

MINUTES OF THE LICENSING SUB COMMITTEE HELD ON MONDAY, 17 NOVEMBER 2025, 7:00PM – 8:15PM

PRESENT: Councillors Anna Abela (Chair), Elin Weston and Nick da Costa

1. FILMING AT MEETINGS

The Chair referred to the filming of meetings and this information was noted.

2. APOLOGIES FOR ABSENCE

There were none.

3. URGENT BUSINESS

There was no urgent business.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. SUMMARY OF PROCEDURE

The Chair provided a summary of the procedure for the meeting.

6. APPLICATION FOR A VARIATION OF A PREMISES LICENCE AT CHEZ NICKY, 295 WEST GREEN ROAD, LONDON, N15 (ST ANN'S)

Upon opening the meeting, the Sub-Committee was informed that the applicant's representative may need time to examine the videos in the link provided in the agenda papers within one of the representations.

At 7:15pm, the Sub-Committee decided to adjourn the hearing for the applicant's representative to be able to inspect the videos. The meeting reconvened at 7:30pm.

Presentation by the Licensing Officer

Ms Daliah Barrett, Licensing Team Leader, informed the Sub-Committee that:

- This was a variation application seeking to vary the layout of the premises which was not currently permitted on the existing licence.
- The variation was also seeking to amend some of the current conditions on the existing licence and to increase the hours of operation for licensable activities.

- Paragraph 1.2 of the officer's report outlined the proposed hours for late night refreshment. There was also an increase in the number of operating days with a terminal hour of 02:00 Sunday to Thursday and 03:00 on Friday and Saturday.
- The sale of alcohol would be increased to a terminal hour of 02:00 Sunday to Thursday and 03:00 Friday and Saturday.
- The application sought the sale of alcohol on and off the premises.
- There was no application for regulated entertainment, but the premises would be able to benefit from the capability to offer live or recorded music up until 23:00 if the application was granted.
- During the consultation period, representations were received from the Noise team and residents.
- The premises was located within the terrace and shops, with residential properties above it. It was also an end of terrace premises.
- The additional rear area of the premises was originally a garage.
- The applicant had now sought planning permission and had obtained it. A copy of the planning permission had been included in the agenda papers.
- The existing licence could be found on Appendix D in the agenda papers.

At this point in the proceedings, the applicant's representative stated that he sought an adjournment to the hearing. Mr Stewart Gibson, the applicant's representative, informed the Sub-Committee that:

- A period of 15 minutes to go through a number of videos and ascertain where they came from and when they were filmed was not enough time.
- It took him about five minutes to access the videos and he had then tried to e-mail them to the applicant so he could see them because he had not yet seen them. The applicant was unable to access them.
- The remaining 10 minutes involved him trying to speak to the applicant about the videos.
- He had emailed the Licencing Authority in the prior week stating that he was at an extreme disadvantage for the hearing as he could not access any of the videos. He had received a reply saying that the objector had been emailed and asked to provide the videos in a different format and that if they were unable to do so, then they would be inadmissible.
- He had received no further information since then and it was not illogical to assume that there was no further access provided and therefore the videos would not be considered at this hearing.
- It was not reasonable to have the videos as part of the hearing when the applicant (and his wife) had not had adequate time to go through them.
- The issue placed the applicant at a disadvantage.

The Licensing Officer stated that the links had been provided to the applicant gradually over time. They were also in the representation that was received during the consultation period. Although it appeared that many links to the videos did not work, one of the links appeared to be accessible and had been accessed by the Sub-Committee members.

In response to a question from the Sub-Committee, the Legal advisor to the Sub-Committee stated that rules 25 to 28 of the local licensing regulations stated that if a party had given written notice of wanting to rely on documentary evidence and written notice no later than 10 working days before the hearing, then they were entitled to have the Licensing Authority distribute these by the most convenient means and have the right to have the documents considered. It would be useful to confirm the terms of any e-mail that was sent by the Licensing Officer to the applicant's representative as this would help the Sub-Committee understand and take a view on what the applicant would have been expecting.

In response to a question from the Sub-Committee, the Licensing Officer stated that her response to the applicant's representative was that the only disadvantage would be to the resident as no one would have been able to access the links and that she had emailed the resident to ask if that videos could be submitted in in any other format. If not, then no one could see the videos and they could not therefore be considered.

In response to questions, Mr Gibson stated that he had emailed the clerk to the Sub-Committee and had advised that he could not open any of the video links supplied by the objectors. This was followed by a response from the Licensing Officer which advised that an email had been sent for an alternative format and if it was not forthcoming then they would not be admissible. He had not subsequently included the addressing of the video evidence in his expected submissions. He would ask that the hearing be adjourned to a different date so that he could sit at length with the applicant to go through them.

In response to questions, Ms Bernadette McNamara, resident, informed the Sub-Committee that the premises was not an end of terrace premises and was between two other properties.

Adjournment and Decision

At 7:51pm, the Sub-Committee withdrew from the meeting together with the Legal adviser and clerk to deliberate in private. The Sub-Committee had heard and considered representations from all those who spoke. Legal advice was given to the Sub-Committee on the options open to them and the need for any decision to be proportionate. The Sub-Committee decided to grant the application to adjourn.

RESOLVED: To adjourn the application.

Announcement of decision

The Sub-Committee returned to the meeting room and informed that the hearing would be adjourned. The Chair stated that given that the councillors on the panel had watched the videos, but the applicant had not had the opportunity to confer on the video evidence in detail and had not been able to watch them. The application would be heard on 15 December 2025.

7. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

CHAIR: Councillor Anna Abela

Signed by Chair

Date17 November 2025.....