

# **MINUTES OF THE MEETING OF THE SPECIAL LICENSING SUB COMMITTEE HELD ON THURSDAY, 3RD JUNE, 2021, 19.00 – 19.45**

## **PRESENT:**

**Councillors: Gina Adamou (Chair), Luke Cawley-Harrison and Sheila Peacock**

### **1. FILMING AT MEETINGS**

The Chair advised that the meeting would be live streamed on the Council's website.

### **2. APOLOGIES FOR ABSENCE**

It was noted that Councillor Cawley-Harrison was attending the meeting and not Councillor Ross, as listed on the agenda.

### **3. URGENT BUSINESS**

It was noted that, it being a special meeting of the Sub-Committee, under Part Four, Section B, Paragraph 17 of the Council's Constitution, no other business would be considered at the meeting.

### **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 NEW PREMISES LICENCE AT 238 LANGHAM ROAD, LONDON, N15**

Daliah Barrett, Licensing Officer, introduced the report, as set out on pages 1-4 of the agenda. Reference was made to page 26 of the agenda, which detailed an email but not the full representation from the Licensing Authority. The full representation had since been circulated to the Committee and published as supplementary information to the agenda.

Daliah Barrett also referred to the representations received by residents, as detailed at Appendix 3 to the agenda, as there were no residents in attendance at the meeting. It was noted that a meeting had taken place between the Applicants and residents previous to the Committee, which had alleviated a lot of their concerns.

Philip Cone, Licensing Enforcement Officer, introduced his representation as detailed on page 26 of the agenda and the supplementary agenda pack. Mr Cone appreciated that the applicants had agreed to the conditions regarding the outside and smoking area. He recognised that the applicants had previously communicated with the residents and had already started to create a good working relationship with them. He was therefore satisfied that the licence should be granted, subject to the agreement of the additional conditions.

Discussion took place regarding the need for SIA door staff, in response Mr Cone stated that the use of SIA door staff was not necessarily required given the size of the premises and operating hours. It was suggested that given this was an application for a new premises licence, an informative could be added for this to be kept under review by the Licence holder, particularly at peak operating times. The Committee were also satisfied with this approach and felt that operating with SIA door staff could make the premises look like something more than a small restaurant.

Mr and Mrs Chumburidze, Applicants, presented their application, as follows:

- They would be offering a small restaurant, offering breakfast, lunch, bakery and dinner. Alcohol would be served from 1pm weekdays and 10am on a Saturday and 11am on a Sunday. They had no intention of offering a bar, it would purely be a restaurant, with alcohol provided with food. They would only be offering wine and beer and did not feel that the restaurant would encourage drunken behaviour and excessive drinking.
- They had previously agreed to the additional conditions proposed by the Licensing Authority regarding the outside and smoking area.
- They were aware that the premises was located in a residential area and of the concerns raised by local residents.
- A meeting had been held with residents the previous week to discuss their proposals for the restaurant and had been a good opportunity to alleviate any concerns that local residents had raised. It was noted that a number of thank you messages had been received from local residents following the meeting.
- There had been some previous miscommunication about the restaurant offer, which had now been addressed.
- It was felt that the new premises would be beneficial in crime prevention in the area, as the previous operation had attracted a few alcoholics that had gathered outside.

It was confirmed that a maximum of 5 tables would be placed outside, which would cater for a maximum of 10 people.

In response to a question regarding the sale of alcohol, Daliah Barrett stated that the applicants had not applied for the sale of alcohol to be ancillary to a substantial meal. She also stated that the current Covid guidance was for people to be seated at a table. Mr Chumburidze confirmed that there would be no standing inside the premises and that everyone would be seated. There would also be no permitted sale of alcohol to anyone outside of their boundary outside.

In response to a question regarding the proposed level of staff, the Applicants advised that they expected to have 2 chefs, 1 being a barista and 2 staff serving on the floor.

They would also have staff on standby, depending on the level of demand. It was proposed that there would be a maximum of 17 covers inside and 10 outside.

In response to a question regarding the previous operation and suggested alcoholics congregating outside, it was explained that this had been as a result of the outside seating being kept outside the premises once the café had closed at 4pm.

## **RESOLVED**

The Licensing Sub Committee carefully considered the application for a new premises licence for 238 Langham Road, London, N15. In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack, the Licensing Authority representation, the applicants written and oral representations and the objectors written representations.

Having considered the application and heard from all the parties, the Committee decided to grant the application for a new premises licence with the following operating hours and additional conditions:

### **Supply of Alcohol**

Monday to Friday 1300 to 2200 hours

Saturday 1000 to 2200 hours

Sunday 1100 to 2200 hours

Supply of alcohol **ON** the premises.

### **Hours open to Public**

Monday to Friday 0700 to 2200 hours

Saturday 0800 to 2200 hours

Sunday 1000 to 2200 hours

## **The Committee imposed the following conditions:**

1. All outside areas must be closed and cleared of customers by 9pm. Adequate notices shall be displayed to inform patrons of this requirement. The premises licence holder shall take appropriate measures to ensure that patrons using any outside areas do so in a quiet and orderly fashion.
2. Smoking Area: If patrons are to be allowed to use an outside area for smoking then:
  - (i) The area must be adequately monitored by CCTV to ensure that the risk of crime and disorder in this area is adequately controlled.
  - (ii) Patrons must not be allowed to take drinks to the smoking area.
  - (iii) The area must be provided with suitable ashtrays/bins.
  - (iv) The area must be regularly swept to remove cigarette ends
  - (v) Adequate arrangements must be made to prevent overcrowding or disorder in the area.

3. No music shall be played in the outside area at any time.

### **Reasons**

The Committee considered the concerns raised by the objectors in their written representations, as none of the residents were in attendance at the meeting. The committee was satisfied that the applicant intended for the premises to operate as a cafe/restaurant rather than as a bar. The Committee noted that the applicants had previously met with the local residents to discuss their proposals and address any concerns that they had. The committee wished to encourage ongoing dialogue between the applicant and local residents.

It was accepted that the applicant wished to actively manage the outside space in a way that would promote the licensing objectives with respect to nuisance, which had been a concern of the residents. The applicant had agreed to the additional condition proposed by the Licensing Authority, in particular the proposal not to use the outside area beyond 9pm. The committee felt that this would reduce the risk of the premises undermining the licensing objectives.

The Committee were confident that the applicants would be responsible operators and were also satisfied that the licensing objectives would be upheld. The Committee also felt that the premises would be a positive addition to the local area.

### **Informative**

The need for door staff at the premises was discussed, but the Committee felt that this was not necessary given the nature of the business and its operating hours, although this could be kept under review by the Licence holder, particularly at peak operating times.

### **Appeal Rights**

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of the appeal period or, in the event that an appeal has been lodged, until the appeal is dispensed with.

CHAIR: Councillor Gina Adamou

Signed by Chair .....

Date .....