

**MINUTES OF THE LICENSING SUB-COMMITTEE A
TUESDAY, 9 SEPTEMBER 2008**

Councillors *Patel (Chair), *Vanier and Reid

Also Present: Councillor Beacham

* Denotes Members present.

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCA01.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received from Cllr Reid for whom Cllr Beacham was substituting.</p>	
LSCA02.	<p>URGENT BUSINESS</p> <p>None received.</p>	
LSCA03.	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p>	
LSCA04.	<p>MINUTES</p> <p>The Committee was asked to approve the unrestricted minutes of the previous meetings of the Licensing Sub Committee A held on:</p> <p>31 January 2008, 5 February 2008 (reconvened on 21 February 2008), 13 March 2008, 17 April 2008, 15 May 2008, 2 June 2008 (reconvened on 7 July 2008) and 8 July 2008.</p> <p>The Committee further noted the comments of the Head of Local Democracy and Member Services that the minutes of the Licensing Sub Committee meetings held on 7 February 2008 (reconvened on 20 February 2008) and 16 April 2008 had of necessity been approved by the Sub Committee Members, as they were required for Legal proceedings. The Sub Committee was asked to endorse the approval of these signed minutes.</p> <p>RESOLVED</p> <p>That the unrestricted minutes of the Licensing Sub Committee A meetings held on 31 January 2008, 5 February 2008 (reconvened on 21 February 2008), 13 March 2008, 17 April 2008, 15 May 2008, 2 June 2008 (reconvened on 7 July 2008) and 8 July 2008 were approved. That the minutes of the meetings held on 7 February 2008 (reconvened on 20 February 2008) and 16 April 2008 were endorsed following the previous approval by the Sub Committee Members.</p>	

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LSCA05.	<p>ROYAL ISTANBUL RESTAURANT, 1 QUEEN'S PARADE, GREEN LANES, LONDON N8</p> <p>The Licensing Sub Committee (the Committee) were asked to consider an application for a Premises Licence for the supply of alcohol, the provision of Regulated Entertainment and provision of Late Night Refreshment.</p> <p>The Licensing Officer presented the report and advised the Committee that representations had been received from the Police in respect of the hours for the sale of alcohol. The Police had requested that the hours be reduced by 30 minutes each day before the premises closed and this had now been reflected in the details of the application sought. The Committee were further advised that the premises were open and operating with no licensable activities taking place however, the playing of background music did not require a licence.</p> <p>The Licensing Officer informed the Committee that representations had also been received from interested parties. Local residents had raised concerns regarding noise late at night and weekends. Litter and mess was frequently left in the immediate area and there was a daily occurrence of people urinating in the streets. The applicant had responded to the letter of objection from residents and had offered measures to address residents' concerns by withdrawing his request for recorded music and to reduce the operating hours at the weekend. The applicant had since requested that the opening hours applied for would be those requested on the original application.</p> <p>The Committee enquired about the letter on page 96-97 of the agenda and who the author was. In response the Committee were advised that the letter was signed by the residents of Falklands Road. The legal officer clarified that normally a letter would not be accepted if it was not signed by an individual and did not have an address. In respect of this letter, it was signed by several residents who lived in the immediate vicinity and therefore, was accepted as a letter of representation. The issues raised in the letter were the same as those raised by the objector present at the hearing.</p> <p>An objector addressed the Committee and stated as a local resident living in on the road since 1961, he was continually experiencing disturbances of noise pollution. He was constantly disturbed by people leaving premises and walking to their cars. People were inconsiderate, it had become unbearable and had reached an intolerable point. There had been an overkill of these types of premises in the area.</p> <p>The objector was asked whether he had experienced any problems directly related to the Istanbul restaurant. The Committee was informed in response that there had been none however, problems experienced with other premises influenced his decision to object to any premises being granted late night operating hours. Members further enquired what objections he had to the applicant's premises. The objector responded that there was an overkill of restaurant's in the area</p>	
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and people who used these venues were causing parking pressure for residents.

A local resident addressed the Committee concerned about the early opening hours of 7:00am. This was considered to be excessive before children were going to school. There was no necessity for the premises to be open before 10am as this was considered to be a more reasonable opening time. If the premises were permitted opening hours before 10am then deliveries and collection of waste would be during the early hours of the morning. Litter and rubbish left in the immediate area in the mornings was considered to be disgusting along with vomit, urine and needles.

The Committee enquired whether the concerns raised could be attributed to a restaurant. The objector responded that there was an excessive number of businesses in the area with long operating hours which attracted unsavoury customers and it was the community which suffered the consequences.

The applicant addressed the Committee and confirmed that the business would be operated as a restaurant and not a night club or private venue holding parties. Other venues mentioned in the locality were night clubs, pubs and entertainment venues with later operating hours. The restaurant would provide low background music and would meet the needs of customers requirements. The application to open at 7am was in order to also offer breakfast to customers. It was proposed that CCTV would be in operation throughout the opening hours and assistance would be provided to the police and the community when requested. The applicant further commented on the signatures on the petition and explained that some of the local residents had been to the restaurant after they had signed the petition. Upon confirmation that the venue would not be a night club those residents had withdrawn their representations.

The committee questioned the applicant and raised concerns about:

- Proposals to place chairs and tables outside the restaurant.
- Where would customers go to smoke.
- When offering snacks/light foods to customers would they be consuming alcohol.
- Was there an intention to hire the premises for private functions.

In response the applicant stated that it was not his intention to put tables and chairs outside the restaurant as the location was a corner premises and therefore, this would not be possible. There was no designated smoking area within the restaurant so customers would only be able to smoke once they had left the restaurant. It was also the applicant's intention to provide whatever customers wanted in terms of meals/snacks/light meals and alcohol. There was no intention to hire the premises for private functions as the size of the premises could not accommodate functions like weddings etc.

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The objectors summed up their representations and stated that the premises would be advertised as a bar.

The Licensing Officer advised that Committee that they could not take into account the demand or overkill of restaurant's in an area. The application for the provision of alcohol could be conditioned with alcohol only being served ancillary to eating a meal.

The applicant summed up by stating that the concerns raised by the objectors were not directly related to the premises and therefore requested that the application be granted.

RESOLVED

The Committee decided to grant the application as requested with the following further conditions:

1. Signs will be displayed at the exist reminding customers to leave quietly and respect the neighbours.
2. All CCTV recordings are to be of a sufficient quality to enable it to be used for evidential purposes if necessary and all records of all CCTV recordings inside and outside the premises to be kept for three months and made available to the police and Licensing Authority upon request.
3. Alcohol is only to be served ancillary to substantial meals (other than snacks).
4. No alcohol shall be taken outside of the premises by customers.
5. Mandatory condition 19.

The Committee heard evidence from objectors stating that they were experiencing problems with noise and anti social behaviour in the area but confirmed that this was not attributable to this particular premise. The objectors made reference to over proliferation and saturation of restaurants, pubs and clubs in the area but this was not a matter that the Committee could take into account under Licensing Legislation. Reference was also made to parking however; this was not attributable to the premises and would be out of the applicants control and not a matter that could be legitimately considered by the Committee.

The applicant confirmed that the hours of operation were necessary in order to serve breakfast in the morning and meals in the evening and that the hours for the supply of alcohol had been reduced in accordance with the Police request. The applicant also confirmed that the premises would be run as a restaurant only and alcohol would only be served ancillary to meals. Based on these findings and having taken all the evidence presented in writing and at the Committee into consideration the Committee decided to grant the hours as requested with the additional conditions.

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LSCA06.	ITEMS OF URGENT BUSINESS There were no items of urgent business.	
LSCA07.	EXCLUSION OF THE PUBLIC AND PRESS RESOLVED That the Public and Press be excluded from the following proceedings.	
LSCA08.	EXEMPT MINUTES The Committee was asked to approve the exempt minutes of the Licensing Sub Committee meeting held on 3 January 2008 and 8 July 2008. The Committee further noted the comments of the Head of Local Democracy and Member Services that the minutes of the Licensing Sub Committee held on 3 January 2008 and 8 July 2008 had of necessity been approved by the Sub Committee Members, as they were required for Legal proceedings. The Sub Committee was asked to endorse the approval of these signed minutes. RESOLVED That the minutes of the Sub Committee meeting held on 3 January 2008 and 8 July 2008 were endorsed following the previous approval by the Sub Committee Members.	

Cllr Jayanti Patel
Chair