

In the matter of 'The Clifton', 96 Clifton Hill, London NW8 OJT

Application to review premises licence under s51 Licensing Act 2003

Current licence conditions and comments on compliance

***10. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.***

There were no such notices when the premises opened to the public. A tiny sign then appeared on a window ledge.

Following residents raising the issue at meetings, a number of additional signs were put up but they seem to be ignored by customers, and cannot be seen when it gets dark.

The condition is therefore ineffective.

A dedicated SIA person whose role it is to manage and control the outside area could draw customers' attention to the signs and remind them of the residential nature of the area.

***11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly***

Comment as above.

A dedicated SIA person whose role it is to manage and control the outside area could draw customers' attention to the signs and remind them of the residential nature of the area.

***13. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.***

This is regularly breached. There is much noise generated on the premises (NB the licensed premises includes the Beer Garden) and it does give rise to a nuisance.

***14. No rubbish, including bottles, shall be moved, removed or placed in outside areas on Monday to Friday between 22:00 hours and 08:00 hours the day following and on Saturdays, Sundays and Bank Holidays between 22:00 hours and 09:00 hours the day following.***

The waste is in fact kept in the side road in wheely bins, often overflowing.

Movement of glass bottles can be particularly jarring.

***15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.***

See comment above.

**16. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points and the outside area will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.**

This was not done when the premises opened, although we understand that it has now been done.

**22. During the hours of operation of the premises, the licence holder shall each day ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.**

One particular rubbish collection in June left broken glass and very malodorous waste liquid on Clifton Hill. Whilst this may have been the fault of the contractor, the management (who saw the mess) made no attempt to clean it up until prompted.

There are also lots of cigarette butts on Clifton Hill.

**24. The Beer Garden shall not be permitted to be used by customers after 22:00 hours.**

There have been occasions when customers have gone back into the Beer Garden after 2200, as there is no lockable gate or barrier preventing them from doing so.

A dedicated SIA person whose role it is to manage and control the outside area could ensure that this does not happen.

**25. The windows at the front of the premises shall not be used as a hatch for the serving of food or drinks.**

When the pub first opened, the window was used as a serving hatch until residents pointed out the relevant licence provision.

**26. All windows and external doors shall be kept closed after 21:00 hours except for the immediate access and egress of persons.**

This is not always the case. On many occasions the front door has been left open after 9pm, and noise spills out.

**28. After 22.00 hours patrons permitted to temporarily leave and then re-enter the premises building, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.**

This is also not always supervised properly – drinking in the side road and on Clifton Hill has been witnessed.

A dedicated SIA person whose role it is to manage and control the outside area could ensure that this does not happen.

**29. After 22:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.**

This is not always the case and is not always supervised properly. There can be up to 10 people, which increases noise.

A dedicated SIA person whose role it is to manage and control the outside area could ensure that this does not happen.

**30. Patrons permitted to temporarily leave and then re-enter the premises building after 22:00 hours to smoke shall be restricted to a designated smoking area defined as being immediately outside the lobby entrance to the premises as far as the building line.**

See comment above. Customers are not supervised and are therefore not always restricted to a designated area.

A dedicated SIA person whose role it is to manage and control the outside area could ensure that this does not happen.

**32. No collections of waste or recycling materials (including bottles) from the premises shall take place on Monday to Friday between 22:00 hours and 08:00 hours the day following and on Saturdays, Sundays and Bank Holidays between 22:00 hours and 09:00 hours the day following.**

Rubbish has been collected before 8am on a few occasions, and this has woken up residents.

**33. No deliveries to the premises shall take place on Monday to Friday between 22:00 hours and 08:00 hours the day following and on Saturdays, Sundays and Bank Holidays between 22:00 hours and 09:00 hours the day following.**

This condition has been breached on many – hundreds – of occasions.

The management seem finally to have recognised this after many complaints and meetings on the subject, but early deliveries are still occurring though less frequently. We hope that all deliveries will take place at sociable times in accordance with the licence condition.

**34. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.**

We do not feel that there is sufficient supervision. One of the major flaws which we see in the management of the premises is a lack of a person whose role it is to manage the outside area. This seems strange, as there would appear to be sufficient staff to manage the inside.

A dedicated SIA person whose role it is to manage and control the outside area could ensure that the condition is complied with.

