

Decisions of the Licensing Sub-Committee

26 October 2018

Panel Members:-

Councillor Barry Rawlings
Councillor Alison Cornelius
Councillor John Hart

9. APPOINTMENT OF CHAIRMAN (Agenda Item 1):

RESOLVED that Councillor Barry Rawlings be appointed as Chairman.

10. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY) (Agenda Item 3):

None.

11. LICENSING SUB-COMMITTEE HEARING PROCEDURE (Agenda Item 4):

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

12. REPORT OF TRADING STANDARDS & LICENSING MANAGER (Agenda Item 5):

The Committee considered an application to review a premises licence for Costcutter, 92-94 Watling Avenue, Edgware HA8 0LU under Section 51 of the Licensing Act 2003.

13. MOTION TO EXCLUDE THE PRESS AND PUBLIC (Agenda Item 6):

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).

14. DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION (Agenda Item 7):

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

15. RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE (Agenda Item 8):

Notification of decision following a Licensing Panel hearing to determine an application for a premises licence submitted under s17 of the Licensing Act 2003

PREMISES: Costcutter, 92-94 Watling Avenue, Edgware, HA8 0LU

TO: The Applicant and all parties to the proceedings

TAKE NOTICE: THAT following a hearing before the Licensing Sub-Committee **on 26 October 2018**

BARNET COUNCIL, as the Licensing Authority for the area in which the premises is situated, has determined as follows.

The licensing panel has determined to allow the premises licence as applied for but with some additional conditions as detailed below.

This is an application for a licence made under section 17 of the Licensing Act 2003 in relation to **Costcutter, 92-94 Watling Avenue, Edgware, HA8 0LU** (the “Premises”).

The application, after amendment following agreement with the Metropolitan Police, is for the sale of alcohol for consumption off the premises only for the following hours:

Sunday – Thursday 0600hrs – 2300 hrs

Friday – Saturday 0600hrs – 0100hrs

The panel were informed that the premises will remain open 24 hours a day but the sale of alcohol would be restricted to the above hours.

As part of the agreement between the Metropolitan Police and the applicant, the applicant has agreed to include additional conditions in the application, which are set out in the Officers Report in the agenda papers.

The panel had before them 5 written representations objecting to the application for a premises licence and Councillor Conway attended in person. The objections were all largely the same in that they raised the same or similar issues – anti social behaviour in the area, street/park drinking, there being too many licenced premises in the area, the potential for sales of loose cans from the premises, litter issues.

The Metropolitan Police did not submit a representation on the basis of being satisfied with their agreement with the applicant. No other responsible authorities made any representations.

The licensing panel has considered all the written and oral representations made, as well as the legislation, the statutory guidance and Barnet’s Licensing Policy.

Taking all things in to account, the licensing panel has decided to grant this application with the conditions agreed with the Metropolitan Police and the following additional conditions:

In light of the premises being open 24 hours, the panel adds the following condition:

- *Alcohol to be inaccessible outside of licensable hours by use of shutters.*

The panel also adds the following condition after discussion and agreement with the applicant and his representative:

- *No beers or ciders above 7% to be sold at the premises with the exception of premium Stout.*

The panel is satisfied that the condition requiring sales of beers, ales, lagers, ciders and similar drinks in cans to be sold as a minimum of 4, will deal with the risk of single can sales, which is often associated with street drinkers.

The licensing panel notes that whilst there may be other licensed premises in the area, the Borough does not have a cumulative impact policy in relation to this area.

The other issues raised by the objectors cannot be directly attributable to these premises and the panel would encourage the objectors to raise anti social behaviour, littering and other such issues with the Environmental Health department who can consider the problems and any powers that may they may be able to use to alleviate these issues.

The panel was pleased to hear that other staff employed at the premises have regular training and that all of them hold personal licences.

The panel considers that, with the conditions added to the licence, the licensing objectives will be promoted and reminds objectors that there is a mechanism whereby a review of the premises licence can be sought should this be appropriate in the future.

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.

16. ANY OTHER ITEM(S) THE CHAIRMAN DECIDES ARE URGENT (Agenda Item 9):

None.