

London Borough of Islington

Licensing Sub Committee D - 6 June 2019

Minutes of the meeting of the Licensing Sub Committee D held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 6 June 2019 at 6.30 pm.

Present: **Councillors:** Nick Wayne (Chair) and Paul Convery (Vice-Chair) and Kadeema Woodbyrne.

Councillor Nick Wayne in the Chair

44 INTRODUCTIONS AND PROCEDURE (Item A1)

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

45 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillor Alice Clarke-Perry.

46 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Woodbyrne substituted for Councillor Clarke-Perry.

47 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

48 ORDER OF BUSINESS (Item A5)

The order of business would be as the agenda.

49 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 4 April 2019 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

50 THE PREGNANT MAN, 11 CRAWFORD PASSAGE, EC1R 3CP - NEW PREMISES LICENCE (Item B1)

The Sub-Committee noted that this application had been withdrawn by the applicant.

51 BOURNE'S FISHMONGERS, GROUND FLOOR, 13 Highbury Park, N5 1QJ - NEW PREMISES LICENCE (Item B2)

The licensing officer reported that the applicant had sent a response to the objections to both interested parties. Hours had been amended to reduce the hours to 9.30pm Sunday to Wednesday. The premises would be closed on Mondays. The applicant had stated that he would install sound proofing by the 5 September.

Conditions had been agreed with the police, trading standards and the noise team. It was noted that representation number 2 had been withdrawn.

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In response to questions it was noted that condition 16 regarding bottling out could be amended to reflect the change in hours. Music would be played at background levels only. The planning team had raised no concerns. Members stated that they would like to see the planning department confirm for applications that there was a valid planning consent for the hours and correct use of the premises.

The applicant reported that this was a fishmongers selling fresh fish with the potential to offer small cold dishes with suitable wines at approximately 6pm. There was a small seating area of 20 people and was not a bar. A chef had been employed and it was expected to have a premium food offering with wine. They had agreed to all conditions and hoped to answer all concerns.

In response to questions it was noted that the current opening hours were 9.30am to 6.30 pm. The shop would close at approximately 6pm to prepare for the evening trade. The licensing officer reported that the planning department had seen the application and had not raised any concerns. It was noted that if the applicant was in breach of planning consent it would be his own business at risk. It was noted that there would be a different set of staff during the evening. He had a personal licence and experience bar staff would be trained for the evening. The premises would remain as a fishmongers during the day. The applicant agreed that the licensing hours could operate in the evening and also agreed to no off sales. He had another premises in Camden and could see that this was the way this premises could operate.

The applicant stated that he had spent two years building up the business and would not want to jeopardise that position.

RESOLVED

- 1) That the application for a new premises licence, in respect of Bourne's Fishmongers, 13 Highbury Park, be granted to allow:-
 - a) To allow the sale of alcohol, on sales only, Sunday, Tuesday, Wednesday from 6pm until 9.30pm and from Thursdays to Saturdays from 6pm until 11pm.
 - b) The premises to be open to the public, Sundays, Tuesdays and Wednesdays from 9.30am until 10pm and Thursdays to Saturdays from 9am until 11pm.
- 2) That conditions as tabled at the meeting and interleaved with the agenda papers shall be applied with the following amendment:-

Deletion of condition 18.

Condition 16 to read. There shall be no bottling out after 10pm on Sunday, Tuesday and Wednesday and after 11pm on Thursday to Saturday.

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.

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Two local resident objections had been received and one had been withdrawn at the time of the hearing.

The applicant offered amended terminal hours for the on sale of alcohol on Sundays, Tuesdays and Wednesdays. The applicant also offered a condition relating to the soundproofing of the ceiling at the premises. These amendments were offered as a result of the representations made by neighbours.

The applicant outlined his business model and indicated that food sales would commence when the fishmonger operation was closed. Therefore, the Licensing Committee decided that the hours for the sale of alcohol should commence at 6pm in line with the business model.

The Licensing Sub-Committee was satisfied that the applicant demonstrated a commitment to high standards of management in accordance with licensing policy 8. In addition to the conditions relating to the hours for the sale of alcohol the Sub-Committee also decided that condition 16 should be amended to reflect the agreed hours. Further, condition 18 relating to off sales should be removed as the applicant indicated that he did not wish to continue with his application for an off sales licence.

The Sub-Committee noted that the conditions suggested by the responsible authorities had been agreed by the applicant.

In view of the conditions imposed the Sub-Committee was satisfied that the licensing objectives would be promoted and that therefore it was reasonable and proportionate to grant the licence.

The meeting ended at 7.40 pm

CHAIR