

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 26 JUNE 2024**

COUNCILLORS

PRESENT (Chair) George Savva MBE, Sabri Ozaydin and Jim Steven

ABSENT

OFFICERS: Ellie Green (Principal Licensing Officer), Balbinder Kaur (Legal Adviser), and Jane Creer (Governance Officer)

Also Attending: Mr Noel Samaroo (Licensing Consultant on behalf of the Applicant)
Local Press Representative
Officers observing

1

WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting. There were no apologies for absence.

2

DECLARATIONS OF INTEREST

There were no declarations of interest.

3

B7 CAFE BAR AND LOUNGE, 12 GREEN LANES, LONDON, N13 6JR

NOTED

1. The introduction by Ellie Green, Principal Licensing Officer, including:
 - a. The sub-committee was to consider a new premises licence application for the premises known as B7 Café Bar and Lounge, 12 Green Lanes, London N13 6JR.
 - b. The premises was situated in a commercial area of Bowes Ward. There were residential properties in above and adjacent flats, and in nearby residential streets.
 - c. The premises licence holder and designated premises supervisor was Mr Armando Kelmendi. He was not able to attend this meeting but was being represented by Mr Noel Samaroo, Licensing Consultant, from NTAD Consultants Ltd.
 - d. The applicant originally sought later hours, but had now agreed to reduced proposed times and to requested conditions. Now the sale of

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- alcohol on the premises was applied for 11am to 10.30pm daily, and opening hours 9am to 11pm daily.
- e. The Police and the Licensing Authority made representations in respect of the conditions and hours sought in the original application, but after the amendments were agreed, had withdrawn their representations. Annex E in the supplementary agenda set out the conditions proposed by the Police and the Licensing Authority which the applicant had agreed.
 - f. The Licensing Authority received six objections from other parties, which were set out in Annex B of the report. The objections were based on all four of the licensing objectives. The objections were summarised as relating to: the previous operator and customers who caused problems, and that this premises would be frequented by the same customers and the operator behind it would be the same; late night availability of alcohol would exacerbate risks of crime and disorder; customers would cause nuisance by gathering outside to smoke; customers would park cars on the pavement and bus stop outside; there were already too many bars in the neighbourhood leading to deteriorating safety; there was a murder here last summer and there was drug dealing in the vicinity; gambling was alleged in the rear of premises; there was an obstructed view into the premises as the windows were fogged up.
 - g. It was questioned whether the windows were still obscured, and the sub-committee was advised that whitewash had been applied during the building works, which were still going on, but the windows would be cleared after the works were complete.
 - h. It was clarified that the conditions would only be effective if the licence was issued. If this application was not granted, the premises could operate as a coffee shop.
 - i. A written response to the other parties' representations had been received from Mr Kelmendi, which was set out in Annex D in the supplementary report.
 - j. The other parties were unable to attend this meeting, but the sub-committee were reminded that equal weighting should be given to any written report as well as the oral submissions heard at the meeting.
 - k. It was clarified that there was no rear garden at the premises for smoking. Condition 4 would permit control over smoking outside the front of the premises. Three persons at any one time was deemed an appropriate number agreed by the Police, Licensing Authority and applicant.
 - l. The Principal Licensing Officer was not able to confirm if any of the other parties' objections were from residents living directly above the premises.
2. Mr Noel Samaroo, on behalf of the applicant, made the following statement:

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- a. The opportunity had been taken by the applicant to submit the statement set out in Annex D in the supplementary report, with information to further support the application.
 - b. The amended application was made in consultation with the Police and the Licensing Authority, whose concerns had been listened to. As Mr Kelmendi was a new applicant, and the original application was outside core hours, the Police had not been in agreement, and so the proposed hours had been brought back to 10.30pm for sale of alcohol including at weekends. Additional conditions which the Police had requested were all agreed by the applicant, as confirmed in the statement.
 - c. Similarly, the Licensing Authority had raised concerns in respect of the rear room, and in response the plan was re-drawn and the Licensing Authority withdrew its representation.
 - d. The statement referred to the details included in objections from other parties. The applicant along with everyone in the area was concerned about crime and disorder in recent times. Any new operator of this premises would lead to concern that the situation should not be exacerbated or add to any difficulties by trading there. There should be reassurance that the Police did a thorough investigation into the applicant.
 - e. The other parties' representations mostly appeared to be targeting other premises. It should also be noted that incidents happening were directly down to bad operators running those premises. Mr Kelmendi was a new operator, and licensing consultants had written a very robust operating schedule for him. The London Borough of Enfield was known to have a very strong enforcement team, and Mr Kelmendi would be expected to operate his business within the agreed conditions, and certainly would comply.
 - f. He wanted to allay concerns in respect of drug dealing, and parking on the kerb – this premises was not open yet so those issues were not linked to this applicant.
3. In response, the following questions were received:
- a. Cllr Ozaydin asked about the ownership and management of the premises. It was clarified that Mr Kelmendi was the manager: he had taken over the premises from the previous operator in the last three months and he was carrying out the redevelopment work. The premises was closed by the previous operator, and had been closed for longer than three months. The lease remained with the original leaseholder and the owner remained the same, but had no input into the business. Mr Kelmendi had taken on the sub-lease, under a new company B7 Bar Ltd, and had invested a lot of his own money into the business. This premises had been there since 2016 with no incidents at that specific premises.
 - b. Cllr Savva asked about the proposed opening date of the café bar. It was advised that installation of the kitchen was almost finished and it

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was thought that by the end of this week the business would be ready to open.

- c. In response to further queries, it was confirmed that the Licensing Authority would carry out general compliance checks, or respond to any complaints.
- d. It was confirmed that closing time would be 11pm, allowing half an hour drinking up time after last sale of alcohol at 10.30pm.
- e. It was confirmed that the premises licence would be in the name of Mr Kelmendi, but may be transferred to the next operator if he moved away from that premises. Also, that Mr Kelmendi, as Designated Premises Supervisor as well as licence holder would have full control and responsibilities for operating the business.
- f. It was advised that if the licence was granted, the applicant would likely submit an outdoors tables and chairs licence application as soon as possible.

4. The following closing summaries/points were made:

- a. The Principal Licensing Officer outlined, having read and heard the representations, the next steps available to the sub-committee, and directed them to the relevant guidance.
- b. Mr Samaroo emphasized that the applicant had paid particular attention to the residents' objections, and that he wanted to be a part of the community and to work with the local residents. He would be in regular communication with the Police and the Licensing Authority, and was keen to join the local Pub Watch group.

The Chair thanked everyone for their time and adjourned the meeting at 10.32 while the sub-committee went away to deliberate. The Panel retired with the legal adviser and committee administrator to consider the application further, and then the meeting reconvened in public at 10.56.

The Licensing Sub-Committee **RESOLVED** that the application be **GRANTED IN FULL** as follows:

(i) Licensing Hours and Activities:

Activity	Times Confirmed by LSC:
Opening hours	9am to 11pm daily
Alcohol (on sales only)	11am to 10.30pm daily

(ii) Conditions (refer to Annex E):

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Conditions 1 to 23, and additional conditions offered by the Applicant,
Conditions 24 to 26

The Chair made the following statement:

“The Licensing Sub-Committee (LSC) having listened to and considered written and oral submissions made on behalf of the Applicant, Mr Armando Kelmendi, and OP1 to OP6 objections and in particular the evidence that there are no recorded incidents concerning crime and disorder or public nuisance concerning the Applicant.

Additionally, it has been noted that the Metropolitan Police nor Licensing Authority have made any objections following the Applicant agreeing to the conditions as negotiated prior to this hearing.

The Applicant is to ensure all the times and conditions of the licence are complied with including the display of relevant notices, particularly concerning being respectful of local residents and leave the premises quietly.

Accordingly, on balance, the LSC has made the decision to grant the application to be held by Mr Armando Kelmendi.

The LSC has taken into account the statutory guidance and the London Borough of Enfield’s Policy Statement in making its decision and has made its decision in promoting all of the four licensing objectives and in particular that of the Prevention of Crime and Disorder, Prevention of Public Nuisance, and the Protection of Children from Harm.”

The Chair thanked everyone for their time and contributions and the meeting ended at 10.59.