

London Borough of Islington

Licensing Sub-Committee 'B' – 31 May 2012

Minutes of the meeting of Licensing Sub-Committee 'B' held at the Town Hall, Upper Street, N1 2UD on 31 May 2012 at 6.20 pm.

Present: Councillors: George Allan, Barry Edwards and Troy Gallagher.

COUNCILLOR BARRY EDWARDS IN THE CHAIR

111. INTRODUCTIONS AND PROCEDURE (ITEM A1)

Councillor Barry Edwards welcomed everyone to the meeting and asked members and officers to introduce themselves. The Chair outlined the procedures for the meeting and informed the public that the procedures were on page 3 of the agenda papers.

112. APOLOGIES FOR ABSENCE (ITEM A2)

Apologies were received from Councillor Gary Doolan.

113. DECLARATION OF SUBSTITUTE MEMBERS (ITEM A3)

Councillor Troy Gallagher substituted for Councillor Gary Doolan for Item B1.

114. DECLARATIONS OF INTEREST (ITEM A4)

None.

115. ORDER OF BUSINESS (ITEM A5)

The order of business would be as the agenda. As Councillor Doolan was not present and Councillor Gallagher was unable to hear this item as it was in his ward, Item B2, Basil, was deferred.

116. MINUTES (Item A6)

RESOLVED

That the minutes of the meetings held on the 17 January 2012 and the 26 March 2012 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

117. SELAM STORES, 87 PARKHURST ROAD, N7 0LP APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003 (Item B1)

The licensing officer reported that there was a response from the applicant to the objections received. The response was tabled and would be interleaved with the agenda papers.

Paul Thurlow and Sarah Lawrie, interested parties, raised objections about street drinkers in the area. Mr Thurlow reported that there was a large number of off licences in the area and that the Council should consider a saturation policy for this area. He was disappointed that the police had not made a representation as he knew that a number of incidents had been

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reported to the police. He also considered that the hours requested by the applicant were excessive.

Peter Mayhew, representing the applicant Aman Mohammad, reported that Mr Mohammad had been trading from the business for nine years. The applicant had no interest in attracting street drinkers and offered a condition relating to the alcohol content of beer and cider. The applicant agreed to commence alcohol sales from 10:00 am as he stated he would be able to lock away the alcohol on display and would also reduce the hours requested on a Sunday. Mr Mayhew reported that there was no cumulative impact policy in this area at this time.

The Sub-Committee recorded their disappointment that the police had not attended the meeting although there had been problems with street drinkers in the area.

Members of the Sub-Committee left the room to deliberate before returning to announce their decision.

RESOLVED:

a) That, having considered all the oral and written evidence and submissions and having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's licensing policy, the premises licence in respect of Selam Stores, 87 Parkhurst Road, N7 0LP be granted to allow the sale of alcohol, off supplies only, Mondays to Saturdays from 10:00 until 23:00 hours and on Sundays from 10:00 until 22:30 hours.

b) That the conditions as detailed on page 49 of the agenda shall be applied to the licence with the following addition.

- No beer or cider with an alcohol by volume of more than 5.5% to be sold from the premises.

REASONS FOR DECISION

The Sub-Committee considered the submissions put forward by the responsible authorities, the interested parties and the applicant and balanced the conflicting needs of residents and the business interests of the applicant.

The Sub-Committee noted that the applicant accepted the conditions put forward by the responsible authorities.

The interested party welcomed the additional condition detailing that no beer or cider with an abv of greater than 5.5% would be sold from the premises, however he still intended to oppose this application. He noted there were frequent problems with street drinkers and their aftermath leading to the area being a general dumping ground with a neglected appearance. He stated that incidents had been reported to the police and the Council's anti-behaviour team and was disappointed that there were no representations made by either party. He stated there were four shops selling alcohol within 250 yards of these premises and that once alcohol was sold no control could be exercised over the location of its consumption. The interested party recounted unfavourable statistics concerning Islington and alcohol. He stated that the council should be adopting a cumulative policy in this area and that the licensing hours requested in this case were excessive.

The applicant stated that he had been trading from the premises for nine years with no complaint of any note and now wanted to sell alcohol to complement what he already offered. He stated that by making the offer of the extra condition, street drinkers would look

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elsewhere for their supplies as they wanted strong beverages. Further that a controlled drinking zone did not prohibit people drinking in the street and there was no cumulative impact policy in respect of the area at the current time. He stated that the hours of 8am to 11 pm were a result of advice given by the licensing team concerning difficulties in controlling alcohol on display during non licensable hours. The applicant advised, however, that they intended to put shutters on the fridge to deal with this issue and so therefore did not object to starting their hours at 10:00 am or to finish at 10:30 on a Sunday.

It was generally noted by the Councils officers that there was street drinking in that area and a number of late night off licences, however the interested party was not able to attribute any poor behaviour to this particular premises nor to substantiate an assertion that the grant of this licence would make problems worse. The interested party seemed to accept this point but was frustrated particularly with the lack of police representation. It was pointed out to him that the Safer Neighbourhoods Team was particularly designed to assist him in these generalised problems and he should approach them.

In reaching their decision, the Sub-Committee took into particular consideration Licensing Policy 023 regarding the location of the premises, the character of the area, the views of the interested parties and the proposed hours of operation.

The Sub-Committee also considered Licensing Policy 021 regarding flexibility in licensing hours and Licensing Policy 025 regarding the increasing numbers of shops selling alcohol.

The Sub-Committee considered that with the conditions detailed on appendix 3 on page 49 of the report subject to the amendment, the licensing objectives would be promoted.

118. **BASIL, 156 WHITECROSS STREET, EC1Y 8JL**
APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003
(Item B2)

This item was deferred to a future meeting.

The meeting ended at 7.00 pm

CHAIR