

Licensing Sub Committee B - 2 December 2021

Minutes of the meeting of the Licensing Sub Committee B held by Zoom on 2 December 2021 at 6.30 pm.

Present: **Councillors:** Phil Graham (Chair) and Bossman-Quarshie (Vice-Chair) and Alice Clarke-Perry.

Councillor Phil Graham in the Chair

- 285 **INTRODUCTIONS AND PROCEDURE (Item A1)**
Councillor Phil Graham welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.
- 286 **APOLOGIES FOR ABSENCE (Item A2)**
Apologies for absence were received from Councillor Marian Spall.
- 287 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
Councillor Alice Clarke-Perry substituted for Councillor Marian Spall.
- 288 **DECLARATIONS OF INTEREST (Item A4)**
There were no declarations of interest.
- 289 **ORDER OF BUSINESS (Item A5)**
The order of business would be as the agenda.
- 290 **BELIZE, 171 FARRINGDON ROAD, EC1R 3AL - NEW PREMISES LICENCE (Item B1)**
The licensing officer introduced all parties to the application. There were no residents present at the meeting. She stated that a letter from the applicant and two conditions accepted by the Licensing Authority had been circulated. The Licensing Authority had therefore withdrawn their representation. A video showing the layout of the premises could be shown if required.

The applicant's representative stated that the licence could have been transferred but the applicant wished to have a stricter licence which would satisfy all potential issues. All of the three responsible authorities had withdrawn their representations following conditions being agreed. The applicant had written to the residents detailing the conditions and hoping to allay fears but had received no response. The applicant stated that he had 20 years' experience supervising licensed premises and had held a personal licence for over 30 years. He had also held a premises licence in shops where he had been the store manager. He said that the premises would be well managed, it was not that large and customers would need to book a

table and be seated. All staff would be extensively trained and they had the help of a training consultant to ensure that they would remain fully compliant. They had been trained in Challenge 25, drug policies and would not serve customers who were drunk.

In response to questions it was stated that part of their policy was to ensure that women were safe in the bar and restaurant. They would have security in place and would assist females to get taxis if needed. The training consultant would train staff so that they could look out for any distress signs and these policies would be in place. They had tried to reach out to residents who objected but had received no response. They could have talkback events in the future to allow local residents to give their suggestions and observations which would give guidance to show how they could move forward. They had live entertainment downstairs and they wanted up to twenty people to be able to stand to see the entertainment if their views were blocked. Only customers sitting down would be served alcohol. They may move to a delivery service in the future and would be happy to accept a condition about non-motorised vehicles.

In summary, the applicant's representative stated he would provide his details to residents if the licence was granted. It was expected that customers would be seated and served at the tables in the basement however, if there was an event the 20 allowed to stand would allow for freedom of movement for families. The licence proposed was a far better option than the previous one.

RESOLVED

- 1) That the application for a new premises licence, in respect of Belize, 171 Farringdon Road, EC1R 3AL, be granted to allow:-
 - a) The provision of regulated entertainment by way of performance of dance, live music and recorded music. Monday to Saturday from 11am until midnight and on Sundays from 11am until 11pm
 - b) Late night refreshment Monday to Saturday 11pm until midnight.
 - c) The sale of alcohol, on supplies only, Monday to Saturday from 11am until midnight and Sunday from 11am until 11pm.
 - d) The premises to be open to the public, Monday to Saturday from 11am until midnight and Sundays from 11am to 11pm.
- 2) Conditions detailed on pages 49 to 53 of the agenda shall be applied to the licence with the following amendment:-
 - Condition 40 shall read. The ground floor of the premises shall operate as a restaurant where the supply of alcohol shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to the meal.

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- The basement shall operate as a seated bar where the supply of alcohol is by waiter or waitress service only to a person seated. There shall be a maximum of 20 persons in total, standing across the basement and outside area.
- All deliveries shall be made by non-motorised vehicles.

REASONS FOR DECISION

This meeting was facilitated by Zoom.

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 Clerkenwell 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.

Three local resident objections had been received but no residents attended. Conditions had been agreed with the noise team, the police and the licensing authority so they had withdrawn their representations.

The Sub-Committee noted that the hours sought were not within the hours specified in licensing policy 6.

The Sub-Committee heard that a previous licence held by another party still existed but this had been suspended for a number of years for failure to pay the fee. It was open to the applicant to pay the fee and for the licence to be transferred into his name but the applicant's representative explained that the applicant wanted stronger conditions in order to satisfy all potential issues. At the meeting the applicant said that there might be deliveries in the future. He agreed to a condition regarding the use of non-motorised vehicles.

The Sub-Committee heard evidence in response to questions that the applicant wanted to involve residents and was concerned about the safety of women and it was part of the policy to ensure that women were safe in the bar and restaurant and would be escorted to taxi cabs by doormen if necessary.

The Sub-Committee was concerned that there was some ambiguity about the condition proposed by the Licensing Authority regarding service of alcohol to 20 standing people in the bar. They considered that this might lead to the venue becoming more of a bar than a restaurant. The Clerkenwell cumulative impact policy refers to a high number of complaints about intoxicated people in the street.

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The Sub-Committee concluded that the granting of the licence with the agreed conditions would promote the licensing objectives. The Sub-Committee was satisfied that the operating schedule demonstrated high standards of management and that the proposed use, with the extensive conditions agreed and an amendment to the Licensing Authority proposed condition to clarify that people had to be seated to be served alcohol, meant that the premises would not add to the cumulative impact.

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

The meeting ended at 7.10 pm

CHAIR