-Committee also heard from PC Bryan Lewis, who expressed concerns raised by the Metropolitan Police that the application would undermine the licensing objectives and cause further policing problems. PC Lewis noted that the Admiral Duncan was well run with very few problems arising over the last 10 years, but considered the Premises to be operating as a pub as customers would consider the cabaret as background to alcohol. PC Lewis did not consider that the Premises were comparable with a karaoke venue, as it did not have individual booths. He also suggested that people leaving the venue would go to look for food and be potential victims of crime; and that problems could be caused by people expecting to gain access to the Premises at the later hour.</p> <p>The Sub-Committee sought clarification as to whether people would be charged for entry, and Ms Eames commented that entry would be free as it was intended that the entertainment would be available to the community.</p> <p>Richard Brown addressed the Sub-Committee on behalf of the Soho Society and local residents. Mr Brown agreed that Stonegate were good operators, but</p>
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expressed concerns over cumulative impact in the Soho area and did not consider that there were circumstances that would make the application an exception to Cumulative Impact Policy. Mr Brown noted that two residential blocks were located near to the Premises, and suggested that the application would introduce more people into the area at 03:00 when the venue closed. The Soho Society did not agree that the application fell within Policy PBC2, and Mr Brown suggested that the key issue was whether the Admiral Duncan was a performance venue with an ancillary bar; or a bar with ancillary performance which would take it outside of the PBC Policy. He commented that no stage had been shown on the floorplan to the Premises Licence; and that performances were not ticketed or seated, with no pre-booking as was the case with karaoke. The Committee noted that the application for the Adanami karaoke venue had only sought the sale of alcohol until 23:00. Mr Brown asked whether the cabaret would be constant between 20:00 and 02:00, and suggested that the Admiral Duncan was a pub with entertainment. Mr Brown suggested that defining the Premises as a performance venue as it put on performances could set a precedent that would lead to similar applications from other premises. The Soho Society wished the Premises well, but considered the application to be seeking very serious extensions in hours which was against Cumulative Impact Policy, and accordingly asked that it be refused.

The Sub-Committee heard from Jane Doyle who was a member of the Soho Society and had objected to the application on grounds of crime and disorder, public nuisance, and cumulative impact. Ms Doyle described other licensed premises in Old Compton Street, and referred to instances of drug abuse, anti-social behaviour and robbery which had occurred in the area.

The Sub-Committee also heard from Alison Henry, who had objected to the proposal as a local resident and had considered the application to be driven by profit, rather than as a cabaret venue for the wider LGBT+ community. Ms Henry commented that the level of noise from the Premises increased during performances and fell during breaks, reaching a peak when performances ended. Ms Henry confirmed that she had been a local resident since 1983, and that the Premises had changed to a gay venue in 1997 with the intention of providing live entertainment and cabaret ancillary to the pub. Ms Henry considered that the Admiral Duncan was of cultural significance, but was operating as a pub that offered cabaret.

Ms Eames highlighted the high level of operation for the other businesses run by the applicant, and commented that there was no police evidence of alcohol related issues associated with the Premises. She suggested that it could not be assumed that the later hours would lead to problems, and referred to previous case law which had found that the type of clientele attracted to a premises had a material part to play in the decision. Previous case law relating to BrewDog in Leeds had also found that a simple increase in footfall had not been a reason to refuse permission. Ms Eames highlighted the view of the Licensing Service and Environmental Health that the application fell within Policy PBC2, and commented that concerns relating to noise and dispersal could be dealt with by robust conditions. She suggested that the existing management had mitigated the risk of undermining the licensing objectives, and believed the application had been well crafted by an experienced operator who would improve the

	<p>existing situation.</p> <p>Mr Brown commented that the BrewDog case referred to by the applicant had been a Magistrate's Court decision in Leeds which had no jurisdiction, and which had been determined with reference to Leeds' Policy. He suggested that in terms of Westminster's Policy, the application would retain people in a CIA and add to impact.</p> <p>The representatives from the Soho Society expressed concern that an extension of operating hours could result in the area developing problems similar to those in other parts of Old Compton Street, and strongly opposed any extension of hours on any day of the week.</p> <p>PC Lewis stated that Friday and Saturday were the busiest days for crime and disorder.</p> <p>The Sub-Committee recognised that the premises were well run, and that the operator was respected across Westminster. The Sub-Committee had, however, also heard from the Police and from the Soho Society and its advisors that the Premises were known as a pub with cabaret performances. The Sub-Committee, while cognisant of the submission made by the applicant, had taken the view that this did not fall under Policy PBC2. The Sub-Committee had heard from residents regarding nuisance and problems associated with later hours, which were not necessarily from the Admiral Duncan. The Sub-Committee had also heard from the Police concerning criminal activity patterns associated with any later hours of operation. The Premises had many residential properties surrounding it, and the Sub-Committee considered the potential nuisance arising from these later hours of operation.</p> <p>Whilst the Sub-committee appreciated the points made regarding the dispersal policy, it did not feel that this would eradicate the potential problems likely to be faced by residents. The Sub-Committee noted the point that this was a cultural venue on account of it being for the LGBT+ community, but on the merits of this case felt that exceptionality had not been proved on this occasion. The Sub-Committee thanked everyone for their detailed submissions and for the helpful acoustic report. However in conclusion, and having taken into account all the evidence put before it, the Sub-Committee felt that the conditions offered by the applicant would not have the overall effect of promoting the Licensing objectives, and the application was therefore refused.</p>
<b>2.</b>	<b>Provision of films, live music, recorded music, performance of dance and anything of a similar description (Indoors)</b>
	<p>Monday to Saturday: 10:00 to 03:00  Sunday: 12:00 to 22:30</p> <p>The terminal hour to be 03:00 hours the following day on Bank Holiday Sundays, New Year's Eve and Christmas Eve.</p> <p>An additional hour to the terminal hour on the day that British Summertime</p>

	commences.
	Amendments to application advised at hearing:  None.
	Decision (including reasons if different from those set out in report):  The Sub-Committee refused the application (see reasons for decision in Section 1).
<b>3.</b>	<p><b>Sale by Retail of Alcohol – On and Off Sales</b></p> <p>Monday to Saturday: 10:00 to 03:00 Sunday: 12:00 to 22:30</p> <p><u>Seasonal variations/ Non-standard timings:</u></p> <p>The terminal hour to be 03:00 hours the following day on Bank Holiday Sundays, New Year's Eve and Christmas Eve.</p> <p>An additional hour to the terminal hour on the day that British Summertime commences.</p>
	Amendments to application advised at hearing:  None.
	Decision (including reasons if different from those set out in report):  The Sub-Committee refused the application (see reasons for decision in Section 1).
<b>4.</b>	<p><b>Hours Premises are Open to the Public</b></p> <p>Monday to Saturday: 10:00 to 03:30 Sunday: 12:00 to 23:00</p> <p><u>Seasonal variations/ Non-standard timings:</u></p> <p>The terminal hour to be 03:00 hours the following day on Bank Holiday Sundays, New Year's Eve and Christmas Eve.</p> <p>An additional hour to the terminal hour on the day that British Summertime commences.</p>
	Amendments to application advised at hearing:  None.

	<p>Decision (including reasons if different from those set out in report):</p> <p>The Sub-Committee granted the application (see reasons for decision in Section 1).</p>
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## 2 1 IRVING STREET, LONDON, WC2H 7AT

This application was withdrawn

## 3 MCDONALD'S, COMMUNICATIONS HOUSE, LEICESTER SQUARE, LONDON, WC2H 7LT

### LICENSING SUB-COMMITTEE No.1

*Thursday 24<sup>th</sup> October 2019*

Membership: Councillor Heather Acton (Chairman) and Councillor Karen Scarborough.

Legal Adviser: Horatio Chance

Policy Officer: Aaron Hardy

Committee Officer: Andrew Palmer

Presenting Officer: Michelle Steward

Relevant Representations: Environmental Health, the Metropolitan Police. the Licensing Service and Councillor Louise Hyams (West End Ward Councillor).

Present: Leo Charalambides (Barrister – representing the Applicant), Claude Abi-Gerges (Applicant – Director of Franchising), Lloyd Evans (Applicant - Safety, Security & Licensing Manager), Rico Pieri (Heart of London Business Alliance – Area Manager for Leicester Square & Piccadilly Circus), PC Bryan Lewis (Metropolitan Police), PC Lara Sharp (Metropolitan Police), Karyn Abbott (Licensing Authority) and Councillor Louise Hyams (West End Ward Councillor).

Councillor Karen Scarborough declared a non-prejudicial personal interest in that she was a Trustee of the Westminster Youth Foundation.

**McDonald's, Communication House, 48 Leicester Square, London, WC2H 7LT  
("The Premises")  
19/10353/LIPV**

#### 1. Late Night Refreshment – Indoors and Outdoors

Current:

Proposed:

Monday to Saturday: 23:00 to 00:00

Monday to Sunday: 23:00 to 02:00



	<p><u>Seasonal variations/ Non-standard timings:</u></p> <p>Current: One additional hour to standard timings on the day British Summertime commences.</p> <p>No change proposed.</p>
	<p>Amendments to application advised at hearing:</p> <p>None.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>The Sub-Committee considered an application for a variation of a premises licence from Capital Arches Ltd, for a premises which operated as a McDonald's fast food franchise offering hot food and non-alcoholic beverages. The Premises currently had a licence which allowed for the provision of late night refreshment, and the variation sought to extend the opening hours and provision of late night refreshment on Mondays to Sundays from 23:00 to 03:00, to 23:00 to 05:00. The Sub-Committee noted that the Premises were situated in the West End Cumulative Impact Area.</p> <p>The Sub-Committee heard from Leo Charalambides (Barrister – representing the Applicant), who considered that the proposal would be an exception to cumulative impact policy, on the grounds that the Application and management and operation of the Premises were exceptional. He also considered that the Application was exceptional as there were no residential properties situated in the local area; and as the Application had received widespread support which had included a local Ward Member. Mr Charalambides stated that the Applicant recognised that being a quick service restaurant could have consequences for the local community, but had been able to establish protocols to deal with litter and recycling and to keep the area clean and clear. The Applicant was aware that police resources had reduced, so had introduced a joint initiative with the local business community to extend the provision of 'My Local Bobby' private security staff to 05:00. Mr Charalambides stated that the business community did not seek to replace Police Officers, but to engage a dedicated security team which would add to existing resources and actively reduce crime, disorder and anti-social behaviour in the area.</p> <p>Discussions to base the proposed piloting of the Soho Angels scheme in Leicester Square at McDonalds were ongoing, and Mr Charalambides commented that the disabled toilet facilities that were available at the Premises had been supported by the operators of the AccessAble App. Mr Charalambides stated that the Application had also received support from the London Czar and Mayor of London's Women's Safety Charter, as the Premises would serve as a refuge for vulnerable people that was covered by CCTV.</p> <p>The Sub-Committee noted that over the past three years, the Applicant had obtained the full complement of Temporary Even Notices for the 03:00 to 05:00 period for occasions such as Bank Holiday weekends and Pride. Mr Charalambides commented that although these had taken place at the worst possible times, the only incident that had been recorded had not been</p>

specifically linked with McDonalds. Mr Charalambides stated that the extended opening hours were favoured by staff, and that the Environmental Health Service and Metropolitan Police had agreed conditions which included the provision of CCTV cameras in the access to the toilets; and to trial a permanent dedicated toilet attendant on Fridays and Saturdays. The Sub-Committee noted that from Sunday to Thursday, the toilet area had regular inspections by uniformed staff every 30 minutes.

Mr Charalambides stated that the Applicant was a company that went above and beyond what was required; and which had demonstrated its dedication to Leicester Square by providing significant resources and by working with the responsible authorities and other businesses to reverse the trend of cumulative impact. He also considered that the proven experience and operation of McDonalds had allowed the City Council to set a higher benchmark for other premises. Mr Charalambides suggested that the Environmental Health Service would provide a safeguard if any problems arose from the additional hours or if the Applicant did not deliver what it promised. He also considered that the Applicant would not have received the letters of support without having proven delivery.

Councillor Louise Hyams addressed the Sub-Committee in support of the Application in her capacity as a Ward Councillor, and commented on the letters of support that had been received from the Heart of London Business Alliance ([HoLBA](#)) and the Leicester Square Association. Councillor Hyams also supported the Soho Angels having a base in Leicester Square, and noted that that the My Local Bobby scheme would provide additional staff until 05:00. Councillor Hyams also noted that there were no residents in the local area who could be affected by the Application; and welcomed the availability of a disabled toilet.

Rico Pieri (Heart of London Business Alliance – Area Manager for Leicester Square & Piccadilly Circus) also addressed the Sub-Committee in support of the Application. Mr Pieri commended the Applicant's backing of local initiatives such as the Best Bar None scheme, which had been launched in 2018 and sought to improve standards. Mr Pieri also commended the Applicant for helping to introduce the Soho Angels scheme into Leicester Square and for providing staff with vulnerability training; and believed that the Application would be of benefit to the area as a whole.

Karyn Abbott addressed the Sub-Committee on behalf of the Licensing Service. Ms Abbott confirmed that the Application fell within the City Council's Fast Food Policy, which stated that applications within Cumulative Impact Areas would be refused unless hours were within core; or the Applicant could prove exceptional circumstances and demonstrate that the Premises would not add to cumulative impact.

PC Bryan Lewis addressed the Sub-Committee on behalf of the Metropolitan Police, who were maintaining their objection on grounds of policy and the prevention of crime and disorder. PC Lewis expressed concern that the premises were in a locality where there were traditionally high levels of crime and disorder. The Police also considered that the application would undermine the licensing objectives and cause further policing problems.

PC Lewis offered to provide further documents for consideration by the Sub-Committee which related to the Application. In response, Mr Charalambides stated that the additional submissions should not be considered by the Sub-Committee as they had not been previously seen by the Applicant. The Legal Advisor to the Sub-Committee agreed that Mr Charalambides was correct, and that although the Chairman had a discretion to accept late papers, they could not be accepted in this case in light of the Applicant's objection.

PC Lara Sharp also addressed the Sub-Committee on behalf of the Metropolitan Police, as one of two dedicated Ward Officers for the China Town area. PC Sharp considered that the extended hours would increase footfall in Leicester Square, and would encourage people to re-enter or remain in the area which would in turn lead to an increase in crime, disorder and anti-social behaviour. The Police stated that problems in the Leicester Square area currently dropped-off at 04:00; and highlighted that the additional security staff provided by local businesses had limited powers. The Police also believed that the recorded incident referred to by Mr Charalambides had been linked with McDonalds. PC Sharp considered that an increase in the number of people in the area would provide more opportunities for crime, and in her professional opinion believed that the Application could only have a detrimental impact.

PC Lewis agreed that although there was currently some dispersal at 03:00, the premises would encourage retention with new people coming in; and during the summer would lead to people drinking in the area for the whole night. PC Lewis also commented that the My Local Bobby security did not have powers of arrest or carry the equipment that the Police had; and although the Police appreciated the availability of facilities for disabled people, they questioned the number of disabled people who would be in Leicester Square at 05:00. With regard to the Premises being a source of refuge, the Police believed that vulnerable people could be put at risk by having to gain the attention of staff. PC Lewis suggested that Temporary Event Notices did not give a picture of reality; and that the location of toilets in the basement was not ideal as it would take a long time for security to respond if an incident were to occur. PC Lewis believed that the City Council's Cumulative Impact Policy was very clear, and that there would be further incidents if the Application was to be granted.

The Chairman noted that the availability of the night bus and 24 hour tube made dispersal easier; and asked whether the Applicant would accept the later hours being limited to Friday and Saturday if the Sub-Committee were minded to grant the Application. Mr Charalambides confirmed that the Applicant would accept the limitation in order to be co-operative. In response, PC Lewis commented that Friday and Saturday nights were the most challenging, as a much higher number of people were in the area. Mr Charalambides suggested that the Police had fears rather than evidence, and considered that the availability of McDonalds late at night assisted the dispersal process as customers leaving the Premises made less noise. Mr Charalambides stated that Police in other areas had said that they would locate their knife response units and ambulance units at McDonald's premises, and urged the Sub-Committee to look at the evidence carefully and grant the Application in view of the levels of support. Mr Charalambides stated that in addition to caring passionately about reducing crime, disorder and anti-



Legal Adviser: Horatio Chance  
Policy Officer: Aaron Hardy  
Committee Officer: Andrew Palmer  
Presenting Officer: Michelle Steward

Relevant Representations: Environmental Health.

Present: David Parsons (Applicant) and Dave Nevitt (Environmental Health).

<b>Pimlico Academy, Lupus Street, London SW1V 3AT (“the Premises”) 19/13222/LITENN</b>	
Proposed licensable activities: Regulated Entertainment.	
Times during the proposed event period when it is proposed to carry on licensable activities: 00:01 on 1 <sup>st</sup> January 2020 to 01:30 on 1 <sup>st</sup> January 2020.	
	<p>Decision (including reasons if different from those set out in report):</p> <p>The Sub-Committee considered an application for a Temporary Event Notice for a vintage swing dance for 150 attendees (plus staff) from 00:01 on 31 December 2019 until 01:30 on 1 January 2020. The event was for a mature group of dance enthusiasts who wished to celebrate the New Year, and would take place in the basement auditorium at Pimlico Academy which was hired out when the school was not in use. The venue had an electrically operated inner door in the reception area that was controlled by the front-of-house staff. There would be a DJ playing music from the 1930's to 1940's, plus a small live band that was mainly acoustic. The Sub-Committee was informed that the Applicant had recently been served with a Section 80 Noise Abatement Notice under the Environmental Protection Act 1990 following an event where statutory noise nuisance had been witnessed. No conditions or undertakings had been offered to address the licensing objectives.</p> <p>The Sub-Committee heard from Dave Nevitt (Environmental Health) who had objected on the grounds of the prevention of public nuisance. It was stated that the Section 80 Abatement Notice had led to the current Application to be more closely scrutinised, and Environmental Health suggested a number of undertakings that would promote the licensing objectives and reduce the risk of nuisance, should the Sub-Committee be minded to grant the application:</p> <ul style="list-style-type: none"><li>• external doors and windows to be kept closed during the provision of regulated entertainment;</li><li>• access and egress of patrons including those wishing to smoke to be by the security controlled access;</li><li>• regulated entertainment to cease at 01:10 on 1 January 2020; and</li><li>• no entry to the premises after 23:30 on 31 January 2019.</li></ul> <p>Mr Nevitt acknowledged that the Application was for an event on New Year's</p>

	<p>Eve, when it would be reasonably unlikely to cause a problem.</p> <p>The Sub-Committee heard from David Parsons (Applicant). Mr Parsons understood that the noise nuisance had occurred at an event held during the summer, when the doors to the Premises had been left open. Mr Parsons agreed that the doors and windows to the Premises would remain closed during the event on New Year's Eve, when the weather would be colder. Mr Nevitt confirmed that if the Application were to be granted, the City Council's Noise Team would be notified of the Temporary Event Notice and boundaries that had been set.</p> <p>The Sub-Committee after taking into careful consideration of the evidence before it by way of the submissions received, and noting that a Section 80 Abatement Notice was still outstanding, the Sub-Committee considered it was appropriate and proportionate to grant the Application subject to conditions, which included keeping windows and exit doors at the premises closed in order to contain noise; access and egress from the premises (including smokers) to be by the controlled inner door; no entry to the premises after 23:30 on 31 January 2019; and regulated entertainment to cease at 01:10 on 1 January 2020.</p>
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The Meeting ended at Time Not Specified

**CHAIRMAN:** \_\_\_\_\_

**DATE** \_\_\_\_\_