

Licensing Sub Committee B - 9 March 2023

Minutes of the meeting of the Licensing Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 9 March 2023 at 6.30 pm.

Present: **Councillors:** Graham (Chair), Williamson and Mackmurdie

Councillor Phil Graham in the Chair

56 INTRODUCTIONS AND PROCEDURE (Item A1)

Cllr Phil Graham welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.

57 APOLOGIES FOR ABSENCE (Item A2)

Apologies of absence were received from Councillors Nathan and Bossman-Quarshie.

58 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillors Williamson and Graham (Chair) substituted.

59 DECLARATIONS OF INTEREST (Item A4)

None.

60 ORDER OF BUSINESS (Item A5)

The order of business was as per the agenda.

61 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED

That the minutes of the previous meeting be signed by the Chair as a correct record.

62 OXFORD ARMS, 21 HALLIFORD STREET, LONDON, N1 3HB - NEW PREMISES LICENCE (Item B1)

The licensing officer introduced all parties to the application. There were 2 residents present at the meeting and a further 4 representations had been received by email. These representations reiterated the conditions set out in pages 43 to 45 of the agenda. He stated that condition 2 was a stronger than what a resident had asked in their representation, which stated smoking would take place outside the front on the street rather than in the beer garden after 9pm.

The applicant's representative responded to questions from the interested parties explaining that, music would only be of background level, they were happy to stick

Licensing Sub Committee B - 9 March 2023

to condition 2 and 3 with a preference for smokers to not be in the beer garden after 9pm. He further explained the target audience was those that enjoyed organic wines and would be of a very different clientele to that of the previous establishment and it was highly unlikely they would cause disturbance or excessive noise pollution. He also responded to questions about opening hours and said these would be as the license application stated.

The applicant understood the concerns of residents and the historical nature of the previous premises, but he reassured residents that he was employing a very well experienced General Manager to run the premises and be the DPS. He further stated he could have applied for longer hours but recognised residents' concerns and wanted to reinstate what was deemed appropriate before and uphold the licensing objectives to a high standard. The applicant wanted to bring the 100-year premises back to life with a style of operation that was more in line with resident's views.

In response to questions from the committee, the applicant and his representative stated they were hoping to work collaboratively with residents on an appropriate dispersal policy and ensuring there would be no rubbish left on the streets, but they did not anticipate there to be much disruption from people leaving the premises. They also explained they wanted to make use of the outside seating area which could sit around 10 people but there would be no vertical drinking. Regarding the layout of the premises the applicant explained the plans reflected the previous layout but if the license be granted this had been subject to change. Concerns over underage drinking/theft of alcohol arose and the applicant explained the retail area of wines would be close to the fire door which would sound an alarm if anybody tried to leave via this exit, so the worker on shift would be aware of any such attempts.

In summary, the applicant stated he wanted to engage as much as possible with residents to ensure their concerns were being heard and would have the necessary procedures, such as a dispersal plan, to mitigate these.

RESOLVED

- 1) The Sub-Committee has decided to grant the application for a new premises licence in respect of Oxford Arms, 21 Halliford Street, London, N1 3HB
 - a) To allow the sale of alcohol on and off the premises on Monday to Saturday from 10:00 to 23:00 and on Sunday from 12:00 to 22:30.
 - b) The provision of late-night refreshment on Monday to Saturday from 23:00 to 23:30.
 - c) The permit the premises to open on Monday to Saturday from 10:00 to 23:30 and on Sunday from 12:00 to 23:00
- 2) Conditions detailed on pages 43 to 45 of the agenda shall be applied to the licence.

REASONS FOR THE 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

Licensing Sub Committee B - 9 March 2023

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.

Six local resident objections had been received. Conditions had been agreed with the Police.

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

The Sub-Committee heard evidence that local residents were concerned about loud music and wanted further information about the exact times of operation and the target clientele and where customers would go to smoke. It was noted that one resident was objecting to smokers in the garden, and one was objecting to smokers outside the main entrance. Residents also voiced concerns regarding rubbish and dispersal of customers from the premises.

The Sub-Committee heard evidence from the applicant that music would be at background levels only. In terms of the smoking area, it had been agreed that the garden would be cleared by 9pm and the applicant would accept the decision of the committee in respect of smoking after 9pm. The applicant confirmed that his was a very different type of business from the previous operation and the premises would operate as a wine shop with a component allowing customer to drink wine and have food on the premises. The premises would be selling exclusively natural, organic wines. There was an open invitation for residents to engage with the applicant, who was dedicated to becoming part of the local community. The applicant confirmed that the basement area would be for storage only and that the business wanted to engage with residents in respect of a dispersal plan. There would be no vertical drinking. There would be much less waste than the previous operation.

The Sub-Committee concluded that with the hours of operation sought and the conditions proposed and agreed, the grant of the license would promote the licensing objectives. The Sub-Committee noted the applicant's ongoing willingness to engage with residents and was satisfied that the operating schedule demonstrated high standards of management.

The Sub-Committee was satisfied that granting the premises licence was proportionate and appropriate to the promotion of the licensing objectives. The Sub-Committee considered licensing policy 4, policies 5 and 6, in relation to operating hours and policies 7 and 8 in relation to standards of management.

- 63 **M'NUCHAH, 392 CAMDEN ROAD, N7 0SJ - NEW PREMISES LICENCE (Item B2)**
Postponed.

The meeting ended at 7:15pm

CHAIR