

LICENSING PANEL

29 JULY 2003

Chair: Councillor O'Dell

Councillors: * Bluston (1) * Knowles
* Branch (Vice-Chair in the Chair)* Denotes Member present
(1) Denote category of Reserve Member**PART I – RECOMMENDATIONS - NIL****PART II – MINUTES**63. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Member:-Ordinary MemberReserve Member

Councillor O'Dell

Councillor Bluston

64. **Declarations of Interest:****RESOLVED:** To note that the following interests were declared by Members on the item listed below:**Item 9 – Referral Back to the Panel Of The Application For the Renewal and Variation Of A Public Entertainments Licence – The Trinity Bar, 378,380 Station Road, Harrow**

- (i) Councillor Knowles declared a personal interest arising from the fact that he had met one of the licensees, Mr Eyles some 28 years ago through a temporary job and stated that their relationship was that of an acquaintance.
- (ii) Councillor Bluston declared a personal interest arising from the fact that he had met one of the licensees, Mr Eyles through Harrow in Business, a non profit making company of which they were both Directors. Councillor Bluston was appointed a Director under Harrow's Constitution.

65. **Arrangement of Agenda:****RESOLVED:** That all items be considered with the press and public present.66. **Minutes:****RESOLVED:** That the minutes of the meeting held on 7 May 2003, having been circulated, be taken as read and signed as a correct record.67. **Public Questions, Petitions and Deputations:****RESOLVED:** To note that there were no public questions, petitions or deputations submitted to this meeting under the provisions of Committee Procedure Rules 18, 15 and 16 (Part 4B of the Constitution).68. **Application for Provisional Annual Public Entertainments Licence - M-Bargo, (formerly known as Bar fka and VIP Bar) 16, College Road, Harrow, Middx:**

The Panel received a report of the Chief Environmental Health Officer detailing an application for a provisional Public Entertainments Licence for M-Bargo, 16 College Road, Harrow, Middlesex., as submitted by the owner Mr Andre Pierre.

The officer outlined the case and informed the Panel of the major refurbishments being undertaken by Mr Pierre and on that basis the application was to be treated for a provisional licence to enable which would enable the applicant to resolve any objections, or if any, issues prior to further expenditure. He also advised the Members that this case was referred to the Panel as there were Police observations and that the application for hours of trade was in excess of the Councils Policy of 11pm.

The premises are in the main commercial part of central Harrow, although there is some domestic accommodation in the area. There is no on site parking for patrons.

The applicant, Mr Pierre informed the Panel that he had acquired the property 3 years ago, and had run a business for 18 months, prior to closing it down, in order to completely refurbish the premises. He referred to Sergeant Carl Davis' letter and

advised the Panel that he had addressed each observation made by Sergeant Davis. Following conciliation, 4 of the 5 issues had been resolved. The outstanding issue was that of entry or re-entry to patrons after midnight. Mr Pierre also confirmed that further to his recent conversations with the Licensing Section, he is now prepared to amend his licence application to reflect the requirement of the Police. Mr Pierre also indicated that after a period of opening, he may wish to look at the condition of last entry with the Police.

In response to queries from Members, Mr Pierre confirmed that he would be catering for daytime and evening meals and snacks, and that only the ground and first floor of the premises would be accessible to patrons only. He anticipated a completion time of February 2004. He also reiterated that M-Bargo was not going to be a Members Bar.

Sergeant Carl Davis confirmed that following conciliation with Mr Pierre, the only item remaining unresolved was the issue of entry/re-entry, but that he was satisfied with Mr Pierre's compromise.

RESOLVED: That a 12 month provisional licence effective from 29 July 2003, and renewable on or before 29 July 2004 be granted to M-Bargo, 16 College Road, Harrow, with the following conditions attached;

CONDITIONS

1. The hours of trading on Sundays conclude at midnight.
2. Approved doorstaff working every night ie 2 doorstaff from Monday to Thursday and 4 doorstaff Friday to Sunday.
3. Door supervisors to be in possession of and making use of metal detecting equipment either in the form of a "magic wand" or a built in metal detecting doorframe.
4. No patrons may enter or re-enter the premises after midnight.
5. That the Police Crime Prevention Officer checks the premises prior to trading in order to ensure that all CCTV systems and other security measures are in correct and suitable working order.
6. No entertainments to take place until the works are completed to the satisfaction of the Chief Environmental Health Officer.

The Chair asked the owner if he consented to the above conditions. Responding Mr Pierre stated that he did consent.

69. **Application for Transfer and Renewal of A Public Entertainments Licence - Club Mehfil, (formerly know as Club Moonlight) 32, Railway Approach, Harrow, Middx:**
The Panel received a report of the Chief Environmental Health Officer detailing an application for a Transfer and Renewal of a Public Entertainments Licence for Club Mehfil, (formerly know as Club Moonlight) 32, Railway Approach, Harrow, Middlesex.

The officer outlined this complex case and informed the Panel that the applicants, Mr Arvind Sachdeva and Mr Khalid Mahmood Hussain sought an adjournment, pending a Magistrates Court Hearing on 3 October 2003, over the revocation of their Liquor Licence. He also confirmed that the Police had no objections to the adjournment.

The premises are in a terrace of commercial to the front of the Civic Centre. The premises are in an area, which is principally commercial in nature.

The applicants representative Mr Yeo reconfirmed the officers comments that an adjournment was sought, pending the court hearing, and in addition it would allow time to find a suitable Manager to run the premises.

Sergeant Carl Davis also confirmed both statements, and agreed with Mr Yeo's comments regarding the hiring of a Manager for the premises. He advised the Panel that the applicants would Appeal if the case was heard and refused by the Licensing Panel, in which case the applicants would still be able to trade. Sergeant Davis told the Panel that on this basis he had not arranged for any witnesses to attend the Licensing Panel meeting, however, he did have written statements from them if the case was going to be heard. In response to a question, Sergeant Davis confirmed that he would be closely monitoring the premises, but that the applicants were aware of the consequences should they breach any of the regulations.

RESOLVED: The Panel made the following statement "We will reluctantly agree to one final adjournment pending the Magistrates Court hearing on 3 October 2003, and we wish to see a Licensing Panel meeting as soon afterwards as possible."

70. **Referral Back To The Panel Of The Applications For The Renewal And Variation Of A Public Entertainments Licence - The Trinity Bar, 378/380 Station Road, Harrow, Middx:**

The Panel received a report of the Chief Environmental Health Officer detailing a referral back to the Panel of the Applications for a Renewal and Variation of a Public Entertainments Licence for the Trinity Bar, 378/380 Station Road, Harrow, Middlesex.

The officer advised the Panel that the owners, a Mr Shaun Eyles and Mr Martin Blake had appealed to the Magistrates Court over the previously imposed condition of no entry or re-entry after midnight. This decision was made at the Licensing Panel on 6 February 2003. The officer explained to the Panel that this was an unusual case in so far as that there were no established procedures for such a matter.

The premises are at the end of a terrace of commercial properties at the southern end of Station Road, Harrow. There is no on-site car parking for patrons. However, off street parking and the Council car park in Gayton Road are both available.

The applicants representative Mr Yeo, explained that a compromise was reached by Counsel on both sides and that was being put forward at the meeting. Martin Blake stated that they were not comparing themselves to Time Nightclub as they had successfully traded for 11 years, whereas Time Nightclub was a fairly new venture in comparison. He suggested that a trial period of extended last entry condition would be a way forward.

Sergeant Carl Davis informed the Panel that he felt the compromise was fair and confirmed that during the trial period he would be closely monitoring the premises.

RESOLVED: The Panel granted the following

(1) The conditions relating to last entry and door clickers remain as described by the Panel at the meeting on the 6th February 2003, except as varied in No. 2 below. The conditions are:

- No admission or re-entry after midnight
- Numerical counters to operate on all doors.

(2) On Friday and Saturday nights the last time of entry and re-entry is to be 1.00 am.

(3) The last entry time in No.2 above is for a trial period of 6 months from the date of grant when the position regarding Trinity will be reviewed at the end of this period by the Licensing Panel.

The Chair asked the owners if they consented to the above conditions. Responding the applicants stated that they did consent.

(Note: The meeting having commenced at 7.30 pm, closed at 9.07 pm)

(Signed) JOHN BRANCH
Chair