

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE  
HELD ON WEDNESDAY, 4 APRIL 2018**

**COUNCILLORS**

**PRESENT** (Chair) Derek Levy, Vicki Pite and Glynis Vince

**ABSENT**

**OFFICERS:** Esther Hughes (Team Leader Consumer Protection), PC Karen Staff (Metropolitan Police Licensing Officer), Dina Boodhun (Legal Services Representative), Metin Halil (Democratic Services)

**Also Attending:** Mr Behrouz Alidoost, Applicant, Med off License

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**WELCOME AND APOLOGIES FOR ABSENCE**

Councillor Levy as Chair welcomed all those present and explained the order of the meeting.

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**DECLARATION OF INTERESTS**

NOTED that there were no declarations of interest.

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**EXCLUSION OF THE PRESS AND PUBLIC**

**AGREED** in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for consideration of item 4 of the agenda on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7 (information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime) of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

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**MED OFF LICENCE, 87 SILVER STREET, LONDON, N18 1RP (REPORT NO. 181)**

#### LICENSING SUB-COMMITTEE - 4.4.2018

RECEIVED the application made by Mr Behrouz Alidoost for a Transfer of the Premises Licence at the premises known as and situated at Med Off Licence, 87 Silver Street, London, N18 1RP.

RESOLVED that

1. The Panel retired, with the legal representative and committee administrator, to consider the application further and then the meeting reconvened in public.
2. The Chairman made the following statement:

“Having considered the written and oral submissions from all parties, the Licensing Sub-Committee (LSC) was fully persuaded by the arguments presented by the Metropolitan Police Service (MPS) that the transfer application should be rejected.

The evidence base, reinforced under a direct line of questioning, made it clear that regardless of additional and wider information which emerged through MPS research whilst preparing its objection (and which raised further doubts over the applicant’s willingness to differentiate between and understand basic rights and wrongs), the MPS would still have objected to this transfer application on the licensing grounds cited alone, given that Mr Alidoost had failed to sufficiently demonstrate his ability to promote the licensing objectives during his eight months involvement with the premises to date.

The LSC applied weight to the special factors contained within the London Borough of Enfield Licensing Policy, specifically 10.1 and 12.1.9, which were pertinent to this case.

In particular, the panel was concerned as to Mr Alidoost’s failure in the past, which he could not answer to the satisfaction of panel members from the various questions they posed - as well as his capacity in the future - to deliver upon and meet the condition requiring there to be two qualified staff present at all times i.e. 18 hours of the premises being open to the public, thereby undermining the core principles of prevention as enshrined in the licensing objectives.

The LSC considered, after extensive questioning on this point, that Mr Alidoost had not been able to demonstrate or in any other way seemed to have acquired the full and necessary training appropriate for holding a premises licence.

In this regard, the variable presence of the current Designated Premises Supervisor (DPS) to help him operate a licence effectively, responsibly and

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appropriately – which information was established by further questions asked of Mr Alidoost himself – lent additional weight to this assertion by the sub-committee members.

The LSC took note of and acknowledged that Mr Alidoost was trying his best to listen and learn about the rules and requirements of licensing matters from all quarters; and he said he was similarly trying to take heed of the advice provided by the Licensing Authority during their several visits.

However, the overall evidence base, including that arising from inspections as recently as February 2018, was on balance sufficiently strong as to persuade the LSC that Mr Alidoost had not yet reached the point of appropriate competence to enable him to assume all the responsibilities that would have been conferred upon him were his transfer application to be granted.

Therefore, the LSC rejected the application as it considered it appropriate for the promotion of the crime prevention objective to do so (section 44(5) Licensing Act 2003 Determination of a transfer application).

3. The Licensing Sub-Committee resolved that the application for a transfer of premises licence be refused.

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#### MINUTES OF PREVIOUS MEETING

Received the minutes of the meeting of Licensing Sub-Committee held on Wednesday 7 March 2018.

**AGREED** that the minutes of Licensing Sub-Committee held on Wednesday 7 March 2018 be confirmed and signed as a correct record.