

London Borough of Islington

Licensing Sub Committee B - 29 April 2020

Minutes of the meeting of the Licensing Sub Committee B held by Zoom on 29 April 2020 at 6.30 pm.

Present: **Councillors:** Phil Graham, Nick Wayne and Marian Spall.

Councillor Phil Graham in the Chair

108 INTRODUCTIONS AND PROCEDURE (Item A1)

Councillor Phil Graham welcomed everyone to the meeting and introduced officers and members. The licensing officer introduced the applicant. The procedure for the conduct of the meeting was outlined.

109 APOLOGIES FOR ABSENCE (Item A3)

Apologies for absence were received from Councillors Vivien Cutler and Matt Nathan.

110 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A4)

Councillor Nick Wayne substituted for Councillor Vivien Cutler and Councillor Marian Spall substituted for Councillor Matt Nathan.

111 DECLARATIONS OF INTEREST (Item A5)

None.

112 ORDER OF BUSINESS (Item A6)

The Sub-Committee noted that Item B2 – Archway Tavern, had been adjourned at the request of the applicant. The order of business would be as the agenda.

113 CITADINES ISLINGTON SQUARE, 3 SHELLEY PLACE, N1 1WF - NEW LICENCE APPLICATION (Item B1)

The Licensing Officer reported that there was no additional information to that contained in the agenda pack. He noted that the Police and the Council's Trading Standards Team had agreed conditions as set out in Appendix 3 and pages 32 and 33 of the agenda pack.

The applicant said that he would like to expand on the information in the application relating to the Licensing Policy objectives. The Citadines Apart Hotel was intended to service mid to top end corporates and was a typical hotel. 25 CCTV cameras would cover all floors throughout the building. The Apart Hotel operated a security buzzer entry for residents. He stated that the Apart Hotel would know exactly who they were serving alcohol to, as only residents would be permitted to come into the building. Residents would be given a key to allow them to access the Apart Hotel.

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On the prevention of public nuisance, he wished to reassure the Sub-Committee that alcohol would be sold only to in-house guests and those persons who resided on the premises. The hotel would not have a pub/bar offering. The alcohol would be issued from a locked fridge and served in the breakfast area, or for drinking on the ground floor. The Apart Hotel was one of a series which were found in 30 countries and 107 cities. Theirs was a "home from home" concept, with 4 people maximum in each room and the hotel was staffed for 24 hours each day. There was no outside public space and the windows all had restrictors. The Apart Hotel was a member of the Islington Square Security Team. The Hotel manager would ensure that all staff would be trained in the responsible sale of alcohol. The Apart Hotel was small, with only 108 units and the expectation was that not all rooms would be filled. Under the Licensing Policy objective of protecting children from harm, he said that the staff would be trained in how to identify vulnerable children. He went on to say that the other four Citadines Hotels in his area all held alcohol licences. He did not anticipate large alcohol sales, perhaps around £600 worth of sales each month, up to a maximum of £1000. There would be no open bar. He said that he and the Hotel staff were respectful and wanted to be part of the local community and was confident that would happen under the capable steer of the manager.

A member of the Sub-Committee asked about the smoking policy at the premises. The applicant said that smoking was not permitted in the Apart Hotel rooms. However, there would be a designated smoking area which would be identified by the Islington Square Estate management team.

A member of the Sub-Committee noted the plan attached to the application, which indicated two areas where alcohol would be sold. He asked how big the fridges would be and the type of alcohol to be sold. He presumed that, if he was a guest, he would have to go the reception desk and order his drink, rather than being able to use his key fob on the fridge lock?

The applicant replied that, although two areas were designated on the plan, it was likely that only one would be used and that would be in the breakfast room. The fridge was a normal bar fridge. He anticipated that two or three bottled beers would be on offer, with wine and soft drinks also on sale. There would be no spirits on sale. Persons wishing to purchase alcohol would have to ask a member of staff, who in turn would check to ensure that they were in a fit state and not under-age. Alcohol would not be accessible via the use of a key fob.

A member of the Sub-Committee asked what the manager of the premises would do to ensure that no alcohol was taken outside of the premises into the smoking area. The applicant said that the reception desk, which was always staffed, faced onto the smoking area and staff would see anyone attempting to go into that area. Appropriate signage would also be put up to discourage people from taking their drinks outside if permitted by Islington Square Management.

In summary, the applicant stated that the Citadines Apart Hotel was part of a global brand. It was not in their interests to disrupt the local community.

RESOLVED

1. That the application for a new premises licence in respect of Citadines Islington Square, 3 Shelley Place, Islington, London, N1 1WF, be granted to allow the sale by retail of alcohol, on supplies only and to residents only, Mondays to Sundays from 12:00 noon until 06:00.
2. That the conditions outlined in appendix 3 and detailed on pages 32 and 33 of the agenda be applied to the licence with the following additional conditions:-
 - No drinks to be allowed outside the premises.
 - Alcohol sold on the premises shall be limited to beers and wines.
 - All alcohol to be sold from the fridge as designated on the plan.

REASONS FOR DECISION

This meeting was held under regulations made under the Coronavirus Act 2020 and it 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 and 6. The premises fall within the Angel and Upper Street 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 operation schedule that there will be no negative cumulative impact on one or more of the licensing objectives. The Cumulative Impact policy is not absolute.

Two local resident objections had been received and there had been objections from the three local ward councillors. Conditions had been agreed with the police and trading standards and as a result no representations had been made by the responsible authorities.

The resident written representations and Councillor representations, expressed concern about the potentially negative affect the granting of the application would have on the cumulative impact and the licensing objectives. Concerns about alcohol being consumed outside the premises was expressed.

The Sub-Committee heard submissions from Mr. Billy Hughes on behalf of the Applicant. He addressed the licensing objectives. He stated that the hotel would be a high end hotel, with mainly short stay residents. There would be 25 CCTV cameras in operation, a security buzzer entrance system. A key would be required to get into the premises and the alcohol would not be sold from an open bar but from a locked fridge. The staff at the hotel would have the key to the fridge and they would have to open the fridge to sell the alcohol. They would know who they were selling alcohol to.

The Sub-Committee took into consideration the fact that there would be no outside space at the hotel, no large balconies and the windows would have restrictors.

The Sub-Committee also was informed that five members of staff at the hotel would have personal licences.

The sales would be to residents only and it was expected that the maximum value of the sales would be approximately £600 per month. Alcohol on sale would be two or three different bottled of beer, wine and soft drinks. No spirits would be sold.

The Sub-Committee concluded that the Applicant had given consideration to mitigating the cumulative impact issues in his address and in agreeing conditions with trading standards and the Metropolitan Police.

The Sub- Committee also applied Licensing Policy 6 which states that when dealing with new applications, the Licensing Authority will give more favourable consideration to applications with (in relation to hotels) 24 hour opening and closing times with 24 hours sale of alcohol Mondays to Sundays to residents only.

The Sub-Committee was concerned that stronger strength alcohol may be sold in future and of the possibility of residents taking their drinks out of the premises after purchase. It accordingly required three further conditions to be added to the agreed conditions in order to alleviate those concerns.

The Sub-Committee concluded that the granting of the licence with the 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 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 and in the public interest.

114 **ARCHWAY TAVERN PUBLIC HOUSE, GROUND FLOOR, 1 NAVIGATOR SQUARE, N19 3TD - VARIATION OF PREMISES LICENCE (Item B2)**

The Sub-Committee noted that this item had been adjourned to a future meeting.

The meeting ended at 7.00 pm

CHAIR