

LICENSING SUB-COMMITTEE – 20 OCTOBER 2021

Application was made by **MRS ABDELMEGID NESSRIN ANTER HASSAN** for the premises situated at **HAYATY LOUNGE LIMITED, 303 GREEN LANES, SOUTHGATE, N13 4XS** for a New Premises Licence.

The Licensing Sub-Committee **RESOLVED** that the application be **REFUSED**.

Reasons:

The Chairman made the following statement:

“The Licensing Sub-Committee (LSC) having listened to and considered written and oral submissions made by the Metropolitan Police, the Licensing Authority and by the Applicant and Mr Ayman El Sherbiny and Mr Mustafa El Sherbiny and in particular the evidence concerning previous activities at the premises concerning noise nuisance and breaches to the law as set out by the Licensing Authority and the Metropolitan Police which arose whilst Mr Ayman El Sherbiny and possibly Mr Mustafa El Sherbiny were in control of the premises. The Applicant has not been able to demonstrate to the LSC that she has an understanding of the obligations of holding a licence and the licensing objectives of the Prevention of Crime and Disorder, Public Safety, the Prevention of Public Nuisance and the Protection of Children from Harm or demonstrate that she would be able to adhere to the proposed licensing conditions outlined at Annex 4 (pages 89-91 of the Document Pack). Further, the LSC, notwithstanding Mr Ayman El Sherbiny’s assertions that he would not be involved in the running of the business and that it would be the Applicant who had control, does not from the oral submissions heard today and given the past history of the premises appear to be the case; notably, both the Licensing Authority and the Metropolitan Police have stated that any contact concerning the premises has been with Mr Ayman El Sherbiny and not the Applicant. It appears to the LSC that Mr Ayman El Sherbiny is likely the de facto person in charge of the business albeit he does not hold a legal office at Companies House concerning the business.

Whilst the LSC is sympathetic to the financial position of the Hayaty Lounge Limited particularly given the past 18 months during the COVID pandemic, however, the LSC is not permitted to take into account any financial considerations in making its decision.

On balance the LSC has made the decision to Refuse the Application in its entirety.

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 the four licensing objectives and in particular that of the Prevention of Crime and Disorder and Prevention of Public Nuisance.

It should be noted that the Hayaty Lounge Limited can continue to operate at the premises for any unlicensed activities and that there are no time limits for unlicensed activities. Further, an application can be made for licensable activities and it is recommended that the Applicant and her family consider who would be the appropriate licence holder for any such

application and it may be appropriate for co-operation with the Metropolitan Police and Licensing Authority in any such application.

Date Notice Sent : 21 October 2021

Signed :



Principal Licensing Officer

APPEAL

Under the Licensing Act 2003 you have a right of appeal against this decision within 21 days of receiving this notice. Any appeal should be made in writing to the North London Magistrates Court at the following address :

North London Magistrates Court
Highbury Corner, 51 Holloway Road, London, N7 8JA