

Licensing Sub Committee B - 5 January 2017

Minutes of the meeting of the Licensing Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 5 January 2017 at 6.30 pm.

Present: **Councillors:** Flora Williamson (Chair), Aysegul Erdogan and Nick Wayne.

Councillor Flora Williamson in the Chair

138 ELECTION OF CHAIR

RESOLVED:

That, in the absence of the Chair, Councillor Flora Williamson be elected as Chair for the meeting.

139 INTRODUCTIONS AND PROCEDURE (Item A1)

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

140 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillors Diner and Khan.

141 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Williamson substituted for Councillor Diner; Councillor Wayne substituted for Councillor Khan.

142 DECLARATIONS OF INTEREST (Item A4)

None.

143 ORDER OF BUSINESS (Item A5)

The order of business was as the agenda.

144 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 13 September 2016 be confirmed as a correct record and the Chair be authorised to sign them.

145 **JIMMYS, 42 JUNCTION ROAD, N19 5RD - APPLICATION FOR NEW PREMISES LICENCE (Item B1)**

The licensing officer advised that representation 12 had been withdrawn.

The applicant advised that he would be operating the premises as a foodstore and had 25 years' experience in the sector.

In response to questions it was advised that the applicant would be responsible for the management of the store and staff working in the store either had or would be applying for personal licences. The applicant operated a family business and commented that members of his family had been licence holders for a number of years.

Following a question on the cumulative impact of alcohol sales in the locality, the applicant indicated that the proposed licensable hours were lesser than those previously in operation at the premises, the sale of alcohol only formed an ancillary part of the business with no more than 15% of the sales area to be used for the sale of alcohol, and additional conditions had been agreed to limit the sale of high strength alcohol.

RESOLVED:

- 1) That the application for a new premises licence in respect of Jimmys, 42 Junction Road, London, N19 5RD be granted to allow:-
 - a) To allow the sale of alcohol, off sales, from 8am to 11pm Monday to Sunday.
 - b) Opening hours to be:- 6am to 11pm Monday to Sunday.
- 2) That the conditions detailed on pages 32 and 33 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 Policies 2 and 3. The premises falls within the Junction Area of Archway Cumulative Impact Area. Licensing Policy 2 creates a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

The Sub-Committee also took into consideration Licensing Policy 4, relating to shops selling alcohol, Licensing Policies 7 and 8, relating to licensing hours, Licensing Policy 9, relating to the standards of management, and Licensing Policies 24 and 25, relating to children and licensed premises.

Eleven local resident objections had been received, and one objection was withdrawn before the meeting. Hours had been reduced by the applicant following consultation with the police. Conditions had been agreed following discussions with the police and trading standards which included a CCTV condition and conditions relating to the strength of alcohol sold.

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The Sub-Committee noted that the revised hours sought were within the hours specified in Licensing Policy 8.

The Sub-Committee heard evidence that a 24 hour licence had been previously held at the premises which was surrendered in October 2016. This application represents a reduction in operating hours in line with the Council's Licensing Policy.

The Sub-Committee noted that no more than 15% of the sales area would be used for the sale of alcohol.

The Sub-Committee noted that the applicant had expertise in the sector and that the staff also hold personal licences.

The Sub-Committee was satisfied that with the amended hours and the proposed conditions, the applicant had demonstrated that the operation of the premises would not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

The meeting ended at 6.50 pm

CHAIR