

**MINUTES OF THE LICENSING SUB-COMMITTEE B
TUESDAY, 3 MARCH 2009**

Councillors Lister (Chair), Newton and Thompson

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCB17.	<p>APOLOGIES FOR ABSENCE</p> <p>There were no apologies for absence.</p>	
LSCB18.	<p>URGENT BUSINESS</p> <p>There were no items of urgent business.</p>	
LSCB19.	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p>	
LSCB20.	<p>MINUTES</p> <p>RESOLVED</p> <p>That the minutes of the Licensing Sub Committee B meeting held on 12 February 2009 be approved.</p>	
LSCB21.	<p>SUMMARY OF PROCEDURE</p> <p>Noted.</p>	
LSCB22.	<p>POLSKA ZYWNOSC, 65 WESTBURY AVENUE N22 6SA (NOEL PARK WARD)</p> <p>The Licensing Officer, Ms Dale Barrett, presented the report on the application to supply alcohol for consumption off the premises. Ms Barrett, reported that the Police had made representations that the applicant should ask for verification of a persons proof of age prior to the sale of alcohol. The applicant had agreed to this recommendation. The Noise Team had also made representations that:</p> <ul style="list-style-type: none"> • A complaints book would be kept on the premises. • Illuminated external signage would be switched off when the premises were closed. <p>The Committee was further informed that representations had also been received from interested parties. Concern had been raised in relation to nuisance, loitering, litter, anti-social behaviour and safety issues.</p> <p>A local resident addressed the Committee and raised concern regarding various issues; people hanging around the vicinity, drinking alcohol, harassing customers and fighting around the shops. During a particular incident fighting had broken out, the police had been called when glass was broken and rubbish left in the streets outside the premises. There</p>	

MINUTES OF THE LICENSING SUB-COMMITTEE B
TUESDAY, 3 MARCH 2009

was a further safety issue in relation to patients visiting the pharmacy and being harassed by street drinkers.

The Committee enquired of the objectors whether they had personally seen the perpetrators coming from inside the application premises and at what time the incident had taken place. In response the Committee was advised by the objectors that the incident had happened between 1 and 2 o'clock during the day. A letter had been written to the Council to ascertain whether Westbury Road was within the alcohol free zone. The Chair requested that enquiries be made to ensure that Mr Shah received a response to his enquiry.

The applicant addressed the Committee and advised that the premises was a Polish food shop trading for three or four years. The applicant had taken over the premises in January 2008 and had previous experience working in a shop in Poland. The issues raised by the objectors had nothing to do with the premises as they did not sell alcohol at present and was unaware of any difficulties experienced by other traders and local residents. The applicant would not sell alcohol to customers who appeared to be under the influence of alcohol and would keep order in her shop.

In response to questions raised by the Committee the applicant's representative advised that the applicant had no direct experience of selling alcohol however, she had been trained and was aware of her obligations. There were also a number of other shops in the vicinity selling food and alcohol catering for other ethnic communities not just Polish people.

In summary the applicant's representative requested the Committee to grant the application as there was no basis for the objections heard that related directly to the premises.

RESOLVED

The Committee decided to grant the application as sought, subject to the following conditions:

1. Mandatory Statutory condition under Section 19 of the Act.
2. That the licence holder complies with the provisions of the operating schedule.
3. Internal and external digital CCTV shall be installed to include covering the entrance and forecourt to the premises.
4. The CCTV system will be recording at all times when the premises are open and the recordings shall be made available to the police and local authority upon request. All recordings shall be kept for a period of three months and be of sufficient quality for evidential purposes.
5. Illuminated external signage, if applicable, shall be switched off when the premises are closed.
6. The forecourt and pavement outside the premises are to be swept and cleared of all litter at the beginning and end of each day.

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TUESDAY, 3 MARCH 2009**

	<p>There are to be no crates or boxes at any time except to comply with refuse/waste collection.</p> <p>7. The premises shall operate a challenge 21 police.</p> <p>8. Alcohol may only be sold to persons over the age of 18 with a valid proof of identified with one of the following:</p> <ul style="list-style-type: none">• Valid passport.• Photo driving licence issued in a European Union country.• Proof of age standard card system.• Citizen card, supported by the Home Office. <p>The Committee considered that there were major concerns in relation to nuisance in the vicinity of the premises; caused by street drinkers, including rubbish, noise and anti-social behaviour. However, these were matters not entirely within the control of the premises and were matters that should be dealt with by the Police and the consideration of an extension to the alcohol free zone. They are also matters capable of being dealt with by other legislation.</p>	
LSCB23.	<p>NEW ITEMS OF URGENT BUSINESS</p> <p>There were no new items of urgent business.</p> <p>The meeting concluded at 9:05pm.</p>	

**Cllr Harry Lister
Chair**