

## **Decisions of the Licensing Sub-Committee**

23 October 2019

Members Present:-

Councillor John Hart  
Councillor Zakia Zubairi  
Councillor Alison Cornelius

### **1. APPOINTMENT OF CHAIRMAN**

RESOLVED that Councillor John Hart be appointed as Chairman.

### **2. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)**

None.

### **3. LICENSING SUB-COMMITTEE HEARING PROCEDURE**

The Chairman explained the procedure that would be followed at the meeting.

### **4. REPORT OF THE TRADING STANDARDS AND LICENSING MANAGER**

The Committee considered an application for a new premises licence made under section 17 of the Licensing Act 2003 in relation to 144C East Barnet Road New Barnet Herts EN4 8RD (the "Premises") by Mr Santhaneswaran Thevananth, (the "Applicant"). The Applicant's business name is New Barnet Local.

### **5. MOTION TO EXCLUDE THE PRESS AND PUBLIC**

**RESOLVED** that the parties be excluded from the meeting, together with the press and public, in accordance with Regulation 14(2) of the Licensing Act 2003. (Hearings and Regulations 2005).

### **6. DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION**

The Sub-Committee deliberated in private session, accompanied by the Officer from HB Public Law and the Governance Officer.

### **7. RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE**

This is an application for a new premises licence made under section 17 of the Licensing Act 2003 in relation to 144C East Barnet Road New Barnet Herts EN4 8RD (the "Premises") by Mr Santhaneswaran Thevananth, (the "Applicant"). The Applicant's business name is New Barnet Local.

The application was submitted by Nira Suresh of Arka Licensing (a Licensing Agent) on behalf of the Applicant and was initially scheduled to be heard on the 8 October 2019. This was however postponed at the request of the Applicant.

The application seeks to allow the sale of alcohol on the Premises for the following hours:

- (1) Mondays to Thursdays 06:00hrs until 01:00hrs
- (2) Friday to Saturday 06:00hrs until 02:00hrs
- (3) Sundays 06:00hrs until 01:00hrs

The licensing sub-committee noted that no objection was received from any of the responsible authorities. However, three valid representations were received from local residents. All 3 representations objected to the application. The representations primarily relate to the licensing objective of preventing public nuisance namely noise nuisance. It is also noted that an objector had raised issues relating to noise nuisance and antisocial behaviour but failed to elaborate further on the issue of antisocial behaviour.

The Licensing Officer presented her report dealing with the applicant's application and made references to 3 valid representations that were received from Objectors who reside within very close proximity of the premises.

The sub-committee heard from the Applicant and his Agent Suresh Nira who made representations on behalf of the Applicant.

The Panel considered all oral and written representations and had regard to the relevant statutory legislation; the Licencing Act 2003, ("the Act") the statutory guidance issued under section 182 of the Act and the Council's Licensing Policy.

The Panel must consider whether the grant of the premises licence with regard to the Applicant's Application could cause a noise nuisance in the area by the conduct of its customers.

The guidance to the Licensing Act makes it clear that in respect of crime and disorder, the police are the main providers of information and evidence as are Environmental Health for prevention of public nuisance. In this instance, neither the Police nor Environmental Health has made an objection. This does not mean that local residents may not raise this issue, but we must consider the weight to be given to it.

Having considered written and oral representations from all of the parties, the sub-committee discussed the matter and approved the following hours:

Mondays to Sundays: 06:00 hours to 24:00hours (midnight)

In respect of the specific representations made by the objectors, the sub-committee concluded that the hours and conditions imposed address their concerns and should be adequate in promoting the licensing objectives.

The Panel is mindful that there is a provision under section 51 of the Licensing Act 2003 for a responsible authority or any other person to seek a review of the premises licence in the future if need be.

### **Right to Appeal**

Any party aggrieved with the decision of the Licensing Panel on one or more grounds set out in schedule 5 of the Licensing Act 2003, may appeal to the Magistrates Court within 21 days of notification of this decision.

## **8. ANY OTHER ITEM(S) THE CHAIRMAN DECIDES ARE URGENT**

None.

The meeting finished at 12.30pm