

Licensing Sub Committee B - 16 June 2022

Minutes of the meeting of the Licensing Sub Committee B held via Zoom on 16 June 2022 at 6.30 pm.

Present: **Councillors:** Matt Nathan, Ben Mackmurdie and Ernestas Jegorovas-Armstrong

Councillor Matt Nathan in the Chair

- 10 **INTRODUCTIONS AND PROCEDURE (Item A1)**
Councillor Nathan welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.
- 11 **APOLOGIES FOR ABSENCE (Item A2)**
Apologies for absence were received from Councillor Valerie Bossman-Quarshie.
- 12 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
Councillor Ernestas Jegorovas-Armstrong substituted for Councillor Valerie Bossman-Quarshie.
- 13 **DECLARATIONS OF INTEREST (Item A4)**
None.
- 14 **ORDER OF BUSINESS (Item A5)**
Agenda Item B2 had been withdrawn from the agenda. The order of business would be B1, B3 and B4.
- 15 **ADMAS CAFE, 162 SEVEN SISTERS ROAD, LONDON, N7 7PT - NEW PREMISES LICENCE (Item B1)**
The licensing agent advised that the licence holder was unable to attend and he would be representing them. However, as the licence holder had not notified the licensing authority in writing that the agent was representing them and his name was not on the paperwork, the Sub-Committee were advised by the legal adviser to defer the application.
- RESOLVED:**
That the item be deferred to a future meeting to enable the licence holder to attend.
- 16 **YESHI ETHIOPIAN, 328 HORNSEY ROAD, LONDON, N7 7HE - NEW PREMISES LICENCE (Item B2)**

This item had been withdrawn from the agenda.

17 **SWIFT STORES, 278 SEVEN SISTERS ROAD, LONDON, N4 2HY - NEW PREMISES LICENCE (Item B3)**

The licensing officer introduced all parties and stated there were no updates. He confirmed that the resident who had submitted a representation was not in attendance.

The applicant's legal representative stated that there was an error on page 107 of the agenda papers and that 6am-9pm were the delivery hours agreed with the noise team. The premises were in Finsbury Park and Holloway Road cumulative impact area. He stated that this was the second application Swift Stores had submitted in Islington; the first was opened in early May 2022 and there had been no issues.

He further advised that the premises would not be alcohol-led and that no more than 10% of the shop floor would be allocated to storing and selling alcohol. There was also a robust operating schedule, the hours being sought were within framework hours and there would be match-day controls.

The applicant's legal representative stated that no responsible authorities had submitted representations and that the resident had objected to the late-night sale of alcohol but this was after the closing hours put forward by the applicant so was not relevant. The applicant took the sale of alcohol seriously and was a member of relevant associations promoting best practice. The resident had proposed conditions which the applicant's legal representative stated were disproportionate. The applicant had worked with the police on conditions which had been agreed. A letter had been sent by the applicant to the resident.

In response to a member's question about mitigating measures in relation to the sale of alcohol from 8am, the applicant's legal representative stated that the range of alcohol being sold was not geared to street drinking and offers were not advertised outside. Little alcohol would be sold at 8am but some people wanted to buy alcohol with food for consumption after work. The operating schedule included training and working with the police in the same way the applicant had done with the previous Swift Stores application in Archway.

In summary, the applicant's legal representative stated that the hours applied for had been given careful thought and the licensing objectives would be promoted.

RESOLVED that the application for a new premises licence in respect of Swift Stores, 278 Seven Sisters Road be granted:-

- 1) to allow the sale by retail of alcohol for off sales from 8am until 11pm Monday to Sunday.
- 2) the premises to be open to the public Monday to Sunday from 8am until 11pm.

Conditions detailed on pages 102 to 107 of the agenda be applied to the licence with the following amendment:-

- Condition 1 on page 107 be amended to read "Deliveries shall only be made between the hours of 6am to 9pm, Mondays to Saturdays, and from 9am to 9pm on Sundays."

Reasons for Decision

This meeting 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. The premises fall within the Finsbury Park and Holloway 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 operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

One local resident objection had been received. There had been no representations made by the responsible authorities. Conditions were agreed between the applicant and the Noise Team and Police

The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 6. The Licensing Sub-Committee also noted that only 10% of the shop floor would be used to store/sell alcohol, the premises would not be alcohol led and the agreed conditions provided for football match day controls. These provisions fell under the possible exemptions to the Holloway and Finsbury Park Cumulative Impact Policy.

The Sub-Committee was satisfied that the comprehensive operating schedule demonstrated high standards of management and that the proposed use, with the extensive conditions agreed, 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.

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provisions fell under the possible exemptions to the Holloway and Finsbury Park Cumulative Impact Policy.

The Sub-Committee was satisfied that the comprehensive operating schedule demonstrated high standards of management and that the proposed use, with the extensive conditions agreed, 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.

18 **SOPHIE CAFE, 269 CALEDONIAN ROAD, LONDON, N1 1EE - NEW PREMISES LICENCE (Item B4)**

The licensing officer stated that there were no residents present and that he had no updates for the sub-committee.

The applicant stated that Sophie Café was a newly established business. It would not be a drinking establishment and would be a café where customers could sit and enjoy a drink. He stated that he had tried to engage neighbours and they had not responded. He was willing to invite them to see how the café operated. He stated that the responsible authorities did not object. The applicant stated that a licence would help sustain the business and he was willing to continue to work with the licensing authority going forward.

In response to a member's question about how the applicant had engaged with the concerns of neighbours, the applicant stated that he had removed the seating outside the café. The applicant stated that there would be minimal noise as the business was a café that would serve wine and there would be no music other than background music.

In summary, the applicant stated that his business had been affected by covid. This café would be run as a family business. The applicant stated that he had put in CCTV and that he understood the licensing objectives.

RESOLVED that the application for a new premises licence in respect of Sophie Café, 269 Caledonian Road, London be granted:-

- 1) to allow the sale by retail of alcohol for on and off sales from 12pm until 10.30pm Monday to Saturday and from 12pm until 10pm on Sundays.
- 2) the premises to be open to the public Monday to Saturday 8am until 11pm and Sundays 8am until 10.30pm.

Conditions detailed on pages 128 to 131 of the agenda be applied to the licence.

Reasons for Decision

Licensing Sub Committee B - 16 June 2022

This meeting 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. The premises fall within the Kings Cross 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 operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

One local resident objection had been received. There had been no representations made by the responsible authorities.

The Applicant was present and made oral submissions to the Licensing Sub-Committee.

The Licensing Sub-Committee also noted that the business was not alcohol led and that the agreed conditions provided that alcohol sold for consumption off the premises was only permitted when purchased with a main meal take away. The conditions further provided for a maximum purchase of alcohol with those take away meals.

The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 5 and 6. The Sub-Committee was satisfied that the operating schedule demonstrated high standards of management and that the granting of the application will 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.

The meeting ended at 7.15 pm

CHAIR