

London Borough of Islington

Licensing Sub Committee C - 14 March 2024

Minutes of the meeting of the Licensing Sub Committee C held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 14 March 2024 at 6.30 pm.

Present: **Councillors:** Angelo Weekes, Asima Shaikh and Joseph Croft.

Councillor Angelo Weekes in the Chair

78 INTRODUCTIONS AND PROCEDURE (Item A1)

Councillor Angelo Weekes welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.

79 APOLOGIES FOR ABSENCE (Item A2)

None.

80 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

None.

81 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

82 ORDER OF BUSINESS (Item A5)

The order of business would be as the agenda.

83 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 9 January 2024 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

84 HUMDINGERS OF Highbury, Ground Floor, 88 Highbury Park, N5 2XE (Item B1)

The licensing officer reported that this item had been put on hold for the applicant to obtain planning consent. Planning consent had now been granted, with no objections, for the same hours as requested for the licensing application. The applicant had attempted to engage with residents and one resident had now withdrawn their representation. A meeting had been arranged for residents, but nobody had attended. The applicant had held a number of temporary events with no problems. One resident wanted confirmation that the Sub-Committee had read all representations. This was their third licensed premises and they had operated a premises in Hackney for 20 years.

The Sub-Committee reported that they had read all the representations.

The applicant stated that his premises were rescue centres. The premises in Hackney provided 1000 meals each week and were to help people less fortunate. This premises

Licensing Sub Committee C - 14 March 2024

would have 17 seats with a brunch based menu during the day and in the evening meat or fish with vegetables. There would be no loud music but had received requests for a harp player or a two-piece orchestra and for art exhibitions and poetry readings. For one temporary event they'd had a two-course set dinner with glass of wine. The space outside was a staff area which held fridges. There were unlikely to be many smokers at any events. There were public houses close for people who wanted a drink.

In response to questions, the applicant stated that they would have four sittings on a Sunday and agreed to an earlier end time of 10pm on Sundays. They would like to be open Thursdays to Saturday initially. Staff were recruited from the community and included previous customers in need. There was a 16 year lease on this premises.

RESOLVED

- 1) That the application for a new premises licence, in respect of Humdingers of Highbury, 88 Highbury Park, N5 2XE, be granted to allow:-
 - a) The sale of alcohol on and off the premises on Monday to Saturday from 8am to 11pm and on Sunday from 8am to 10pm;
 - b) The provision of live music, recorded music and the performance of plays on Monday to Saturday from 8am to 11pm and on Sunday from 8am to 10pm;
 - c) The premises to be open Monday to Sunday from 8am to 11pm.
- 2) That conditions outlined on pages 44 to 46 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 Policy 4. The Council has adopted a special policy relating to cumulative impact in relation to shops and other premises selling alcohol for consumption off the premises. Licensing policy 4 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 or subject to certain limitations, 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.

In this case the application was able to rebut the presumption as they were outside the area based cumulative impact zones, could demonstrate that the risk of alcohol purchased from the premises and being consumed on the street was minimal (a condition was that off sales would be in sealed containers) and the sale of alcohol was ancillary to the main activity of the business as a bakery/café/restaurant (Licensing policy 4 paragraph 74).

Four local resident objections had been received but no residents attended. The Sub-Committee had taken into account the representations made. One resident had withdrawn their representation after contact with the applicant. No other representations had been made by the responsible authorities following conditions being agreed.

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

Licensing Sub Committee C - 14 March 2024

The application had previously been adjourned to obtain appropriate planning permission for the hours sought and this had been granted without objection.

The Sub-Committee heard evidence that the premises had operated Temporary Event Notices for the hours sought over a period of three weekends. The residents were made aware of these and no complaints had been received.

In response to questions, the applicant emphasised that events would be essentially networking opportunities and music would not be intrusive. They had been approached about art exhibitions and poetry readings and wanted to be able to accommodate these. When asked about Sunday trading the applicant stated that it would be fine to finish at 10pm and would not be a problem. There were 17 seats and no vertical drinking. The covered courtyard would not be used by customers. Food options would comprise brunch during the day and freshly sourced meat, fish and vegetables in the evening.

The Sub-Committee concluded that the granting of the licence with the agreed conditions would promote the licensing objectives. The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 5 and 6. The Sub-Committee was satisfied that the operating schedule demonstrated high standards of management and that the proposed use, with the conditions and hours agreed, was proportionate and appropriate to the promotion of the licensing objectives.

The meeting ended at 7.00 pm

CHAIR