

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE  
HELD ON WEDNESDAY, 8 AUGUST 2018**

**COUNCILLORS**

**PRESENT** (Chair) George Savva MBE, Christine Hamilton and Jim Steven

**OFFICERS:** Ellie Green (Principal Licensing Officer), Vicky Woodgate (Enviro Crime Unit), Cartriona Macfarlane (Legal) and Penelope Williams (Secretary)

**Also Attending:** Mr Vasos Vasiliou (Applicant's Agent), 3 officers and a member of the press.

**693**

**ELECTION OF CHAIR**

The committee secretary opened the meeting, welcoming everyone and then asked for nominations of the position of chair.

Councillor Hamilton moved and Councillor Steven seconded the proposal that Councillor Savva be chair for this meeting.

This was agreed.

**694**

**WELCOME AND APOLOGIES FOR ABSENCE**

Councillor Savva as Chair welcomed all those present and explained the order of the meeting. The chair also apologised for the late start.

**695**

**DECLARATION OF INTERESTS**

There were no declarations of interest.

**696**

**CLUB PLANET, 30-32 GREEN LANES, LONDON, N13 6HT (REPORT NO. 55)**

RECEIVED the application made by Mr Ozan Atesogullazi for the premises at Club Planet, 30-32 Green Lanes, London, N13 6HT for the renewal of the Street Trading (Tables and Chairs) Licence.

NOTED

## LICENSING SUB-COMMITTEE - 8.8.2018

1. The introductory statement of Ellie Green, Principal Licensing Officer, including:
  - a. This application was for a renewal of a street trading (table and chairs) licence.
  - b. The premises were on a busy thoroughfare, Green Lanes, with residential roads surrounding.
  - c. The application asked for like for like renewal of a previous licence, for 6 tables and 18 chairs on the pavement area in front of the property, from 11am to 11pm daily.
  - d. Two representations had been received against granting renewal of the licence: from the Council's Enviro Crime Unit (a copy of this representation is included in the agenda pack, Annex 4) and from a local resident to be referred to as IP1 (a copy of this representation is included in the agenda pack, Annex 5). Both argued that Mr Ozan Atesogullazi was not a suitable person to hold a licence.
  - e. The applicant had responded to the representations and offered further conditions. (Attached as Annex 7 to the agenda pack)
  - f. Neither of the objectors had agreed to his response.
  - g. The applicant did not attend the meeting, but was represented by Mr Vasilou, his agent.
  - h. IP1 was also not present, but members were advised that they could give equal weighting to their written representation.
  
2. The statement of Vicky Woodgate, representing the Enviro Crime Unit, including:
  - a. In February the Enviro Crime Unit had received complaints that 6 wooden planters had been left, permanently, on the highway, in front of Mr Ozan Atesogullazi's property.
  - b. Vicky Woodgate had tried to contact Mr Atesogullazi on the 12<sup>th</sup> and 14<sup>th</sup> of February 2018 to discuss the complaint, left a voicemail message, but had received no response.
  - c. She had then issued a Section 149 notice informing Mr Atesogullazi that he had to remove the planters within 7 days. He did nothing. On the 21<sup>st</sup> of March 2018 he asked to be given 3 weeks to remove the planters, but this was unacceptable as he had already had since the 14<sup>th</sup> February. His response was "see you in court".
  - d. Following a site inspection on the 25 March 2018, when the planters were found to still be in place a fixed penalty notice of £150 was issued. This was paid by the applicant but the planters were still not removed.
  - e. A summons was issued and a court date of 10 May 2018 set. A further site visit was carried out on 9 May 2018 and it was found that the planters had been removed to a service road at the back of the property.

## LICENSING SUB-COMMITTEE - 8.8.2018

- f. Mr Atesogullazi had had three months to move the planters and only did so the day before he was due in court. Throughout the process Mr Atesogullazi's attitude had been rude and aggressive.
3. Vicky Woodgate responded to questions as follows:
  - a. In response to the query about the policy on planters, Vicky Woodgate referred members to Condition 15 of the Licensing Policy which stated: "This licence does not permit the placement of any heater, planter, canopy, awning, advertising board or any other article within the licenced area."
4. The statement of Mr Vasos Vasiliou on behalf of the applicant, including:
  - a. Mr Vaso Vasiliou had recently been appointed as the applicant's representative and was not aware of the history behind the issue apart from what he had read in the report.
  - b. He had spoken to the applicant on the previous day and he had apologised sincerely for this previous actions and rudeness. Mr Atesogullazi had not intended to be rude.
  - c. The planters had been moved to the rear of the property. The applicant had promised to adhere to the licensing conditions in future and would not bring the planters back.
  - d. The applicant had been in business for the last 10-15 years and had not had any problems before.
  - e. Other properties in the street had the same set up.
  - f. The applicant had been unable to attend the meeting in person for personal reasons. He wished that he had been able to attend.
5. Questions and comments raised in response:
  - a. In response to Councillor Savva's query as to why it took Mr Atesogullazi three months to remove the planters, he replied that it was due to ignorance. He had not understood that it would come to this.
  - b. If the licence was not renewed it would jeopardise Mr Atesogullazi's business and staff could lose their jobs. Mr Vasiliou said that he felt the applicant was a responsible person.
  - c. Councillor Hamilton commented that it was unfortunate that the applicant had not attended the sub-committee meeting and that it was disappointing that he could not have been there to apologise in person.
  - d. Mr Vasiliou said that most of the chairs had been removed when he visited the applicant on the previous evening. Vicky Woodgate responded that the tables and chairs had been out when she had visited the property on the previous afternoon. Mr Vasiliou had advised the applicant to remove the chairs and tables but the applicant was concerned about losing revenue.
  - e. No tables and chairs should have been put out as the applicant did not have a licence at that time. Members commented that they felt that this

## LICENSING SUB-COMMITTEE - 8.8.2018

was an example of the applicant not taking on board the concerns of the licensing authorities.

- f. The issue under consideration related to the matter of the suitability of Mr Atesoqullazi, as to whether or not he was a person who was fit to hold a licence, not the precise number of chairs and tables permitted.
  - g. Four staff were employed during the day and 8 during the evening.
  - h. Mr Atesoqullazi had held a licence for two years. There had only been issues in the last 6 months.
6. The closing statement of Ellie Green, Principal Licensing Officer, including:
- a. Having heard and read all the representations, it was for the Licensing Sub Committee, taking account of the specific licensing legislation and policy objectives. to either issue the renewal consent, make amendments to the licence or to reject the application. The potential steps were set out in para 7 of the officers' report.
  - b. Relevant law, guidance and policies were set out in para 5 of the officers' report.

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 Chairman made the following statement:

“Having heard all the submissions both written and oral the Licensing Sub Committee have resolved not to grant the street trading licence to Mr Ozan Atesogullazi as he has not shown any sign of co-operation with the Council and has not followed the Council's rules and regulations under the London Local Authorities Act 1990.

The Council officers have shown great patience over a number of months. Mr Ozan Atesogullazi acted only one day before the court hearing.

Unfortunately Mr Ozan Atesogullazi has also continued to display tables and chairs, on the public highway, even though he does not hold a street trading licence.”

**LICENSING SUB-COMMITTEE - 8.8.2018**

2. The Licensing Sub-Committee resolved that the application be refused.