

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 25 SEPTEMBER 2024**

COUNCILLORS

PRESENT Sabri Ozaydin, Suna Hurman and Peter Fallart.

OFFICERS: Ellie Green (Licensing Team Manager), Catriona Mcfarlane (Legal Adviser), and Harry Blake-Herbert (Governance Officer).

Also Attending: Cllr Chris James (Palmer's Green Ward Councillor), Stewart Gibson (Agent representing Union Bar), Armando Roci (Union Bar DPS) and a member of the public.

1 APPOINTMENT OF CHAIR

Members AGREED that Cllr Ozaydin would Chair the meeting.

2 WELCOME AND APOLOGIES

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

3 DECLARATIONS OF INTEREST

There were no declarations of interest received regarding any item on the agenda.

4 MINUTES OF PREVIOUS MEETING

AGREED the minutes of the Licensing Sub-Committee (LSC) meetings held on Wednesday 12 June 2024, Wednesday 26 June 2024, Wednesday 10 July 2024, Wednesday 17 July 2024 and Wednesday 7 August 2024; after it was confirmed that the Chair and officers present on each occasion had raised no objection to their accuracy.

5 UNION BAR, 56 ALDERMANS HILL, LONDON, N13 4PP

NOTED

1. The introduction by Ms Green, Licensing Team Manager, including:

- a. The sub-committee were to consider a new premises licence application for the premises now known as Union Bar, located at 56 Aldermans Hill, London, N13 4PP. The premises is situated at the start of a commercial parade, opposite Broomfield Park, but close to a

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number of residents, both above commercial units and in neighbouring streets.

- b. The proposed Premises Licence Holder (PLH) is Union Bar & Restaurant Ltd, and Mr Armando Roci is the Designated Premises Supervisor (DPS). Mr Roci is a director of Union Bar & Restaurant Ltd, along with Elsa Budani.
- c. The new application seeks to sell alcohol on the premises between 10am and 9:30pm; off-sales of alcohol 10am to 10pm, and opening hours 6am to 11pm daily.
- d. The licensing times of nearby similar premises and list of agreed conditions were provided in the report.
- e. The Licensing Authority and Police had made representations initially, namely to reduce the hours to those which had now been agreed, and adding conditions which were also agreed, so both representations were withdrawn.
- f. The Licensing Team received eleven objections from other parties, namely one ward councillor and ten local residents, which could also be seen in the report, and were based on all four of the licensing objectives. Cllr James would represent OPs 3, 4, 9, 10 and 11 (Cllr Taylor). No written representations had been received from the applicant.
- g. The LSC were reminded that they must give equal weight to written and verbal representations.
- h. Those in attendance were introduced, the proposed order in which verbal representations would be heard was outlined, and the amount of time parties would have to speak was detailed.

2. Mr Gibson, agent representing Union Bar, made the following statement:

- a. The premises would be known as Union Bar & Restaurant, the application was for a restaurant, not a bar.
- b. Amended hours had been agreed with the relevant authorities, 10am - 9:30pm for the on sale of alcohol, and 10am to 10pm for the off sale of alcohol. Since being agreed, the opening hours, which were until 11pm, was not necessary anymore, because if the sale of alcohol ended at 10pm, the premises may as well close at 10pm. There was no point in remaining open, as it may encourage people to buy lots of alcohol just before 9:30pm and stay to have these, which was not what his client wanted, so they would close at 10pm.
- c. This was a family restaurant; it would open at 6am for breakfast and there would be lunch and dinner menus.
- d. The partner of Mr Roci and the business would be working at the premises.
- e. There had been extensive negotiations with the Police and Licensing Authority and a number of conditions had been agreed, so they were now in support of the application. These conditions had to be complied with, as any breach could result in a review of the licence.

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- f. Some of the conditions which were particularly crucial to the application were 20 through to 23. These required the premises to operate as a restaurant, that customers must be seated, that alcohol could only be ancillary to food, there would be no vertical drinking and there would be waiter/waitress/table service. These demonstrated that the premises would not be operating as a bar. A lot of the objections received related to people smoking; condition 8 stated that no more than three people would smoke outside at any time and they would be monitored by the premises. This would ensure that none of the issues alluded to in the objections would arise.
 - g. The premises was still awaiting building control consent and a decision was expected in the next 2 weeks or so; no planning/ change of use permission was required.
 - h. Many of the objections referred to planning considerations, such as parking and traffic, which were not relevant matters/concerns for the Licensing sub-committee to consider. Of those that remained, it was claimed that alcohol resulted in antisocial behaviour; this was described as a lazy, sweeping, untrue statement. The premises would be a family restaurant, closing at 10pm so would not contribute to these issues. Smoking on the pavement was being limited to three people only, and the premises would be shut earlier than other similar nearby/local premises.
3. In response, the following questions and comments were received:
- a. The Chair asked if the menu was available to inspect. Mr Gibson advised that it was not yet, but could be forwarded onto councillors.
 - b. The Chair highlighted that the relationship of alcohol and antisocial behaviour could not be guaranteed either way and felt it needed to be ensured that there was a maximum of three people smoking at any time in order to minimise/ prevent an impact on residents. Mr Gibson responded that the conditions had been agreed by his client, they all carried equal weighting and if Mr Roci were to breach any of them, he knew there could be a review of the licence. Mr Roci was not a fool, had invested good money into the business and was keen for it to be successful, so he would comply with the conditions. There would be a maximum of 3 people smoking at any time, and the connection between alcohol and antisocial behaviour was not the problem it was made out to be. The premises would be a family restaurant, where people could only obtain alcohol by buying food; Mr Roci did not want people sitting around drinking, hence closing at 10pm. His client's business partner was a female and would be working at the premises, hence it would not be another male only bar as had been suggested in the objections.
 - c. Cllr Hurman queried what the capacity of the premises would be, if they intended on holding events and how they would prevent more than three people from smoking at once. Mr Gibson conferred with Mr Roci, and advised that there were 44 chairs and no events would be held. It

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would be explained to customers by staff at the premises that only three people could smoke at a time; staff would monitor this and there would be signage too. Ms Green questioned if the premises was 44 seated capacity, as the plan did not show 44 seats. Mr Roci said that he believed it to be 44, but if not 36, he was not entirely sure. Mr Gibson added that it may be one or the other, but 44 maximum and that it was conditioned patrons must be seated.

- d. Cllr Fallart enquired if condition 8 could be amended to include vaping, in addition to smoking. Mr Gibson replied that his client would certainly accept this.
- e. The Chair asked if there would be any CCTV. Mr Gibson responded that there would be and that this was also conditioned.
- f. Cllr James highlighted that one of the residents' concerns was the lack of available parking and queried whether Mr Roci envisaged his customers being local or coming by car. She queried if it would be possible for Mr Roci to ask his patrons to consider local residents when parking, so that they do this legally and considerately. Mr Gibson advised that this was a new operation, so his client did not know where his patrons would come from. Parking/traffic were not a licensing issue, but Mr Roci recognised the issue and would put advice on his website as to where customers could park. Cllr James suggested pointing out public transport options and putting a notice in the restaurant window asking customers to be mindful of local residents when parking. Mr Gibson replied that Mr Roci could include public transport options on his website and that as they had already agreed a condition for a notice asking customers to have respect for residents when they leave, they could add consideration in respect of parking too. Ms Green questioned if the website was live. Mr Gibson said that it wasn't yet, but this would be included when it is launched.
- g. Cllr James pointed out that the pavement along that parade was quite narrow, so even three people smoking may result in it becoming crowded for residents and was something that would need managing carefully. Mr Gibson expressed that some premises along the parade were permitted an unlimited number of people smoking and the solution was for this to be evenly distributed rather than further restricting a new operator who had already accepted having no more than three people smoking at a time.
- h. Cllr James enquired whether there would be any frontage outside the premises. Mr Gibson responded that there was a recess which had been developed to become part of the enclosed area with bifold doors which could be opened. Customers would not be seated outside on the pavement, as the applicant had no intention of pursuing this and it would require a separate application. Ms Green suggested that he talk through the premises plan which they had provided. Mr Gibson conveyed that to the left was the entrance/exit with bifold doors, there was then an area up to another door with two rows of seats, which was the recess area, that had been incorporated into the premises. Ms Green sought clarity that the applicant knew smoking was not permitted

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in the recess area. Mr Gibson confirmed this to be the case, as it was not at least 50% open, so any smoking would have to take place outside, and the premises would only be contributing three people at a time towards this.

- i. Cllr Fallart asked if some form of sustainable transport policy, even if it were just advisable, could be conditioned. The legal adviser expressed that licensing conditions had to be enforceable, as if the licence holder were found to be in breach of them, they could be prosecuted as well as reviewed.
- j. Cllr Hurman queried if the condition for a maximum of three smokers at a time was the same for all businesses in the area. The legal adviser conveyed that the conditions of each licence applied to only that individual premises, so if a premises had never been reviewed or made an application to vary their licence, there was no opportunity to change the conditions of premises, hence others may be permitted an unlimited number of people smoking.

4. Cllr James, Palmers Green Ward Councillor, made the following statement:

- a. The key concerns of residents were: a potential increase in anti-social behaviour, the volume of traffic and illegal parking; smoking; noise pollution and a general feeling of being unsafe with people hanging around premises, which was located in a conservation area and home to lots of young families.
- b. Cllr Taylor's objections included: smoking, the narrow nature of the pavement, and the fact the plan did not identify a specific area where customers would go to smoke, which could result in anti-social behaviour.

5. In response, the following questions and comments were received:

- a. The Chair questioned if the premises would have a designated area for smoking. Ms Green explained that a barrier could not be used to cordon this off without a separate pavement licence, and enquired what premises were either side of Union Bar. Mr Roci advised that there was an estate agent, a restaurant which was closed and an off licence. The legal adviser checked if patrons would be advised to smoke only in front of Union Bar and not neighbouring premises, which Mr Roci confirmed would be the case. Ms Green clarified that directly next door to the premises were two estate agents. Mr Gibson highlighted that this meant directly either side of the premises were not another restaurant or café, so there was a gap to identify which customers were at each premises. Having conferred with Mr Roci, Mr Gibson said the smoking area could be to the right side of the entrance. Ms Green enquired if this would be added to the plan, to which Mr Gibson replied that it could be.

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6. The following closing summaries/points were made:

- a. Ms Green outlined the options available to Members of the sub-committee to make, and directed them to the relevant guidance.
- b. Mr Gibson expressed that smoking concerns had been addressed; to the right-hand side of the entrance, up to three people could smoke at any time. The premises would be closed before any similar neighbouring premises, it sat a relatively small number of people and there were no plans to provide entertainment, so there wouldn't be noise pollution issues, as had been alluded to by objectors. This would be a family restaurant, so not something that should make people feel unsafe and customers would be advised on parking considerably, but this was a planning rather than licensing consideration.
- c. Cllr James had nothing further to add.

The Chair thanked everyone for their time and adjourned the meeting at 10:55, while the 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 11:29.

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

(i) Licensing Hours and Activities:

Licensable Activity	LSC Confirmed Times:
Open	6am to 11pm (daily)
Supply of Alcohol	On Sales: 10am to 9.30pm daily Off Sales: 10am to 10pm daily

(ii) Conditions (refer to Annex 3):

Conditions 1 to 7, 9 to 25, and with one small amendment to condition 8 so it reads:

8. No more than 3 persons shall be permitted to smoke **or vape** outside the front of the premises at any one time. The area shall be adequately supervised to control the number and behaviour of patrons and to ensure that they do not block the highway or cause a noise nuisance. Notices shall be displayed in the area specifying the terms of its use and asking patrons to use the area quietly.

The Chair made the following statement:

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“Having read and heard the representations of all parties, the LSC were persuaded to grant this licence in full, subject to the amended condition 8, as agreed by the applicant.”

The Chair thanked everyone for their time and contributions, and the meeting ended at 11:30.