

LICENSING PANEL

26 MAY 2004

Chair: Councillor O'Dell

Councillors: * Bluston (1) * Knowles
* Branch (in the Chair – see Minute 1)

* Denotes Member present
(1) Denotes category of Reserve Member

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**

1. **Chair for the Meeting:**
In the absence of the Chair, Councillor O'Dell, it was

RESOLVED: That Councillor John Branch be appointed Chair for the purposes of this meeting.
2. **Appointment of Chair:**

RESOLVED: To note the appointment at the (Special) Licensing and General Purposes Committee meeting on 17 May 2004 of Councillor O'Dell as Chair of the Licensing Panel for the Municipal Year 2004/2005.
3. **Appointment of Vice-Chair:**

RESOLVED: To appoint Councillor Branch as Vice-Chair of the Licensing Panel for the Municipal Year 2004/2005.
4. **Attendance by Reserve Members:**

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Member:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor O'Dell	Councillor Bluston
5. **Declarations of Interest:**
Councillor Bluston advised the Panel that both the applications listed on the agenda were in his Ward.

RESOLVED: That the above be noted.
6. **Arrangement of Agenda:**

RESOLVED: That all items be considered with the press and public present.
7. **Minutes:**

RESOLVED: That the minutes of the meetings held on 22 October 2003 and 24 February 2004 be deferred until printed in the next Council Bound Minute Volume.
8. **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) respectively.
9. **Application for a Variation of a Public Entertainments Licence - Rat and Parrot PH, 86 St Anns Road, Harrow:**
The Panel received a report from the Chief Environmental Health Officer of an application for the variation on the last entry condition, of a public entertainments licence for the Rat and Parrot Public House.

The Rat and Parrot is a detached building fronting St Ann's Road and backing onto Greenhill Way, and has a capacity for up to 330 persons.

There were no objections, although the Metropolitan Police had raised concerns over

the application to extend the last entry condition to 1am on Thursdays, Fridays and Saturdays. Following conciliation the applicant agreed to accept all the proposals made by the Police. There were no objections from the London Fire and Emergency Planning Authority.

RESOLVED: That (1) the variation to the last entry condition to midnight on Thursdays, Fridays and Saturdays, to the Rat and Parrot Public House, be granted with the following amended and additional conditions attached:-

CONDITIONS:

1. The maximum number of patrons accommodated at any one time should not exceed 330.
2. CCTV is reviewed in the premises and is confirmed as being and will continue to be a colour system, in good working order and that a 31 day tape storage system is used and adhered to.
3. All entry/exit routes must be monitored by CCTV cameras.
4. Analogue CCTV system must record in SVHS quality, Digital CCTV must have the facility to download images to a CD.
5. The recording equipment must be kept in a secure cabinet or office.
6. Door supervisors are used on the nights that entertainment take place / the licence is used.
7. Door supervisors are registered.
8. Door supervisors are in possession of a "Magic Wand" or similar metal detecting device.
9. The number of door supervisors will mirror the capacity on a ratio of 1 door supervisor to 50 patrons.
10. One of the door supervisors is female to facilitate searching of female customers.

(2) the Chief Environmental Health Officer be authorised to review the detailed wording of the conditions on the licence and the additional conditions to ensure that they were appropriate to the circumstances of this case, and thereby properly enforceable.

REASON: To safeguard the amenity of the local residents.

[Note: The Chair asked the applicant, Adrian Lister, if he consented to the conditions listed above. Responding, he confirmed that he agreed to the conditions].

10. **Application for the Transfer and Renewal of a Public Entertainments Licence - Club Mehfil, 32 Railway Approach, Harrow, Middx:**

The Panel received a report from the Chief Environmental Health Officer of an application for the transfer and renewal of a public entertainments licence for Club Mehfil.

Club Mehfil is in a terrace of commercial premises to the front of the Civic Centre and has a licensed capacity for up to 280 persons.

The application is before the Panel as there were concerns and objections raised by the Metropolitan Police and the Local Authority with regards to the ongoing breaches in conditions and the fact that the licensees have failed to comply with any requests for improvements. There have been no objections from the London Fire and Emergency Planning Authority.

The Council's Licensing Officer had made observations of breaches in conditions whilst inspecting the premises on 8 May 2004. The Club was then managed by Mr Sachdeva and Mr Hussain, neither of whom had any experience of managing such a venue prior to taking over management in 2002. In July 2002 it was strongly advised that they undertake the relevant training course to equip themselves with the knowledge and skills for the task. In the intervening period the Police were concerned about management at the premises, and in 2003 they were successful in applying to the Licensing Justices for the revocation of the liquor licence at the premises. Pending the decision on an appeal to the Crown Court, Mr Sachdeva and Mr Hussain transferred the Liquor Licence to a new general manager, Dawn Robson, who had extensive experience in the industry. The transfer was granted by the Licensing Justices. A similar transfer to Dawn Robson is now being sought for the Public Entertainments Licence. As the revised application had just been received, the Police indicated that they may object.

The Metropolitan Police are also objecting to the renewal on the grounds that the premises are not run in a fit and proper manner, in particular the inadequate management and the threat to public order and safety.

The application has come before a Panel as the applicants have failed to comply with the requirements of the licence conditions and have not implemented requests for improvements.

The solicitor representing Ms Robson, Mr O'Maoileoin, informed the Panel of Ms Robson's background and experience in the nightclub industry. He assured the Panel that the applicant was not disputing any of the comments made, but wished to assist by suggesting compromises. He admitted that the club was previously mismanaged by Mr Hussain and Mr Sachdev, and urged Members to give Ms Robson a chance to prove she was capable of running Club Mehfil. He explained that the Club was more of a cultural centre than a club and reassured the Panel that Ms Robson would be running the Club without any involvement from Mr Hussain and Mr Sachdev. However, a Mr Kapoor had recently been appointed Assistant Manager, and would be sharing the shifts at the Club, subject to the approval of his name being added to the liquor licence at the Magistrates Court the following week. Mr O'Maoileoin pointed out that Ms Robson's role as General Manager encompassed a wide span ranging from the operational side to the business side. She is responsible for the hiring, induction and training of staff. He reminded everyone that ultimately, it would be Ms Robson's reputation and career on the line if the Club proved unsuccessful.

Members asked for reassurance that door supervisors wore their badges at all times and that Members' guests signed in the Membership Book. Responding, Ms Robson advised that she had already been in talks with the security company, who had agreed not to send door supervisors unless they were in possession of their badge, regardless of whether they were qualified. She also told Members that she was reviewing the current membership system but would still maintain the manual signing in book. In addition, Mr O'Maoileoin suggested sending a draft version of the membership book to the Environmental Health Officers and Police for approval. He further invited the Panel to renew the licence for a period of 6 months. During this time the Club and the Licensee would have to demonstrate their ability to perform adequately, and for the Police and Council Officers to report on progress at the premises.

Sergeant Carl Davis outlined the historical problems the Police had faced with regards to the running of the Club and felt that in his opinion it had not been run in a fit and proper manner. He was concerned with the lack of compliance of conditions and generally the mismanagement of the Club. He told Members of the visits and suggested recommendations made by the Crime Prevention Officer, but could not confirm whether any of the recommendations had been carried out. He was also concerned at the lack of experience of Mr Kapoor, who only had restaurant experience, and suggested he undertake the necessary courses in club management. The Police Officer suggested that if the Panel granted the renewal of the public entertainments licence, a number of the conditions be amended in order to enforce compliance. After careful consideration of the case, the Panel

RESOLVED: That (1) the transfer of the public entertainments licence to Ms Dawn Robson be granted;

(2) the renewal of the public entertainments licence for a period of 6 months be granted with the following amended conditions:-

AMENDED CONDITIONS: (Numbering refers to the numbers on the existing licence)

3. The management to organise and run a membership scheme which encourages patrons to join as Club Members. The success of this scheme will be reviewed at time of annual renewals. A register of all members should be kept at the premises and available to Police and Council Officers at all times. This register should be in the form of a computerised and manual system to run in parallel.
4. Before organising any under 18 events, prior permission should be sought from the Council.
5. The premises must employ a suitable number of trained badge door staff at all times of trading. A "Magic Wand" metal detector be kept, maintained and used on the premises.
7. CCTV recording should be in operation both inside and outside the premises throughout the trading areas of the premises during all of the times the premises are open. A bank of 31 video tapes are to be maintained and kept securely on the premises.

(3) in relation to Resolution (2) above, the Panel additionally accepted the undertaking now given by the licensee that, in the event of her losing the day to day control of the premises, she would notify the Council's Licensing Officer immediately.

REASON: To promote public safety.

[Note: The Chair asked the licensee, Dawn Robson if she consented to the conditions listed above. Responding, she confirmed that she agreed to the conditions].

11.

Extension and Termination of the Meeting:

In accordance with the provisions of Committee Procedure Rule 14 (Part 4B of the Constitution), it was

RESOLVED: at 10.00 pm to continue until the business on the agenda had been concluded.

(Note: The meeting having commenced at 7.30 pm, closed at 10.45 pm)

(Signed) COUNCILLOR JOHN BRANCH
Vice-Chair
(See Minute 3).