

Licensing Sub Committee B - 12 October 2023

Minutes of the meeting of the Licensing Sub Committee B held at Islington Town Hall, Upper Street, N1 2UD on 12 October 2023 at 6.30 pm.

Present: **Councillors:** Wayne (Vice-Chair), Mackmurdie, Jeapes

Councillor Nick Wayne in the Chair

80 **INTRODUCTIONS AND PROCEDURE (Item A1)**

The Chair introduced everyone to the meeting and outlined the procedure.

81 **APOLOGIES FOR ABSENCE (Item A2)**

Apologies were received from Councillor Ibrahim.

82 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

Councillor Mackmurdie and Jeapes were substitutes.

83 **DECLARATIONS OF INTEREST (Item A4)**

No declarations were made.

84 **ORDER OF BUSINESS (Item A5)**

The order of business was as per the Agenda

85 **MINUTES OF PREVIOUS MEETING (Item A6)**

RESOLVED:

That the minutes of the previous meeting be agreed as a correct record and the Chair be authorised to sign them.

86 **EDENS CHICKEN COTTAGE, 264 SEVEN SISTERS ROAD, N4 2HY - NEW LICENSE APPLICATION (Item B1)**

ADJOURNED

87 **LUCKY SKEWERS, 3 PENTON STREET, N1 - NEW LICENSE APPLICATION (Item B2)**

The licensing officer explained there was no additional updates.

The resident objector explained they had experienced previous Anti-Social Behaviour in the area with people sitting on doorsteps and creating noise and nuisance and they feared this would increase with a new premises serving alcohol. They wanted to know the opening hours of the premises and whether they would be

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operating as a takeaway which would cause noise and increased vehicles in the area. They also wanted to know whether alcohol would be served as takeaway and what the dispersal policy of the premises was.

The Applicant responded explaining, the Anti-Social behaviour was created from the late-night operators that only served takeaway and was very rare. They would only be operating until 11pm with supply of alcohol only until 10:30pm despite the previous license of the premises allowing operation until 12:30am on weekends. Takeaway food would only be available for collection, they would not be using delivery services such as Deliveroo and UberEATS and they would not be serving alcohol as takeaway. Alcohol would only be available ancillary to food and there would be no vertical drinking. There would be no late-night refreshments or live music. The dispersal of patrons would be closely monitored by well trained staff who would ask them to leave sensibly and respectfully and there would be no smoking facilities outside.

In response to questions from the committee, the applicant explained it was a small restaurant with only 30 covers. There was CCTV monitoring and windows and doors would remain closed except for ingress and egress. The applicants explained they had ample experience in the hospitality industry, working within it since 2009, in various busy areas of London and therefore were well equipped to deal with lively customers.

RESOLVED

1) That the application for a New premises licence in respect of LUCKY SKEWERS, 3 PENTON STREET, LONDON, N1 for The sale by retail of alcohol, on supplies only, Mondays to Sundays from 12:00 until 22:30; and and The premises to be open to the public, Mondays to Sundays from 12:00 until 23:00 be granted

2) Conditions detailed on pages 84 to 87 of the agenda shall be applied to the licence.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policies 2 & 3. The premises fall within the Holloway Road and Finsbury Park cumulative impact area. Licensing policy 3 creates a rebuttable presumption that applications for the grant or variation of premises licences which are likely to add to the existing cumulative impact will normally be refused following the receipt of representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

The Sub-Committee noted that conditions had been agreed with the Police, Noise Team and Trading Standards. Three local resident objections had been received.

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The Sub-Committee noted that the hours sought were within the framework hours specified in licensing policy 6.

The Sub-Committee heard evidence from a local resident that residents had experienced ASB from other local premises and that they were concerned about the hours sought, whether the premises would offer takeaway food, whether alcohol would be served to takeaway, and how the premises would disperse customers at the end of the day.

The Sub-Committee heard evidence from the applicant that they were asking for a licence up until 22.30, not 23.00, as they wanted to include 30 minutes drinking-up time in the opening hours of the premises. The applicant stated that there would be no takeaway deliveries of food, although customers could come and collect food to takeaway. The premises would not be advertising on Deliveroo or Uber Eats. The premises were small and would have no more than 30 covers. The applicant stated that she had had previous experience of running a restaurant and had never had problems with drunk or disorderly customers. There would be no off sales and no vertical drinking within the premises.

The Sub-Committee noted the comments of the local resident that the applicant had answered his questions.

The Sub-Committee concluded that this case fell within the exceptions to the cumulative impact policy in that it was within framework hours, not alcohol led, and had conditions in place to prevent vertical drinking. The applicant had demonstrated that there would be no cumulative impact on any of the licensing objectives and had rebutted the presumption against granting the licence.

The Sub-Committee was satisfied that granting the premises licence with the conditions agreed was proportionate and appropriate to the promotion of the licensing objectives.

The meeting ended at 7.30 pm

CHAIR