

London Borough of Islington

LICENSING REGULATORY COMMITTEE – 1 DECEMBER 2011

Minutes of the meeting of the Licensing Regulatory Committee held at the Town Hall, Upper Street, London N1 2UD, on 1 December 2011, at 4.00 pm

Present: Councillors: Wally Burgess, Tracy Ismail*, Jean-Roger Kaseki and Marian Spall

* left the meeting before consideration of agenda item B1

Councillor Marian Spall (Chair of the Committee) in the Chair

012 APOLOGIES FOR ABSENCE (Item A1)

None.

013 DECLARATION OF SUBSTITUTE MEMBERS (Item A2)

None.

014 DECLARATIONS OF INTEREST (Item A3)

None.

015 ORDER OF BUSINESS

The Chair advised that, as there were no objections to the application at agenda item C1 – Application to designate an area by 398 Goswell Road, EC1V 7LQ, for street trading purposes – this item would be considered first. As the applicant for agenda item B1 (D&S Discount Jewellers, 262 Seven Sisters Road, London N4 2HY) was not present and the applicant for agenda item B2 (Art Speed Tattoo Studio, Units 4-5 Nag's Head Market, 22 Seven Sisters Road, London N7 6AG) was present, the latter would be heard after item C1.

016 APPLICATION TO DESIGNATE AN AREA BY 398 GOSWELL ROAD, EC1V 7LQ, FOR STREET TRADING PURPOSES (Item C1)

The Street Trading Service Manager reported the general background to this case.

RESOLVED:

That, subject to the standard street trading conditions and procedures, to approve the designation, for street trading purposes, of the area on the footway outside no 398 Goswell Road, London EC1V 7LQ, every Monday to Friday, from 07:30 hours to 13:30 hours and from 16:00 hours to 19:30 hours, from 2 January 2012.

Reason for decision

The Committee considered all of the written and oral evidence, noting that there had been no objections to the proposed street designation.

The Committee also noted that the cyclists' repair and sales business being run at this site by the applicant had been operating successfully since March 2011, with no

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complaints.

017 **ART SPEED TATTOO STUDIO, UNITS 4-5 NAG'S HEAD MARKET, 22 SEVEN SISTERS ROAD, LONDON N7 6AG - APPLICATION FOR THE RENEWAL OF SPECIAL TREATMENT LICENCE UNDER THE LONDON LOCAL AUTHORITIES ACT 1991 (Item B2)**

The Committee noted that Mr Egidijus Grigalius, the applicant, was present.

The Licensing Officer introduced his report, stating that the application form attached to the report submitted to the Committee was blank (pages 53 to 55 of the agenda) to indicate that an application had not been completed by the applicant and returned to the Licensing Team, although the Licensing Team had accepted payment from him and issued a licence in September 2011. However, he said that the Council's concerns with these premises related to the environmental health issues which had been itemised in a letter of 19 September 2011 to Mr Grigalius, the applicant.

The Senior Environmental Health Officer summarised the concerns. Photographs of the damaged chairs used by clients were circulated to members of the Committee. Mr Grigalius described some of the steps he had taken to comply with the concerns raised by Environmental Health in their letter of 19 September 2011. The Licensing Officer circulated a copy of the Council's standard conditions for special treatment premises to members of the Committee and they asked questions of Mr Grigalius in connection with his approach to and implementation of a number of the conditions.

The Committee asked questions of Mr Grigalius related to his finances. In response, Mr Grigalius said that he paid his rent on a weekly basis and would not have to pay for the whole year if he had to end his contract with his landlord at short notice.

Members of the Committee left the room to consider their decision, together with the legal officer and the clerk.

RESOLVED:

That, as a licence had been issued to Art Speed Tattoo Studio, Units 4-5 Nag's Head Market, 22 Seven Sisters Road N7 6AG, albeit by default, the Committee did not consider this to be an application for renewal of the licence and therefore did not make a determination.

Reason for decision

The Committee considered all of the written and oral evidence and noted, in particular, that a licence had been issued to Mr Grigalius, for a period of six months, on or about 29 September 2011, by way of renewal.

Note of the Committee

The Committee noted that this licence was due for renewal in March 2012; if an application for renewal was received, the Committee anticipated an objection to the renewal in light of the evidence presented to the Committee at this meeting by the Environmental Health Officer. The Committee noted also that Mr Grigalius could be prosecuted for offences involving breaches of the conditions of his licence, before the renewal date.

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The Committee expected Mr Grigalius to take immediate steps to ensure that he complied with all of the conditions of his licence.

NB – Councillor Ismail left the meeting at this point.

018 D&S DISCOUNT JEWELLERS, 262 SEVEN SISTERS ROAD, LONDON N4 2HY – APPLICATION FOR A SPECIAL TREATMENT LICENCE UNDER THE LONDON LOCAL AUTHORITIES ACT 1991 (Item B1)

The Committee noted that the applicant was not present and, in view of the need to take action concerning the serious breaches of conditions existing at the premises and the fact that the premises were unlicensed for carrying out special treatments, the Committee decided to hear the case in the absence of the applicant.

The Committee noted that the most recent visit to the premises by an Environmental Health Officer had taken place on 22 November 2011. A copy of the report of the visits to the premises on 13 July 2011 and 22 November 2011 by Environmental Health Officers was circulated to the Committee members. The Committee noted that, at the visit on 22 November 2011, no action had been taken by the applicant to comply with conditions raised at the previous visit in July 2011. In addition, the applicant had not contacted the Licensing Team in response to any of their letters of concern about conditions at the premises and the absence of a licence for carrying out special treatments. The Licensing Officer reported that the complainants, detailed in Appendix 3 of the report, had not been willing to provide statements to the Licensing Team in support of their complaints of 12 July and 17 October 2011, referring to piercing of their under aged children.

RESOLVED:

That the application for a special treatment licence for D&S Discount Jewellery, 262 Seven Sisters Road, N4 2HY, be refused.

Reason for decision

The Committee considered all of the written evidence and, in particular, noted that the applicant had been notified of the date of this meeting and had not attended, nor had she provided a reason for her absence.

In addition, the Committee heard evidence that the Environmental Health Officer had visited the premises on three occasions, the most recent visit having taken place on 22 November 2011, when he reported that the applicant had not taken steps to introduce satisfactory working practices to give the Committee confidence that she could comply with the standard conditions that apply to such licences. The Committee also noted that the requirements specified in the schedule dated 23 August 2011 by the Building Control Service (Licensing Health and Safety Team), attached at pages 19 and 20 of the agenda, remained outstanding.

Furthermore, the Committee noted the complaints received by the local authority, from members of the public, as set out in Appendix 3, page 21 of the agenda, which they considered serious.

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The Committee concluded that, for all of these reasons, the applicant could not be reasonably regarded as being “fit and proper persons” to hold such a licence.

The meeting closed at 6pm.

CHAIR