

Decisions of the Licensing Sub-Committee

9 March 2022

Members Present:-

Councillor John Marshall
Councillor John Hart

Councillor Claire Farrier

1. **APPOINTMENT OF CHAIRMAN**

RESOLVED that Councillor John Marshall be appointed Chairman for this Licensing Sub-Committee meeting.

2. **ABSENCE OF MEMBERS (IF ANY)**

None.

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

None.

4. **LICENSING SUB-COMMITTEE HEARING PROCEDURE**

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

5. **REPORT OF TRADING STANDARDS & LICENSING MANAGER - EZICH KEBAB, N14 5DJ**

The Licensing Sub-Committee considered an application for a New Premises Licence, under section 17 of the Licensing Act 2003 for Ezich Kebab House 3 Hampden Way London N14 5DJ.

6. **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 the Regulation 14(2) of the Licensing Act 2003 (Hearings and Regulations 2005).

Prior to exclusion, parties were notified that the decision of the Sub-Committee would be announced within 5 working days.

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7. **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.

8. RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE

This is an application for a variation of a premises licence made under section 34 of the Licensing Act 2003 in relation to **Ezich Kebab House, 3 Hampden Way, London N14 5DJ** (the "Premises").

The Premises are currently licensed. The original licence was granted on 30 August 2015. A copy of the licence has been attached as **Annex 1** to the agenda pack. The Applicant applied for the following:

- (1) Supply of alcohol on and off the premises**
Sunday to Thursday 12:00 hours to 23:30 hours
Friday & Saturday 12:00 hours to 00:00 hours

- (2) Late night refreshment**
Monday to Sunday 23:00 hours to 23:30 hours

A copy of the application has been attached as **Annex 2** to the agenda pack.

The Licensing Sub-Committee was held in person. Although the Applicant, Mr Gunay Uras was in attendance, submissions were made by Ms Dilek Alagos, as his representative.

No other representations were received from any other responsible authorities or members of the public. No objections were received from the Police due to the Applicant having agreed a number of conditions prior to the hearing. A copy of the conditions agreed with the Police has been attached as **Annex 3** to the agenda pack.

The Licensing Team received two representations from local ward councillors however, they did not attend the hearing. The representations and supporting information has been attached as **Annex 4** to the agenda pack.

The Sub-Committee must consider whether the Applicant can positively promote the licensing objectives in the local area. Ms Alagos advised the Panel that if the variation is granted, the licensable activities applied for are unlikely to cause a problem in the area and that there are currently no concerns or complaints directly relating to the Premises. The Premises are a takeaway and have some tables outside which have been used. The ASB concerns the area and not the Premises. Customers can order food and/or alcohol via Just Eat or Deliveroo which are then delivered to them.

The Sub-Committee has considered all written and oral representations, as well as the relevant statutory legislation, statutory guidance, licensing objectives and Barnet's Licensing Policy.

Having heard from the Applicant and his representative and taking all things into account, the panel has decided to **GRANT** the application to vary the licence with the following modification:

- (1) Sale of alcohol (on sales)**
Monday to Sunday 12:00 hours to 22:30 hours

(2) Sale of alcohol (Off sales)

Monday to Sunday 12:00 hours to 23:00 hours

(3) Late night refreshments

Monday to Sunday 23:00 hours to 23:30 hours

The following conditions to be amended as follows:

- **Condition 10** – All alcohol will be sold in sealed containers for takeaways and delivery.

The following will be added as additional conditions to the licence:

- There will be no alcohol consumed outside the premises.
- All on sales will be indoors only.

These conditions are deemed appropriate and proportionate for the promotion of the licensing objectives.

It is noted that the Applicant has agreed the conditions set out above with the Police are in addition to those proposed by the Applicant in his application.

If issues arise regarding any of the licensing objectives, in particular in relation to noise, and anti-social behaviour, recourse is available by way of a review of the Premises licence and even a revocation of the premises licence.

Right to Appeal

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

9. ANY OTHER ITEM(S) THE CHAIRMAN DECIDES ARE URGENT

None.

The meeting finished at 15:04