

**MINUTES OF THE LICENSING SUB COMMITTEE B
THURSDAY, 16 MAY 2013**

Present: Councillor Demirci (Chair), Councillor Beacham, Councillor Brabazon.

MINUTE	SUBJECT/DECISION	ACTION BY
PRCE65.	<p>APOLOGIES FOR ABSENCE</p> <p>There were no apologies for absence.</p>	
PRCE66.	<p>URGENT BUSINESS</p> <p>There were no items of Urgent Business.</p>	
PRCE67.	<p>DECLARATIONS OF INTEREST</p> <p>Councillor Demirci declared a prejudicial interest with respect to Item 5: 'Get In' Mini Mart, 272-274 Langham Road, London N15 3NP and as such the item was withdrawn from the agenda.</p> <p>The applicant was advised that this would be rescheduled for a future date and they would be advised of this once it had been agreed.</p>	
PRCE68.	<p>SUMMARY OF PROCEDURE</p> <p>The Chair set out the Summary of Procedure as set out in the agenda pack.</p>	
PRCE69.	<p>GET IN MINI MART, 272-274 LANGHAM ROAD, LONDON N15 3NP</p> <p>This item was withdrawn from the agenda.</p>	
PRCE70.	<p>QUATERS CAFE, 267 ARCHWAY ROAD, LONDON N6</p> <p>The Licensing Officer gave a summary of the report advising that the application was for a new premises license, for the address above, by Shu Hui Chiao, for the supply of alcohol at the premises. It was noted that representations had been made by Environmental Health, Trading Standards and Ms. Elsa Rand of 265A Archway Road, in objection to the application, on the grounds of prevention of public nuisance.</p> <p>The Committee was advised that the applicant had accepted the proposed conditions requested by Environmental Health and Trading Standards and therefore these would now form part of the conditions attached to the license.</p> <p>Following the Licensing Officer's summary of the report the Chair invited Ms Rand to outline her reasons for objecting to the application. She began by noting that she did not object to the noise associated with the running of the café during the daytime. However, the proposed extension of the opening</p>	

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hours, coupled with the increased noise likely to be generated by people consuming alcohol, was a cause of concern. A limited number of one off evening events had been held at the café in the past and Ms Rand advised that the noise had been clearly audible in her flat and this was her primary objection to the application. In addition patrons gathered outside the café to smoke and the fumes from this went into her flat. This also generated a lot of noise, which was audible from her flat.

Ms Rand read a letter from her neighbours who occupied the flat above whom also objected to the application on the grounds that Ms Rand outlined above.

The Committee put a number of questions to Ms Rand regarding her objections to the application. She confirmed that whilst she had lived there the café had not had a license to serve alcohol or to open as late as requested. Ms Rand advised that she had spoken to her landlord regarding the possibility of undertaking work to sound proof the flat and to replace the single glazed windows with double glazing; however, he indicated that was not a cost that he was willing to incur.

Mr Moy, speaking on behalf of the applicant, addressed the Committee and spoke in support of the application. He responded to points made by Ms Rand regarding her concerns that there would be a significant increase in the level of noise omitted if the application were approved. Mr Moy noted that he did not agree that there would necessarily be a significant increase in the level of noise simply because alcohol was served. With regard to concerns that patrons smoking outside the premises and the noise and smoke this would create, Mr Moy advised that customers would be encouraged not to congregate outside the café.

Mr Moy underlined the need for his business to be competitive with other establishments in the area and noted that several customers had expressed their support for the application.

The Committee put a number of questions to Mr Moy, which largely centred on the potential noise that might be created by the extension of the opening hours and the serving of alcohol. In response to a question Mr Moy advised that the installation of sound proofing material, to limit the impact of noise upon the residential flats above the café, was not a cost that his business could withstand. In conclusion he reiterated that the viability of the business would be negatively affected if the application was refused.

Finally all parties summed up their submissions, and the Committee retired to consider the application.

RESOLVED:

The Committee carefully considered the application, the written representations by the responsible authorities and those of the interested parties.

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The Committee also took into account the Borough Statement of Licensing Policy and the Section 182 guidance. The Committee resolved to grant the application but to modify it in the following way:

Supply of Alcohol

- Monday – Wednesday: 12pm – 8pm
- Thursday – Saturday: 12pm – 9pm
- Sunday 12pm – 6pm

The Committee noted that the applicant had agreed to implement the conditions put forward by Environmental Health (as set out in pages 45 – 50 of the agenda pack) and Trading Standards (as set out in pages 52 – 55 of the agenda pack) and therefore, these conditions would be added to the license.

Finally the Committee would hope that in granting the premises license that the applicant will take the concerns of the residents relating to airborne sound and the upward permeation of smoke into their properties seriously and try as much as possible to deter this nuisance.

The Committee would suggest that the applicant explore methods of sound proofing his premises in order to both improve his business and also to ensure good relations with his neighbours.

PRCE71. ITEMS OF URGENT BUSINESS

There were no items of urgent business.

CLLR ALI DEMIRCI

Chair