

White, Emma

From: Urry, Cllr Bill
 Sent: 09 September 2013 15:33
 To: White, Emma
 Cc: Macniven, Cllr Christine
 Subject: PREM/03361/001- Mexi Khana Halal Ltd

I wrote to you previously on the above licensing application, and we have also spoken. I have since received representations from both the owner – Mr Chana, and Mr Wasim Manzur of 4 Copgrove Road and I have met them both. Mr Manzur has shown me historic DVD material from 2007 on late night activity outside his house which he advises to be associated with the former Bar Noir on the same premises. Mr Chana has also been good enough to show me round the premises.

In taking account of these representations, I wish to withdraw all my previous comments from consideration. I do however still wish to object on the more limited grounds set out below.

The application seeks the following activities:-

- Performance of recorded music Sun to Thurs 11:00 - 00:00, Fri and Sat 11:00 - 03:00,
- Late night refreshment Sun to Thurs 23:00 - 00:00 , Fri and Sat 23:00 - 03:00,
- Sale by retail of alcohol Sun to Thurs 11:00 - 23:30 , Fri and Sat 11:00 - 02:30 (for consumption on the premises only).

I understand there will be three elements

- Café – particularly aimed at people with dietary/metabolic conditions
- Caribbean Halal Restaurant and
- 70's Wine bar .

SUGGESTED LICENSING CONDITIONS

1. In general terms I note that the owners plan extensive additional sound proofing. It will be very important that this is not only installed, but that it operates effectively. For example, there should be absolutely no question of leaving external doors open in hot weather, or simply because of high room temperatures. I consider that it should be a condition of licensing that sound proofing measures operate at all times, and that at no time should music or other noise from within the premises be audible to residential neighbours even momentarily when doors open. Mr Chana has confirmed that the arrangement of double sets of doors should ensure this, however this does also require that if sound levels are audible to neighbours, equipment volume should be reduced until completely compliant.
2. Activity should also be completely contained within the premises – there should be no spilling of members or drinking onto any external area. The premises are small, and are likely to become very crowded creating a pressure to move onto the pavement. The management must have arrangements in place to prevent such spillage and numbers need to be rigorously limited to the realistic capacity of the building.
3. I do not wish to raise any issue with the proposed Café or Caribbean Halal restaurant, which will I hope enhance the Parade, and attract additional footfall. However I do have concerns with the proposed sale and consumption of alcohol after midnight. Mr Chana has set out clear proposals to restrict entry through a membership card system, and also to orient the facility to people over the age of about 40 – for example through playing 1960s and 1970s themed music. But I am not persuaded that there would be a significant demand in this older age group for a late night drinking facility – and equalities law could make it impractical to enforce an age limit. In my view there is a real danger that a facility opening for the sale of alcohol at 11.00 pm

with sale and drinking up continuing to 3.00 am, would mainly attract clients who had already been drinking at other establishments. This could exacerbate local disturbance and anti social behaviour, particularly during main egress around 3.00 am. I believe that **sale of alcohol should cease at 11.30 pm, and that clients should be required to leave by midnight on every evening.** The historic video evidence provided by neighbours on Copgrove Road suggests that local residents in Copgrove, and very likely Easterly, and Upland Roads too could be seriously affected by noise and other anti social behaviour in the small hours – especially if people had been drinking before arrival and then walk home. The neighbours do include families with young children.

Bill

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