

LICENSING PANEL

28 AUGUST 2003

Chair: * Councillor O'Dell

Councillors: * Branch * Knowles

* Denotes Member present

PART I – RECOMMENDATIONS - NIL**PART II - MINUTES**71. **Attendance by Reserve Members:**

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

72. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business to be transacted at this meeting.

73. **Arrangement of Agenda:**

RESOLVED: (1) That agenda item 9 be taken before agenda item 8;

(2) that all items on the agenda be considered with the press and public present.

74. **Minutes:**

RESOLVED: That the minutes of the meetings held on 25 June and 29 July 2003 respectively, be deferred until printed in the next Council Bound Minute Volume.

75. **Public Questions:**

RESOLVED: To note that there were no public questions to be received at this meeting under the provisions of Committee Procedure Rules 18 (Part 4B of the Constitution).

76. **Petitions:**

RESOLVED: To note that there were no petitions to be received at this meeting under the provisions of Committee Procedure Rule 15 (Part 4B of the Constitution).

77. **Deputations:**

RESOLVED: To note that there were no deputations submitted to this meeting under the provisions of Committee Procedure Rule 16 (Part 4B of the Constitution).

78. **Application For The Grant Of A Permit For An Amusement Machine With Prizes In Respect Of The Easybite Cafe At 48 South Parade, Mollison Way, Edgware, Middlesex, HA8 5QL:**

The Panel received a report of the Borough Solicitor detailing an application for the grant of a permit for an amusement machine with prizes in respect of the Easybite café at 48 South Parade, Mollison Way, Edgware, Middlesex HA8 5QL. The application was submitted by Mr Sam Yadav, owner of the café and sought the grant of a permit under Section 34 of the Gaming Act 1968.

In response to a query from the Chair the applicant advised the Panel of measures in place at the café to prevent use of the machine by children. Mr Yadav informed Members that his café was frequented almost exclusively by adults and that the gaming machine was in his line of sight at all times. The applicant advised the Panel that the café closed at 2.45pm, had no evening or late night trade and was closed on Sundays.

There were no formal objections to the application, although the Metropolitan Police had outlined a number of security measures which they wished to see implemented at the premises.

RESOLVED: That the application for a permit for an amusement machine with prizes in respect of the Easybite café at 48 South Parade, Mollison Way, Edgware, Middlesex be

granted for 3 years.

[Note: The Panel strongly recommended that the applicant seek police advice on security measures for his café, to which the applicant agreed.]

79. **Applications For The Renewal Of A Public Entertainments Licence - Time, 314 Station Road, Harrow, Middlesex:**

The Panel received a report of the Chief Environmental Health Officer detailing an application for the renewal of a public entertainments licence for 'Time' 314 Station Road, Harrow, Middlesex.

The Officer outlined the case and Members heard that previously the Panel, on renewing the licence, had imposed a condition that patrons exit to the rear of the building. However, due to a number of complaints from residents of the Platinum House development at the rear of 'Time' Mr Hennessy, the licensee, liaising with Council Officers, had varied the exit of patrons between the front and back of the building. Additionally a number of other noise reduction measures had been put in place. However, the Officer advised the Panel that one objector remained.

The objector, Miss Anita Pandya outlined her case and informed the Panel that after initial complaints the bass level of music in 'Time' was reduced and the problem alleviated. However she argued that since works were carried out and the music level raised, the problem had re-emerged. Miss Pandya asked that no patrons be allowed to exit to the rear of the building. The objector informed the Panel that Mr Hennessy had been helpful in resolving matters but that a problem remained.

Mr Maclay, solicitor for Mr Hennessy outlined the case for renewal of the licence. In particular he drew the Panel's attention to the works undertaken by the licensee to reduce noise pollution (outlined in evidence submitted to the Panel). He also informed Members that Miss Pandya had failed to keep an appointment with the sound consultant to set noise levels from her apartment. The Licensing Officer informed the Panel that there had been some misunderstandings between the applicant and the licensee over this matter.

Mr Maclay argued that noise heard by Miss Pandya was coming from another bar and other late night premises. The Licensing Officer informed the Panel that the acoustic consultant supported this view and informed Members that he had also found noise was coming from another venue when he visited Miss Pandya's premises. Mr Hennessy outlined to the Panel other premises and venues in the area with late night licenses and argued that not all the noise Miss Pandya was experiencing was from 'Time'. He added that noise could be expected due to the location of Miss Pandya's flat, in the centre of Harrow and adjacent to a Service Road.

The Chair of the Panel asked the applicant what measures were in place to limit the noise arising from clients exiting 'Time'. Mr Hennessey informed Members of a variety of methods used to disperse clients quickly and quietly from the venue, including signs, door staff outside the building and CCTV camera's.

There were no objections received from the Police and the London Fire and Emergency Planning Authority.

RESOLVED: That the application for the renewal of a public entertainments licence at Time 314 Station Road, Harrow, on the basis of the existing conditions, plus the following amended condition, be granted.

AMENDED CONDITION (numbering refers to numbers on the previous licence)

14. That the exit of patrons be facilitated and supervised by the door staff.

REASON

To reduce noise produced by patrons leaving the building.

[Note: The Chair informed the meeting that the Panel, in making their decision, had not been satisfied that the source of the noise had been correctly identified as emitting solely from 'Time'. The Chair asked the applicant if he consented to the conditions, to which he responded to the affirmative.]

(Note: The meeting having commenced at 7.33 pm, closed at 9.07 pm)

(Signed) COUNCILLOR PHILLIP O'DELL
Chair