

**MINUTES OF THE LICENSING SUB-COMMITTEE C (2003 LICENSING ACT)
8 December 2005**

Councillors *Patel (Chair), *Floyd and *E Prescott

* denotes members present

LSC16 APOLOGIES FOR ABSENCE (Agenda Item 1)

None received

LSC17 URGENT BUSINESS (Agenda Item 2)

That Agenda Item 8 (ROJ) was withdrawn from the proceedings

LSC18 DECLARATIONS OF INTEREST (Agenda Item 3)

None received

LSC19 DEPUTATIONS/PETITIONS (Agenda Item 4)

None received

LSC20 MINUTES OF LICENSING SUB-COMMITTEE C OF 4 OCTOBER 2005
(Agenda Item 5)

The minutes of the meeting of Licensing Sub-Committee C of 4th and 18th October 2005 were agreed and signed by the Chair.

**LSC21 TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE:
Istanbul Restaurant, 441 Green Lanes N4** (Agenda Item 6)

The Licensing Officer, Daliah Barrett presented the Report for the New Premises License to the Committee highlighting the current status of the premises to Members. Ms Barrett informed the Committee that there had been two representations made by interested parties. There had also been comments from the Enforcement Services who had stated that the premises were currently under enforcement action, due to the premises being found open and trading in the early hours of the morning without a licence. This matter had been adjourned as the ownership/management of the premises could not be determined. Enforcement Services had requested that if Members were minded to grant the License that a recognised person/designated premises supervisor be named on the licence as a condition. This would facilitate the Council and other authorities who may need to take enforcement action with a named individual who will be held accountable.

Ms Barrett also informed the Committee to the fact that the Noise Team had received a number of complaints over the years but did not object to the application. She also informed the Committee that the Planning Officer had made a representation to the application on the grounds that the hours the

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hours granted by the Planning Service to the premises restricted the operation of the premises after 2am on any day.

The Chair invited the applicant to address the Committee. Mr George Adonis was representing the applicant and confirmed that the applicant wanted to amend the application so that the hours of operation were as follows:

- Monday through to Sunday – 10am until 2am
- That no sale of alcohol license was being applied for

At this point in proceedings, Councillor Gina Adamou spoke on behalf of the Ladder Community Safety Partnership Board (LCSPB) to confirm that given that the application had been amended, there was no objection to the application.

The Committee considered the evidence provided by the Noise Team and established that the last enforcement action by the Team took place in 2003 and that the Team was satisfied with the current situation. Mr Adonis informed the Committee that the applicant would, if granted the Licence, adhere fully with the terms listed in the operating schedule in order to promote the four licensing objectives. Ms Barrett sought confirmation that no regulated entertainment was being applied for. Mr Adonis confirmed that this was the case and that no regulated entertainment and alcohol licenses were being applied for at the present time.

Also speaking on behalf of the LCSPB, Mr Ian Sygrave stated that he was happy with the amended application but concerns remained in respect of compliance issues over opening hours, and with a pending prosecution over planning permission for an illuminated sign to the front of the premises. The applicant responded to this last point by stating that planning permission had been sought but had subsequently been refused, and that he was happy to remove the sign.

The applicant was asked why there had been instances where the premises had been found to be open beyond its permitted hours. The response was that the applicant lived above the premises but had allowed family and friends to eat in private. The applicant also stated that if granted a new premises licence he would be bound to the hours permitted/ he also stated that CCTV had been installed on the premises since the end of 2003 and that his brother would become a designated premises supervisor (DPS) in the absence of the licensee. The applicant later stated that he would be willing to display opening hours within the premises.

In summation, Ms Barrett informed the Committee that during personal visits to the premises, evidence had been gathered to suggest operations beyond permitted hours at the premises. She also stated that if the Committee were minded to grant the application for new premises licence, there should be provisions for a named DPS and a firm understanding of hours permitted.

RESOLVED

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The Committee decided to grant in full the amended application for a new premises license to provide late night refreshments only (Mondays to Sundays 10am through to 2am) and subject to the following conditions:

- (i) Conditions to enforce the provisions of the operating schedule.
- (ii) That a list of at least two named designated people, one of whom will be available at the premises at all times that licensable activities are being carried on be provided to the Licensing Authority. This list is to be provided to the Licensing Authority by 15 December 2005 and any subsequent variations to that list are to be notified to that Authority a minimum of seven days prior to the said change taking effect.
- (iii) All external display signs to be switched off at 2am every night. The reason being to promote the Public Nuisance licensing objective.
- (iv) The opening hours of the premises to be prominently displayed at the entrance to the premises.

There were four informatives as follows:

- (i) As the applicant had withdrawn the application for the sale and/or supply of alcohol, the licence granted would not permit the sale and/or supply of alcohol at any time
- (ii) It was open to the responsible authorities and/or interest parties to apply for a review of the licence granted at any time
- (iii) Enforcement services would monitor the premises to ensure that they were not being operated in breach of the licence granted
- (iv) The licence granted would not constitute consent under any other regime. It would be necessary for the licensee to obtain any other consents that may be necessary for the lawful operation of the premises.

LSC22 TO CONSIDER AN APPLICATION FOR A CLUB PREMISES CERTIFICATE: Our Lady of Muswell Hill Tennis Club, adj 51 Rhodes Avenue N22 (Agenda Item 7)

The Licensing Officer, Daliah Barrett presented the Report for the New Premises License to the Committee highlighting that an earlier representation in respect of the application made by the Fire Officer had subsequently been withdrawn. Ms Barrett informed the Committee that there had been two representations from interested parties, but that neither was present at the hearing. Ms Barrett confirmed that the applicants had provided full details of the club rules.

The Chair invited the applicants to address the Committee. Ms Brenda Stewart and Mr Richard Betts, applicants, began by stating that the actual hours applied for in respect of the sale of alcohol was as follows:

- Monday through to Friday – 17:00 to 23:00
- Saturday and Sunday – 12:00noon to 15:00, and 17:00 to 23:00

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They verified that the hours for opening to the public were as follows:

- Monday through to Sunday – 08:00 to 23:30

It was noted that information on these times for licensable activities mis-printed in the Report to the Committee.

Ms Stewart and Mr Betts informed the Committee that the premises had been operating in the Muswell hill area for 60 years and that the sale of alcohol was a very small part of the operation because the premises had earned a reputation as one of the best tennis clubs in North London. The Committee established that the main hall within the premises was used only occasionally for the playing of table tennis and pool by members of the club and their invited guests.

RESOLVED

The Committee decided to grant the application in full and subject to the following condition:

- (i) Conditions to enforce the provisions of the operating schedule.

There was an informative as follows:

- (i) That Q3 of the applicant’s declaration for a club premises certificate is amended to read as follows: “*the Club’s arrangements for restricting the Club’s freedom of purchase of alcohol are (a) the club provides that only a member of the Bar Committee may purchase alcohol; and (b) purchases are limited to £100 at any one time and are only made at local retail outlets*”. The applicant agreed to amend the club rules to incorporate this provision.

LSC23 ITEMS OF URGENT BUSINESS (Agenda Item 9)

None to consider

The Meeting finished at 9:45pm

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Councillor JAYANTI PATEL
Chair of Licensing Sub-Committee C

Date.....