

**Licensing Sub Committee B - 17 May 2016**

Minutes of the meeting of the Licensing Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 17 May 2016 at 6.35 pm.

**Present:**           **Councillors:**       Paul Convery, Alex Diner (Chair) and Satnam Gill  
**Also Present:**       **Councillors:**       Asima Shaikh, Diarmaid Ward and Flora Williamson.

**Councillor Alex Diner in the Chair**

- 109**        **INTRODUCTIONS AND PROCEDURE (Item A1)**  
Councillor Diner welcomed everyone to the meeting, asked members and officers to introduce themselves and outlined the procedure for the meeting.
- 110**        **APOLOGIES FOR ABSENCE (Item A2)**  
Apologies for absence were received from Councillor Erdogan and Khan.
- 111**        **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**  
Councillor Gill substituted for Councillor Erdogan and Councillor Convery substituted for Councillor Khan.
- 112**        **DECLARATIONS OF INTEREST (Item A4)**  
None.
- 113**        **ORDER OF BUSINESS (Item A5)**  
It was noted that Items B1 and C1 had been withdrawn. Items B3 and B4 had been agreed as representations had been withdrawn.
- 114**        **MINUTES OF PREVIOUS MEETING (Item A6)**  
  
That the minutes and the exempt minute of the meeting held on the 8 March 2016 be confirmed as a correct record of proceedings and the Chair be authorised to sign them.
- 115**        **DOLCE COFFEE, 48 ESSEX ROAD, N1 8LR - APPLICATION FOR A NEW PREMISES LICENCE (Item B1)**  
The Sub-Committee noted that this item had been withdrawn by the applicant.
- 116**        **ARSENAL FOOD AND WINE, 92-94 GILLESPIE ROAD, N5 1LN - APPLICATION FOR A NEW PREMISES LICENCE (Item B2)**  
The licensing officer reported there was nothing further to add to the circulated report.  
  
The interested party reported that he did not agree with the sale of alcohol from 6am in the morning on a predominantly residential street. The premises previously had a licence that ran from 8am and he did not think it was necessary to change these hours to 6am. The resident also asked that there be no on sales and stated that he had no concerns with the current management.

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The licensing officer clarified that the police had objected to the licence and asked that the hours be amended to 9am. The applicant's representative tabled an email from the police which stated that they agreed to an 8am start time in line with the previous hours.

The applicant's representative stated that there would be the same number of fridges as previously, they were asking for an off licence and this was not an on licence application. Concerns had been raised from the local residents regarding fire problems if the kitchen was relocated to the rear but the fire brigade had no problems with this application and any works would be covered by building control regulations.

In response to questions it was noted that with the increase in space the fruit and vegetables could be moved inside the premises. The layout of the premises would be changing but the applicant would be keeping the same amount of space used for alcohol. He did not sell much alcohol in the morning. He had been at the premises for 14 to 15 years and had no problems. He operated Challenge 25. He knew his customers. The change of hours to 6am was a misunderstanding. When the hours were questioned by the police he immediately had stated that this was not a problem. The applicant stated that there were no problems with street drinking in the area.

In summary, the resident stated that his objection was to the early hour sought. He had no objection to the shop. He would not want an on sales licence, only an off licence. He would want the amount of alcohol space to remain the same.

The applicant's representative stated that there was no intention for an on licence and the premises was moving away from an eatery to increase the shop size. Condition 7, regarding the alcohol strength had been agreed.

### **RESOLVED**

a) That the application for a new premises licence in respect of Arsenal Food and Wine, 92-94 Gillespie Road, N5 1LN be granted:-

- i) To permit the premises to sale of alcohol, off supplies, Monday to Sundays from 8 am until 11 pm.
- ii) The opening hours to be Mondays to Sundays from 6 am until 11pm.

b) That conditions as detailed on pages 63 and 64 of the agenda shall be applied to the licence and an additional condition added to read:-

- There be no increase in the volume of shelf and fridge space used for the display of alcohol at the premises, as that presently used at 92 Gillespie Road.

### **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.

There had been no representations made by the responsible authorities. There was one local resident objector present at the meeting.

The Sub-Committee heard from the resident that he objected to the application for the sale of alcohol from 6am and to any future on sales of alcohol but had no objections to the shop and the amended hours for off sales. He asked that there be no increase in the amount of floor space currently used for alcohol.

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The Sub-Committee noted that the application for alcohol sales from 6am was a misunderstanding and the applicant had agreed with the police to keep the same 8am start time as previously. There was no intention to apply for an on sales licence.

The Sub-Committee was satisfied that the proposed hours for off sales were within the core hours set out in licensing policy 8 and that the applicant had demonstrated high standards of management in accordance with licensing policy 10.

The Sub-Committee welcomed the offer from the applicant to apply a condition to the licence to maintain the same amount of shelving and fridges for the display of alcohol in the new premises. The Sub-Committee considered the layout of 92 Gillespie Road as set out in drawing no. 14148-A100-01 and was satisfied that the licensing objectives would be promoted if the display arrangements for alcohol in the new premises were restricted to the same volume within the drawing.

The Sub-Committee concluded that the grant of the licence, with the additional condition, would promote the licensing objectives.

**117**     **EDWARD LEAR, 471 HOLLOWAY ROAD, N7 6LE - PREMISES LICENCE VARIATION**  
**(Item B3)**

The Sub-Committee noted that this application had been agreed as representations had been withdrawn.

**118**     **THE OFFICE GROUP, 256-260 OLD STREET, EC1V 9DD - NEW PREMISES LICENCE**  
**(Item B4)**

The Sub-Committee noted that this application had been agreed as the representation had been withdrawn.

**119**     **THE MAGIC ROUNDABOUT, ST AGNES WELL, OLD STREET ROUNDABOUT.**  
**(Item C1)**

The Sub-Committee noted that this application had been withdrawn by the applicant.

The meeting ended at 7.15 pm

**CHAIR**