

London Borough of Islington

Licensing Sub Committee C - 19 November 2024

Minutes of the meeting of the Licensing Sub Committee C held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 19 November 2024 at 7.00 pm.

Present: **Councillors:** Angelo Weekes, Joseph Croft and Phil Graham

Councillor Angelo Weekes in the Chair

123 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.

124 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillor Shaikh.

125 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Graham substituted for Councillor Shaikh.

126 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

127 ORDER OF BUSINESS (Item A5)

The order of business would be as the agenda.

128 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 17 September 2024 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

129 MARRABLE'S HOTEL, 86-88 CLERKENWELL ROAD, EC1M 5RJ - NEW PREMISES LICENCE (Item B1)

The Licensing Officer provided background information on the application. It was noted that the premises already had a licence. The applicant sought for legal advice, but not from a licensing legal advisor and the applicant was advised to apply for a

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new licence, rather than having the Designated Premises Supervisor changed on the existing licence. There was one representation made by a resident, however the resident did not attend this meeting. The Sub-Committee was informed that the applicant had offered to meet with the resident to discuss concerns, but resident did not respond and wished to object to the application. The Sub-Committee noted that no other representations were made.

The Sub-Committee raised the issue of prominent display of the notice, the third point from the one remaining representation from a member of the public. The Licensing Officer explained that she had enquired into this and officer informed her that further notices had been displayed around the building. The requirements of the regulations had been met and the Sub-Committee could proceed to hear the application.

The applicant presented his key points and stated that the premises was operated as a restaurant and was experienced in this industry as he managed five other restaurants. The Sub-Committee noted that around 60% of the revenue generated was through the sale of alcohol. The applicant added that in terms of drinking, the focus of the venue was drinking while dining and not drinking and partying. It was noted that the premises provided early morning breakfast, lunch and dinner with mostly seated drinks being served throughout the day. The premises played low level music and followed high standards as the premises was a 4-star hotel. The applicant highlighted that he had taken objections into consideration and did not intend to cause any trouble as it would be counterproductive.

The Sub-Committee queried about the high standards mentioned and how they were being enforced. In response, the applicant advised that the venue followed the standards you would expect at a 4-star hotel, and provided examples including no loud music, no heavy drinking and no football related gatherings. It was added that there was a natural enforcement of these standards as this was what would be expected at any hotel with the same star rating.

In response to a question regarding core hours of the business, the applicant stated that the sale of alcohol from 7am was for guests enjoying a drink with their breakfast and was not aimed at walk-in customers who wanted drinks only. In order to ensure the licensable activity was for guests alone, the Sub-Committee proposed an additional condition that between 7am-8am, only patrons of the hotel shall be able to purchase alcohol. The applicant agreed to this additional condition.

The Sub-Committee noted that in terms of the type of alcohol available, the premises offered French wine, a variety of cocktails and spirits.

In response to a question regarding seasonal events, it was noted that the seasonal events included food-led Christmas lunch and a long menu for New Years Eve. The applicant stated that there were no plans to have live music at present as the business was new and this may be something that would be considered in the future.

The Sub-Committee raised concerns around noise nuisance and queried about sound proofing in the premises. The applicant stated that the noise would be at minimum as patrons would only be chatting while eating and there would be nothing

more than the average noise of a restaurant. During the winter, the doors would be kept closed preventing noise nuisance to the public. The applicant added that the premises would display notices onsite to underline quiet dispersal.

RESOLVED:

1) That the application for a new premises licence, in respect of Marrable's Hotel, 86-88 Clerkenwell Road, EC1M 5RJ be granted to allow: -

- The sale of alcohol, which may be consumed on and off the premises on Monday – Sunday between the hours of 07:00 – 00:00.
- Late Night Refreshment on Monday – Sunday 23:00 – 00:00.
- The provision regulated entertainment for live music on Monday – Sunday from 10:00 – 00:00.
- The provision regulated entertainment for recorded music on Monday – Sunday from 00:00 – 00:00.
- To allow the premises to remain open between the hours of Monday – Sunday from 07:00 – 00:00.

2) That conditions detailed on pages 40 to 45 of the agenda be applied to the licence with the following additional condition: -

- Between 7am-8am only patrons of the hotel shall be able to purchase alcohol

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 considered the Licensing Act 2003, as amended, and its regulations, the Home Office revised guidance issued under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy.

After hearing licensing officers on the process of application and specifically 'prominent display' we are satisfied there was compliance with the regulations and we can proceed with considering the application.

This application is subject to Licensing Policy 3, which states that there is a presumption of refusal unless the Sub-Committee is satisfied that there will be no adverse cumulative impact on the licensing objectives.

The operating schedule and agreed conditions from the Police and Noise Pollution Service at Appendix 4 provide us with confidence that the relevant authorities are of the view that the licensing objectives will be promoted.

The remaining representation from the local resident requested 1/ sound proofing to reduce any potential nuisance from live and recorded music and 2/ asked that steps be taken to reduce noise nuisance within St John's Square. The Sub-Committee was satisfied that the conditions of the operating schedule, and those agreed with the Police and Noise Pollution Service sufficiently promote the prevention of

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nuisance objective by 1/ upon complaint, providing for production of a noise report and works on recommendation, and 2/ the conditions that after 9pm no drinks are to be taken outside, the external area be closed, and signage requesting that no more than 5 smokers stand outside at any one time.

The Sub-Committee also agreed to add a further condition that: -

- Between 7-8am only patrons of the hotel shall be able to purchase alcohol

This is because these hours fall outside of the core hours, and Applicant stated that the hours applied for were for guests enjoying a drink with their breakfast. In order to ensure the licensable activity was for guests alone the condition was necessary.

The Sub-Committee is satisfied that no adverse cumulative impact would arise at the Premises Licence if the conditions proposed in the operating schedule, agreed with the police and Noise Pollution Service, and additional condition added by the Sub-Committee are implemented.

The meeting ended at 7.33 pm

CHAIR