

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 23 SEPTEMBER 2020**

COUNCILLORS

PRESENT (Chair) Mahmut Aksanoglu, Christine Hamilton (Deputy Mayor) and Maria Alexandrou

ABSENT

OFFICERS: Ellie Green (Principal Licensing Officer), Dina Boodhun (Legal Adviser), Jane Creer (Democratic Services)

Also Attending: Mr Ryan Dowding (Barrister) and PC Matt Fitzpatrick (Police Licensing Officer) on behalf of Metropolitan Police Service
Mr Frank Fender (Licensing Consultant) and Mr Malumueni Lisadisu on behalf of Rubys TJJ Ltd, Applicant

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WELCOME AND APOLOGIES FOR ABSENCE

NOTED

Councillor Aksanoglu as Chair welcomed all attendees to the meeting, which was being broadcast live online. Sub-committee members confirmed their presence and that they were able to hear and see the proceedings. The Chair explained the order of the meeting.

2

DECLARATION OF INTERESTS

NOTED there were no declarations of interest in respect of the item on the agenda.

3

RUBYS, UNIT C7, ANGEL ROAD WORKS, ADVENT WAY, LONDON N18 3BH

RECEIVED the application made by Ruby's TJJ Limited for the premises situated at Ruby's, Unit C7, Angel Road Works, Advent Way, London, N18 3BH for a New Premises Licence.

NOTED

1. The introduction by Ellie Green, Principal Licensing Officer, including:

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- a. This was an application for a new premises licence, for a premises which had not previously required a licence, being sited on an industrial estate and having been used for industrial uses.
 - b. The amended times following mediation with the Licensing Authority, set out in Table 1 of the officers' report had also now been agreed with the Police.
 - c. The Licensing Authority had come to early agreement with the applicant in respect of times and conditions. The Police yesterday had also agreed times and conditions with the applicant which had been circulated to members and published this morning as Annex 5 to the report. Therefore the Police had withdrawn their representation, but as this happened within 24 hours of the hearing, they were in attendance to orally withdraw the representation.
 - d. The application sought opening times from 10:00 am to 04:00 am latest, with the latest sale of alcohol at 03:30 am. There were different elements to the premises and each area had been given different timings.
 - e. Annex 5 also showed the revised list of conditions which had been agreed by the applicant. It would be for the Licensing Sub-Committee to determine which conditions should be attached to the licence, should they be minded to grant the application.
 - f. There were outstanding representations from three other persons against the application, who were local businesses based on Angel Road Works. They objected to the application in its entirety. Copies of the representations were set out in Annex 3 of the report.
 - g. Notification had been received that none of the other persons were able to attend this hearing, but equal weight must be given to those written representations.
 - h. It was for the Licensing Sub-Committee to determine whether the application supported the four licensing objectives.
2. The statement of Ryan Dowding, Barrister on behalf of Metropolitan Police Service to confirm that the Police did withdraw orally the representations sent in two separate letters. Discussions had taken place and conditions had been agreed, with a further five conditions agreed between the proposed premises licence holder and the Licensing Authority, as set out in Annex 5.
 3. The statement of Frank Fender, Licensing Consultant, on behalf of the applicant, including:
 - a. Thanks were expressed to the Police for the formal withdrawal of representations and the work they did with the applicant, and thanks to the Licensing Authority also for the lengthy discussions and that they were able to come to agreement with the applicant.
 - b. The application was made by Rubys TJJ Ltd, and the director and proposed DPS, Malumueni Lisadis, known as Malu, was also present for this hearing. He had a lease agreement to use the premises at Angel Road Works.

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- c. There were very few residential properties close to the premises, though there was a hotel around 150m away.
 - d. Malu had invested a lot of money in the premises to date to convert it to a bar and restaurant. It had a large hall to operate as a function room.
 - e. Malu had several years' experience in this type of work, including as an SIA registered door supervisor, and since 2005 running a late night premises in Luton. He had a good understanding of what was required.
 - f. The licensable activities originally applied for were set out in the officers' report. There was concern from the Police and the Licensing Authority. A series of meetings took place to address those concerns and agreements were reached. The times agreed with the Licensing Authority were shown in the report. Those same times were agreed with the Police yesterday, subject to the applicant agreeing to stringent, robust conditions. Officers were thanked for pulling together Annex 5 at short notice for the Licensing Sub-Committee to consider which of the similar proposed conditions to apply to a licence if minded to grant.
 - g. There were three representations outstanding, apparently made by businesses in Advent Way. Those representations were strikingly similar. His client felt that the robust conditions agreed to went a long way to negate the concerns raised. The times for the bar / restaurant had reduced significantly, having originally applied for 10:00am opening, his client had now agreed to open at 6:00pm. The function room would remain at 10:00am due to the type of functions planned eg. family celebration events with early evening start times and usually at weekends.
4. Frank Fender and Malumueni Lisadisus responded to questions, including:
- a. In response to queries from Councillor Alexandrou, it was confirmed that a maximum capacity was agreed within the proposed Condition 19 and there would be no more than 200 people in the hall and 150 in the restaurant / bar, and a suitable method of counting would be used. Condition 45 stated there would be no dance floor in the restaurant / bar: it was understood there were concerns around nightclub facilities, but that was not the overall intended use. It was confirmed that a fire risk assessment would be required before opening, and that the Fire Service would be consulted. It was understood there had been concerns around minimal parking space, but it was envisaged events would be family occasions served by coaches, buses and taxis dropping off and picking up. It was the responsibility of all drivers to make sure they parked legally and safely. Door staff could also have some say in where customers parked. Late night transport options were contained in the original submission, and it was also the intention to liaise with local taxi companies. It was also confirmed that there would be entry checks for drugs and weapons. Covid-19 regulations would be made a priority if the venue opened during the pandemic: a risk assessment would be set up with the Council in respect of the operation, addressing all necessary aspects.
 - b. In response to queries from Councillor Hamilton, it was confirmed that there would be an ID scanning device, and that after 22:00 everyone entering would be subject to an ID scan. Also, proposed Condition 38 set

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out that customers entering after 22:00 would be subject to a search of their person and bags. In respect of parking concerns, there had been agreement with the Police such that they had withdrawn representation, and they were working with people in the area. In the evenings there were fewer cars in this vicinity and parking issues would be less and they would be monitored regularly. It was noted that new Covid-19 regulations to come into force tomorrow would prevent all licensed premises opening past 22:00 and this was not optional. The applicant also had a current planning application for determination. The full opening hours granted would be able to be used once Covid-19 restrictions were lifted.

c. In response to queries about the business, Malu advised that the restaurant would expect to be serving food to customers who liked to come out late to eat and to enjoy late night entertainment. Couples would be able to come out and enjoy a late evening of eating and music.

5. The summary statement from Ellie Green, Principal Licensing Officer, that having heard the submissions from the applicant and received the written representations in objection to the application, it was for the sub-committee to determine the appropriate steps to take. The relevant legislation and policies were highlighted.
6. The summary statement from Frank Fender on behalf of the applicant that exhaustive mediation had gone on and been constructive, and that all concerns had been properly recognised and reflected in the proposed conditions. Malu was aware of the consequences if the licence conditions were not adhered to. He was going to keep the services of a licensing consultant on a monthly basis, which was to his credit. All parties were now happy with what was being proposed.

RESOLVED that

1. In accordance with the principles of Section 100(a) of the Local Government Act 1972 to exclude the press and public from the meeting for this item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A to the Act.

The Panel retired, with the legal representative and committee administrator, to consider the application further and then the meeting reconvened in public.

2. The Chair made the following statement:

“The Licensing Sub-Committee have noted that the licensing authority and police have been in discussions and mediation with the applicant and have agreed conditions between themselves and the police have withdrawn their representations. The Licensing Sub-Committee has taken into consideration the representations from IP1 to 1P3.

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The premises is on an industrial site and the sub-committee has noted that the premises is located in close proximity to a hotel where there may be persons residing and the Licensing Sub-Committee has taken into account the effect that the premises working hours will potentially have on them. The sub-committee has also taken into account statutory guidance and the Enfield Licensing Policy Statement in making its decision to amend the hours set out in the application, in particular paragraph 12 special factors for consideration, and it has made its decision to promote the four licensing objectives 1) prevention of crime and disorder, 2) public safety, 3) prevention of nuisance, and 4) the protection of children from harm. The sub-committee has welcomed and acknowledged that the applicant has agreed to a number of conditions to mitigate issues moving forward.”

3. The Licensing Sub-Committee resolved that the application be **GRANTED IN PART** as follows:

(i) Licensing Hours and Activities:

Activity	Amended Times following mediation with the Licensing Authority and Police	Times determined by LSC
Opening hours	<p><i>Function Room:</i> 10:00 – 02:00 Mon – Thurs 10:00 – 04:00 Fri – Sat 10:00 – 03:00 Sun</p> <p><i>Bar and Restaurant:</i> 18:00 – 02:00 Mon – Thurs 18:00 – 04:00 Fri – Sat 18:00 – 03:00 Sun</p>	<p><i>Function Room:</i> 10:00 - 01:00 Mon - Thurs 10:00 - 02:00 Fri - Sat 10:00 - 01:00 Sun</p> <p><i>Bar and Restaurant:</i> 18:00 - 01:00 Mon - Thurs 18:00 – 02:00 Fri - Sat 18:00 – 01:00 Sun</p>
Live Music Recorded Music Performance of Dance	<p><i>Function Room:</i> 10:00 – 01:30 Mon – Thurs 10:00 – 03:30 Fri – Sat 10:00 – 02:30 Sun</p> <p><i>Bar and Restaurant:</i> 18:00 – 01:30 Mon – Thurs 18:00 – 03:30 Fri – Sat 18:00 – 02:30 Sun</p>	<p><i>Function Room:</i> 10:00 - 01:00 Mon - Thurs 10:00 - 01:30 Fri - Sat 10:00 - 00:30 Sun</p> <p><i>Bar and Restaurant:</i> 18:00 - 00:30 Mon - Thurs 18:00 - 01:30 Fri - Sat 18:00 - 00:30 Sun</p>
Late Night Refreshment	23:00 – 02:00 Mon – Thurs 23:00 – 04:00 Fri – Sat 23:00 – 03:00 Sun	23:00 - 01:00 Mon - Thurs 23:00 - 02:00 Fri - Sat 23:00 - 01:00 Sun
Supply of alcohol (on)	<p><i>Function Room:</i> 10:00 – 01:30 Mon – Thurs 10:00 – 03:30 Fri – Sat 10:00 – 02:30 Sun</p>	<p><i>Function Room:</i> 10:00 - 00:30 Mon - Thurs 10:00 - 01:30 Fri - Sat 10:00 - 00:30 Sun</p>

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Conditions (in accordance with Annex 5):

- (i) Conditions 1 to 45 including options marked (B) *proposed by the Police* where there was an option.

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MINUTES OF PREVIOUS MEETINGS

AGREED the minutes of the meetings held on Wednesday 17 June 2020 and Wednesday 8 July 2020 as a correct record.