

Licensing Sub Committee A - 25 February 2020

Minutes of the meeting of the Licensing Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 25 February 2020 at 6.30 pm.

Present: **Councillors:** Sheila Chapman, Alice Clarke-Perry and Marian Spall.

Councillor Sheila Chapman in the Chair

98 INTRODUCTIONS AND PROCEDURE (Item A1)

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

99 APOLOGIES FOR ABSENCE (Item A2)

None.

100 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no declarations of substitute members.

101 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

102 ORDER OF BUSINESS (Item A5)

The order of business would be as the agenda.

103 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meetings held on 17 and 30 December 2019 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

104 MISSISSIPPI FRIED CHICKEN, 159 ESSEX ROAD,N1 2SN - NEW PREMISES LICENCE (Item B1)

The licensing officer reported that conditions 13-16 on page 38 had been agreed with the noise officer. An additional paper had been circulated to support the application from the licence holder. This would be interleaved with the agenda papers. It was noted that the planning consent restricted the hours of trading until midnight.

The licence holder stated that the family business had been running for 28 years and he had started running the business over nine years ago. Following recent neighbour complaints about noise and smell, silencers and fans had been installed. Council officers had visited and they had no complaints. There were grocery stores

in Essex Road open 24 hours and other local premises until 1-2 am. This was a small family business who wanted to work with neighbours.

It was noted that the planning issue would still need to be resolved.

RESOLVED

- 1) That the application for a new premises licence, in respect of Mississippi Fried Chicken, 159 Essex Road, N1 2SN, be granted to allow:-
 - a) The provision of late night refreshment Sundays to Wednesdays from 11pm until midnight, Thursdays from 11pm until half past midnight and Fridays and Saturdays from 11pm until 2am
 - b) The opening hours to be:- Sundays to Wednesdays from 11am until midnight, Thursdays from 11am until half past midnight and Fridays and Saturdays from 11am until 2am.
- 2) That conditions detailed on page 38 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 & 3. 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.

No representations had been made by any responsible authorities and conditions had been agreed with the noise officer. Two local resident objections had been received. Residents were not present at the meeting.

The Sub-Committee noted that the applicant had carried out work to the extractor to prevent noise and smell nuisance. There had been no complaints made since this work had been undertaken. The premises had been operating under temporary event notices for several months.

The Sub-Committee further noted that the premises would need a certificate of lawful use from the planning service for the hours proposed by applicant.

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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 conditions agreed, meant that the premises would not add to the cumulative impact.

The meeting ended at 6.45 pm

CHAIR