

Licensing Sub Committee B - 17 March 2022

Minutes of the meeting of the Licensing Sub Committee B held by Zoom on 17 March 2022 at 6.30 pm.

Present: **Councillors:** Phil Graham(Chair), Anjna Khurana and Marian Spall

Councillor Phil Graham in the Chair

296 INTRODUCTIONS AND PROCEDURE (Item A1)

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

297 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillor Valerie Bossman-Quarshie.

298 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Anjna Khurana substituted for Councillor Valerie Bossman-Quarshie.

299 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

300 ORDER OF BUSINESS (Item A5)

The order of business would be as the agenda.

301 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meetings held on 15 November 2021, 2 December 2021 and 18 February 2022 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**302 HOLLOWAY FOOD STORES, 59-61 SEVEN SISTERS ROAD, N7 6BH -
PREMISES LICENCE REVIEW (Item B1)**

The licensing officer introduced all parties for this item. He stated that this hearing was on the 29th day following the date of the summary review application. In his opinion, the hearing regulations made it clear that this would not void proceedings. In this particular case, one condition had been added to the licence at the summary review meeting and it was not considered that one extra day would prejudice the premises.

The legal advisor agreed that the hearing regulations, Regulation 31, indicated that any irregularity would not nullify the proceedings.

With reference to the application the Licensing Officer advised that the Trading Standards officer was unable to attend but their representation remained. The trading standards officer had requested that, if the licence was not revoked, they would require a No Knife stop scheme condition added to the licence.

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Counsel for the applicant stated that whilst under the hearing regulations, a failure to comply would not in itself nullify proceedings however, in statute the position was mandatory.

The Sub-Committee adjourned to consider the matter.

On return, the legal adviser stated that it was agreed that the hearing was nullified.

Counsel for the police stated that to continue the hearing would be a matter for the Council. Counsel for the applicant stated that they reserved their position although if the application had lapsed a further application would be required.

Regarding interim steps it was noted that the interim steps would last until the full review hearing so would fall. Counsel for the applicant stated that regarding the additional condition applied at the summary review, the member of staff had been dismissed so this would not affect the business. It was considered that an interim stage would not be necessary in this instance.

RESOLVED that as the hearing was brought on the 29th rather than the 28th day after the receipt of the application for a summary review in respect of Holloway Food Store, 59-61 Seven Sisters Road, N7 6BH, contrary to Section 53A(2) of the Licensing Act 2003 and that provision was mandatory, the hearing could not proceed. The application would have to re-submitted by the police.

Both Counsels for the Police and the applicant agreed with this position.

The meeting ended at 7.00 pm

CHAIR