

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

8 November 2018

Cabinet Members: -

Councillor John Marshall  
Councillor Zakia Zubairi  
Councillor Wendy Prentice

**17. APPOINTMENT OF CHAIRMAN (Agenda Item 1):**

**RESOLVED** that Councillor John Marshall be appointed as Chairman.

**18. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS (IF ANY) (Agenda Item 2):**

None.

**19. LICENSING SUB-COMMITTEE HEARING PROCEDURE (Agenda Item 3):**

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

**20. REPORT OF TRADING STANDARDS AND LICENSING MANAGER (Agenda Item 4):**

The Committee considered an application to review a premises licence for Gee Gee's Café – London Equestrian Centre, Lullington Garth, N12 7PB under Section 51 of the Licensing Act 2003.

**21. MOTION TO EXCLUDE THE PRESS AND PUBLIC (Agenda Item 5):**

**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).

**22. DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION (Agenda Item 6):**

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

**23. RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE (Agenda Item 7):**

**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: Gee Gee's Café – London Equestrian Centre, Lullington Garth, N12 7PB**

**TO: The Applicant and all parties to the proceedings**

**TAKE NOTICE:**

**THAT** following a hearing before the Licensing Sub-Committee

**ON 8 November 2018**

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

The licensing sub-committee has determined to allow the premises licence with changes as detailed below.

This is an application for a licence made under section 17 of the Licensing Act 2003 in relation to **Gee Gee's Café – London Equestrian Centre, Lullington Garth, N12 7PB** (the "Premises").

The application is for the sale of alcohol for consumption on the premises only for the following hours:

Monday - Sunday      10.00hrs – 22.30hrs

and for the Premises to be open to the public for the following hours:

Monday - Sunday      10.00hrs – 23.00hrs

The sub-committee heard from the applicant's representative, the applicant himself and from 4 of the objectors.

The licensing sub-committee noted that agreement was reached between the applicant and the Metropolitan Police to include several conditions to the proposed licence, as a result of which the Metropolitan Police withdrew their objection to the application. The sub-committee has considered these conditions and is happy to include all of them in the licence but deleting the last one which is not specific as to what notices should be displayed. There is already a condition agreed about specific notices to be displayed earlier.

The sub-committee noted that no other responsible authorities made any representations.

The sub-committee had before them a written representation objecting to the application in the form of a petition signed by 18 individuals from 9 residential addresses. In addition, 5 photographs and a video clip were also included in a supplementary information pack submitted by the objectors. The photographs and the video clip were played at the meeting.

The representation from the objectors primarily focused on the prevention of public nuisance licensing objective. The sub-committee noted that issues to do with the requirement for planning permission is something that the sub-

committee cannot deal with and the objectors are encouraged to contact the council's Planning Department if they feel it appropriate. In addition, it was noted that the 'fit and proper person' test for someone to be a premises licence holder is no longer applicable under the Licensing Act 2003.

The sub-committee heard from objectors about light, noise, parking and traffic issues, as well as smoking. The sub-committee were informed by the applicant that the spotlights belong to and are controlled by the equestrian centre. It was also noted that smoking is not permitted on the equestrian centre site due to the fire risk. The applicant also informed the sub-committee that there are approximately 50 parking spaces in the equestrian centre which can be used by customers.

The licensing sub-committee has considered all the written and oral representations made, as well as the legislation, the statutory guidance and Barnet's Licensing Policy. Whilst the sub-committee appreciates the issues raised by the objectors, taking all things in to account, the sub-committee has decided to grant this application albeit with some changes as detailed below. The sub-committee believes that with these changes the licensing objectives will be promoted.

- *All conditions agreed between the Metropolitan Police and the applicant be added to the licence subject to the one deleted condition noted earlier.*
- *Add a condition as offered by the applicant: The premises shall not be hired out.*
- *Add a condition as offered by the applicant: Signage to be displayed to direct customers to the equestrian centre and the café.*
- *Add a condition: Notices to be prominently displayed reminding smokers to be mindful to not disturb local residents*
- *Add a condition as offered by the applicant: No alcohol to be consumed in the outside area after 5pm.*
- *The hours for sale of alcohol for consumption (on the premises only) be 11am-10pm Monday to Sunday and the premises hours open to public be 10am to 10.30pm.*

The sub-committee 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 Sub-committee 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.

**24. ANY OTHER ITEM(S) THE CHAIRMAN DECIDES ARE URGENT (Agenda Item 8):**

None.

The meeting finished at Time Not Specified