

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 2 OCTOBER 2019**

COUNCILLORS

PRESENT (Chair) Chris Bond, Mahym Bedekova and Jim Steven

ABSENT

OFFICERS: Ellie Green (Principal Licensing Officer), Balbinder Kaur Geddes (Legal Services Representative), Jane Creer (Democratic Services)

Also Attending: President and Vice President, Darji Mitra Mandal of the UK Centre on behalf of the applicant
4 x Interested Parties
1 x Press representative

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WELCOME AND APOLOGIES FOR ABSENCE

Councillor Bond as Chair welcomed all those present and explained the order of the meeting.

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DECLARATION OF INTERESTS

NOTED there were no declarations of interest.

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DARJI MITRA MANDAL OF THE UK CENTRE, HINDU COMMUNITY CENTRE, 26 OAKTHORPE ROAD, LONDON, N13 5JL (REPORT NO. 96)

RECEIVED the application made by Darji Mitra Mandal of UK for the premises situated at T Darji Mitra Mandal of the UK Centre, Hindu Community Centre, 26 Oakthorpe Road, London, N13 5JL for a Variation of Premises Licence LN/200600207.

NOTED

1. The introduction by Ellie Green, Principal Licensing Officer, including:
 - a. This was an application for a variation of a premises licence by Darji Mitra Mandal of UK for the premises at 26 Oakthorpe Road, Palmers Green.
 - b. The premises was a Hindu community centre adjacent to Palmers Green mosque but in an area surrounded by residential streets, which had been licensed since 2006.

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- c. The application sought an extension to hours and days on the licence. The premises was currently unlicensed Monday to Thursday. At the weekend the latest licensable activity currently was 23:30.
 - d. The application sought opening hours daily, and at weekends to 00:30 latest, with licensable activities to cease half an hour before closing.
 - e. The current hours in comparison with hours originally applied for, and hours now applied for as amended and agreed with the Licensing Authority, were shown on page 2 of the agenda pack.
 - f. There had been 11 representations made against the application by local residents, referred to as IP1 to IP11 in the agenda pack and set out in Annex 4. Representations were made on the grounds of all four licensing objectives and objected to the application in its entirety.
 - g. The applicants' response in writing was set out in Annex 6.
 - h. The Licensing Authority initially made representation. Reduced times and activities were proposed and modification to conditions, which were agreed by the applicant. Therefore the Licensing Authority representation was withdrawn.
 - i. There were no other representations from Responsible Authorities.
 - j. The agreed conditions were set out in Annex 5.
 - k. At the hearing today the President and Vice President of Darji Mitra Mandal of the UK were present to speak in support of the application. Representatives of IP1, IP4 and IP6 were present to speak against the application. The panel was reminded that equal consideration must be given to written representations as to anything that was heard today.
2. The statement of Pravin Jivan, President of Darji Mitra Mandal of the UK (applicant), including:
- a. The application had been made because religious events took place during the daytime, especially for pensioners, and they had asked to be able to have a drink. While applying for this, it was also decided to seek extension to weekend licensed hours.
 - b. The hall was hired out, but with significant restrictions and scrutiny of the capacity and whether hirers were suitable. The hall was hired for only 40% of the available time.
 - c. Since 2007 they had not had any complaint from the Police or the Council.
 - d. Doors had been changed to install double doors to reduce noise escaping. The windows had been reduced in size and were triple-glazed. There was also a noise monitoring system used inside and outside the venue, and a sound limiter which cut off volume at 80dB. All precautions were taken to ensure there was as little noise disturbance as possible. Noise outside from the Centre had been measured at 52dB. A passing car registered 73dB. Records of noise monitoring had been brought to the hearing and were copied for the information of all parties.
 - e. There was a lot of other activity in the vicinity, including from the nearby mosque and from commuters, which also generated car parking demand in the street. An average number of attendees at Darji Mitra

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Mandal of the UK Centre was around 150 with a capacity of 300 and there were parking places within the premises to accommodate these numbers.

- f. The hall bookings evidence provided showed that the bar was only hired ten times this year.
 - g. A caretaker was in attendance during events.
 - h. It was questionable whether people seen sitting on walls were linked to the premises. The Centre also did not serve food in containers so could not be the source of the litter.
 - i. The Centre had four large rubbish bins which were emptied weekly by the Council, and great care was taken to maintain cleanliness.
 - j. Bottles of drink were not allowed to be taken outside from the hall. Empty bottles were collected for recycling.
 - k. Children were only permitted to attend events with their parents.
 - l. It was advised that a festival was currently being celebrated, but if residents had any concerns they were welcome to come to the Centre at any time. They were happy to meet their neighbours and to help.
3. The applicants responded to questions from the Interested Parties and the panel, including:
- a. In relation to incidents witnessed in the street in the past, it was questioned how potential hirers were assessed as suitable. The applicants advised that the hires of the centre were mostly family orientated. Applications to hire for events such as Christmas or New Year parties were refused. It could be seen from the bookings log that many events were for bereavement. They made sure to maintain the decorum of the hall. Day time booking requests were mainly by pensioners. Members wanted to have a good time there, but it was not like a nightclub.
 - b. In the circumstances, it was questioned why there was a need to extend the hours. The applicants confirmed that while the application was being made they took the opportunity to request extended night time hours. The originally applied for hours were then amended and replaced with the request for a bar licence to 23:30 latest and then half an hour for people to leave.
 - c. The above statements were questioned as the documents showed later hours applied for. The applicants acknowledged the concerns and offered to drop the hours applied for back by 30 minutes.
 - d. The Principal Licensing Officer asked for clarification of any proposed amendments to the application and the Chair suggested a short adjournment so that any changes to the application could be clarified with all parties.
 - e. The hearing resumed after a 15 minute adjournment. A printed copy of the updated hours applied for as amended was distributed to all parties.
 - f. In response to further queries regarding the vetting of potential hirers, the applicants clarified that mostly they came via members and with a reference. Sometimes bookings were made by charities or by other

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religious groups. Anyone wishing to hire needed to provide proof of identity.

- g. In response to queries regarding the portable noise monitoring equipment, it was confirmed that the monitoring was conducted by themselves, but the sound limiter and cut-off was separate. The monitoring of noise outside was done when the front door was open and it was found the noise did not travel far. The outer door was opened to permit allow easy access for people going outside to smoke.
 - h. Problems with people making noise outside hanging around chatting after events and from cars were also raised. The applicants confirmed there were notices in place reminding people to leave quietly and show respect for neighbouring residents. They did not believe that attendees lingered for hours, but that residents should report problems to them. There was CCTV monitored by the caretaker. The caretaker made sure that everybody left the premises safely and in a timely way.
 - i. The Principal Licensing Officer highlighted that if granted, the licence would henceforth be subject to conditions as set out in Annex 5 including that “the caretaker shall supervise the front entrance and carpark of the premises for 30 minutes after licensable activities cease to ensure an orderly dispersal of patrons”, and that “doors and windows shall be kept closed but not locked during live and/or recorded music”.
 - j. In response to queries regarding potential increase in rubbish and concerns about bin bags and rats, the applicants advised that gates to the premises’ waste store area were now locked as there had been issues in the past with others accessing the bins and stealing of bins. Now the bins were never filled within a week and never overflowed. Services for pest control had been hired and there were no problems regarding rats at the moment.
 - k. The motive for requesting extra hours for sale of alcohol at the premises was questioned. The applicants confirmed that the organisation was not-for-profit and that alcohol was not sold there, but a corkage fee of £150 was charged to hirers.
 - l. In response to the most appropriate way to make complaints, it was advised that a telephone number was printed on a sign on the outside wall, and the President would also be happy to give his direct number to the Interested Parties. He also confirmed he was in attendance throughout community functions at the premises and for other events there was a caretaker in attendance.
4. The statement of the Interested Parties, including:
- a. IP4 had been a resident of the road for 15 years and highlighted the nearby old people’s home, school, mosque, playing field and the pavilion, and that the road had no speed restriction measures. It was a very well used road and any extension of the licence and greater use would exacerbate issues around traffic and parking, and the difficulties already experienced by residents exiting their driveways. Granting the licence would attract more hirers and there was no guarantee the

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- current 40% use would be maintained. This would be to the detriment of local residents.
- b. A large percentage of crime was alcohol-related. Already in this street there had been people on his car and fights in the street, and he had gone outside to the detriment of his own safety to try to intervene. The fear was that granting the application would lead to an increase in the times the premises was let out and an increase in these sort of problems. He could not imagine a caretaker being able to control such behaviour in the street.
 - c. IP6 highlighted that other people in the street also felt strongly but many were elderly or working and were unable to attend the hearing or to make representation online. There had been instances when all doors were open at the premises and that residents had to close their own windows due to the noise. Attendees did hang around in the street after events.
 - d. IP1 had used the phone number provided several times, as had his wife, and would vehemently disagree that the applicants had received no complaints.
 - e. There was particular concern for the safety of children of attendees of the venue playing football and tag at night in the street outside the premises.
 - f. Photographic evidence had been provided of illegal and problematic parking outside residents' homes during an event at the premises. It was worrying to think that a resident may not be able to drive their car out in an emergency.
5. The Interested Parties responded to questions, including:
- a. Noting that the Darji Pavilion had existed in the location for 26 years and there was also a mosque nearby, the times when parking problems were worst were questioned. Residents confirmed that visitors to the mosque caused issues at specific times particularly Friday lunchtimes, but during the day most residents were out at work. The most problematic issues arose in the evenings at antisocial hours.
 - b. In response to queries whether the Police had been called to fights in the street, it was confirmed that residents had called the Police on some occasions, and the occasion when the premises was hired to members of the travelling community was highlighted, but any fights were often over within 10/15 minutes.
6. The closing statement of Ellie Green, Principal Licensing Officer. The Sub-Committee, having heard and read the representations from all parties, should decide the appropriate steps in support of all four licensing objectives, as set out in para 7 of the officers' report. To assist, the guidance and policies were noted as set out in para 5.
7. The summary statement of the Interested Parties, emphasizing the changes in the location from what used to be a quiet road to the numerous

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problems now experienced, and the concerns that granting this application would make the situation worse and would be inappropriate.

8. The Chair's comments to objectors that some of the matters they raised could be dealt with by liaising with their local councillors or their MP.
9. The summary statement of the Applicants that they understood the residents' concerns and that it was a very busy road. However, the premises took very great care to mitigate noise, and did monitor noise levels. Everything was done as required by the licence. It was reiterated that residents were welcome to get in contact to discuss any issue.

RESOLVED that

1. In accordance with the principles of Section 100(a) of the Local Government Act 1972 to exclude the press and public from the meeting for this item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A to the Act.

The Panel retired, with the legal representative and committee administrator, to consider the application further and then the meeting reconvened in public.

2. The Chairman made the following statement:

"Having listened and read all the objections to this application and considered them with the Licensing Objectives of the London Borough of Enfield the panel have made the following decision:

We grant the application in full subject to conditions as outlined in Annex 5 and with the amended times as agreed this morning. We add another condition and that is a limit of 300 attendees at anytime the premises are open. This is to be monitored by a dedicated person clicking in and out as the event goes on. This is to be added on the grounds of public safety."

3. The Licensing Sub-Committee resolved that the application be granted in full as follows:

- (i) The licensable activities and times are:

Open to the Public	08:00 – 23:30 Sun - Thurs 08:00 – 00:00 Fri - Sat
Alcohol (on sales)	11:00 – 23:00 Sun - Thurs 11:00 – 23:30 Fri - Sat

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Indoor Sporting Events	19:00 – 23:00 Fri
Live Music	11:00 – 23:00 Sun - Thurs 11:00 – 23:30 Fri - Sat
Recorded Music	11:00 – 23:00 Sun - Thurs 11:00 – 23:30 Fri - Sat
Performance of Dance	11:00 – 23:00 Sun - Thurs 11:00 – 23:30 Fri - Sat

Conditions (in accordance with Conditions in LSC Report – Annex 5):

- (ii) Conditions 1 to 15, which are not disputed,

AND

- (iii) Limit to 300 attendees. This to be monitored by staff by “clicking” the attendees in and out of the premises, on the grounds of public safety.

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MINUTES OF PREVIOUS MEETINGS

RECEIVED the minutes of the meetings held on Wednesday 19 June 2019, Tuesday 9 July 2019, and Wednesday 7 August 2019.

AGREED the minutes of the meetings held on Wednesday 19 June 2019, Tuesday 9 July 2019, and Wednesday 7 August 2019 as a correct record.