

LICENSING PANEL

17 AUGUST 2005

Chair: * Councillor Branch

Councillors: * Mrs Bath * Idaikkadar

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**103. **Appointment of Chair:**

RESOLVED: That Councillor Branch be appointed Chair of the Panel for the purposes of this meeting.

104. **Attendance by Reserve Members:**

RESOLVED: To note that no Reserve Members were currently appointed to this Panel.

105. **Declarations of Interest:**

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

106. **Arrangement of Agenda:**

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

107. **Minutes:**

See Note at conclusion of these Minutes.

108. **Public Questions, Petitions and Deputations:**

RESOLVED: To note that no public questions were put, or petitions or deputations received, at this meeting under the provisions of Committee Procedure Rules 18, 15 and 16 (Part 4B of the Constitution) respectively.

109. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

110. **Application for variation of hours at Kenton Sports Club, Kenton Park Road during Transitional period:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for a conversion and simultaneous variation to a Club Registration licence for the Kenton Sports Club, Kenton Park Road, Kenton.

The application had been made by the Club Chairman, Mr Brendan Shardlow, for a Club Premises Certificate (CPC), which sought the supply and sale of alcohol together with live music, recorded music and dancing. The premises were situated on Kenton Park Road within a sports ground complex, in a predominantly residential area.

The application had been referred to the Panel as there was one unresolved representation from local residents and one from a responsible authority. A further petition, with 70 signatures, had also been submitted objecting to the application for extended hours. Residents had provided examples of noise from patrons, disturbance from cars and patrons sitting on residents' garden walls.

Rebecca Phillips, of Harrow Council's Planning Department, had made representations citing one of the Council's four Licensing Objectives, namely, the prevention of public nuisance. In her report, she advised that a condition of the planning permission granted stated that the premises shall not be used outside the hours of 0800 and 2300 Monday to Saturday and 0800 to 2230 hours on Sunday, without the prior written permission of the Local Planning Authority. Ms Phillips' report also noted that, at the time the planning application was being processed, the Council had received two complaints relating to noise and disturbance.

As Rebecca Phillips was unable to attend the meeting, Sophia Bix attended to represent the Planning Department.

In response to some of the issues raised, the Club Chairman advised that he had never received a complaint from residents. If the extension was granted, the Club Chairman assured residents that it was not intended that the club would regularly open for longer hours: the request had been made to prevent the club having to apply for temporary extensions on occasions when longer opening hours were required. Following clarification from officers regarding the law on 'drinking up time' in relation to members-only clubs, the Club Chairman stated that he would be agreeable to the amendment of the application for Saturday to 12 noon to 12 midnight, rather than 12 noon to 0100 hours stated on the original application. The Club Chairman advised the Panel that the club car park was sometimes used, without permission, by patrons visiting a nearby pub, and it was possible that these people were responsible for the noise reported by residents.

In response to concerns raised by residents, the Club Chairman confirmed that eighteenth birthday parties would not be allowed at the premises. Officers reminded the Club Chairman that, as a members-only club, the venue should not be hired out for functions by non-members. The Club Chairman noted that, if the extension were granted, the club would be applying for a variation to the planning permission to prevent a breach of planning consent.

Mr Potts, attending on behalf of local residents, expressed the view that the current hours were adequate and explained that the residents' main objection was late-night noise. He confirmed that residents had not raised complaints directly with the club. The Club Chairman and Mr Potts agreed that closer communication between the club and local residents would be beneficial.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Kenton Sports Club, Kenton Park Road, Kenton be granted as per the agenda with the following amendments and additional conditions:-

AMENDMENTS TO THE APPLICATION:

Saturday 12 noon to 12 midnight.

ADDITIONAL CONDITIONS:

1. Visible and legible signs and notices to be displayed inside and outside the club, requesting patrons to leave the premises quietly.
2. Doors and windows to be kept closed during musical entertainment.
3. A sign to be displayed in the car park stating that parking was for members only.

REASONS: The above conditions were imposed in support of the Council's four Licensing Objectives.

[Notes: (1) Prior to discussion of the above application, it was brought to the attention of the Panel that the report of the Chief Environmental Health Officer did not mention the representation from local residents, and that the representation had not been circulated with the agenda papers;

(2) officers confirmed that the representation from local residents had been received and a copy had been sent to the applicant;

(3) following consultation with the applicant and objectors, the Panel adjourned to read the representation from local residents.]

(Note: The meeting having commenced at 7.35 pm, closed at 9.18 pm)

(Signed) COUNCILLOR JOHN BRANCH
Chair

[Note: Licensing Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chair for that meeting;
- (2) printed into the Council Minute Volume, published monthly;
- (3) not submitted to the next panel meeting for approval.

Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chair and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].