

LICENSING PANEL

6 SEPTEMBER 2005

Chair: * Councillor Knowles

Councillors: * Arnold * O'Dell

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**169. **Appointment of Chair:**

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

170. **Attendance by Reserve Members:**

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

171. **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.

172. **Arrangement of Agenda:**

RESOLVED: To note that all items be considered with the press and public present.

173. **Minutes:**

See Note at conclusion of these Minutes.

174. **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 Rule 18, 15 and 16 (Part 4B of the Constitution) respectively.

175. **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.

176. **Application for Variation of Hours at Castle, 30, West Street, Harrow on the Hill 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 the Justices' Licensing hours for the Castle Public House, West Street, Harrow on the Hill.

The application was made by Messrs Poppleston Allen, Solicitors on behalf of Fullers, Smith and Turner Plc for a premises licence. The pub's landlord, and representatives from Poppleston Allen and Fullers, Smith and Turner were present. Representatives from two of the Responsible Authorities, the Council's Environmental Protection Team and the Metropolitan Police, who had made representations in respect of the application were also in attendance.

The application sought an extension of hours for the sale of alcohol, live music, dancing and late night refreshments as listed in the report of the Chief Environmental Health Officer and the application. The application had been referred to the Panel as there were unresolved representations from two Responsible Authorities and 170 representations from local residents.

The premises were situated in a residential area and in close proximity to Harrow School.

Prior to hearing the application, it had been identified that some of the local residents' objections had been omitted from the agenda in error. The Panel agreed that the papers should be circulated to all in attendance at the meeting. In addition, and with

the agreement of all parties present, a five minute adjournment was allowed for those tabled papers to be read.

The Panel proceeded to hear the application before them as circulated in the agenda and tabled at the meeting.

An officer from the Licensing Department presented the case and sought clarification to the proposed hours for the sale of alcohol, as they differed in Part B1 "Variation" and Section M of the application. The officer also queried why Box G "Performance of Dance" had not been applied for, although Box E "Live Music" had, which was unusual.

The applicant's representative confirmed that the hours for the sale of alcohol were those detailed on page 27 of the agenda and that the hours listed on page 19 should be disregarded. The applicant's representative offered an amendment to the application by withdrawing the request for live music. He suggested that the extended hours sought were not going to be a regular occurrence but would enable ad hoc functions such as birthday parties to take place. The applicant's representative informed the Panel that the cases of vandalism, as detailed in the representations, may not have emanated from the public house and that of the two cases reported to the Police, only one was in relation to the premises.

The main concern expressed by local residents' related to noise and disturbance from patrons particularly when leaving the premises. Residents were also unhappy that car parking spaces taken up by patrons meant that residents had to park some distance from their own homes. Residents were generally unhappy about the extended hours in such a highly populated residential area and also raised concerns over the public house being within such a short distance of Harrow Boys School and the many boarding establishments for those boys in the surrounding vicinity to the premises.

The Metropolitan Police raised concerns regarding the lack of preventative measures offered by the applicants in relation to all four of the Authority's licensing objectives and suggested conditions which could be attached to the licence. The representation from the Council's Environmental Protection Team placed emphasis on the prevention of potential noise nuisance, but withdrew some of the some of those concerns following the withdrawal of the request for live music. However, the officer did suggest some conditions that might assist with reducing noise from patrons outside the premises.

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

RESOLVED: That the conversion and variation to the licence for the Castle Public House, 30 West Street, Harrow on the Hill referred to in page 27 of the report be granted with those conditions listed at Annex 2 of the report and those transferred from the existing music and dance license and subject to the following additional conditions;

ADDITIONAL CONDITIONS

1. All external drinking areas to be cleared of glasses and patrons by 11.00 pm every night.
REASON: for the prevention of Public Nuisance.
2. Signs and notices be prominently displayed informing patrons that all external drinking areas would be cleared of patrons by 11.00 pm.
REASON: for the prevention of Public Nuisance.
3. Signs and notices be prominently displayed requesting patrons to leave quietly.
REASON: for the prevention of Public Nuisance.
4. All windows and doors to be kept closed after 11.00 pm.
REASON: for the prevention of Public Nuisance.
5. No children to be allowed on the premises after 11.00 pm.
REASON: for the Protection of Children from Harm.
6. All reasonable steps be taken to ensure that people entering or leaving the premises conduct themselves in an orderly manner and do not cause an annoyance to residents and people passing by the premises.
REASON: for the prevention of Public Nuisance.

7. The Designated Premises Supervisor to participate in the Pubwatch scheme if one existed in the area.

REASON: for the prevention of Crime and Disorder, Public Safety and Public Nuisance.

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

177. **Extension and Termination of the Meeting:**

In accordance with the provisions of Committee Procedure Rule 14.2 (ii) (Part 4B of the Constitution), it was;

RESOLVED: at (1) 10.00 pm to continue until 10.15pm;

(2) 10.15 pm to continue until 10.30 pm;

(3) 10.30 pm to continue until 11.00 pm.

(Note: The meeting having commenced at 7.30 pm, closed at 11.01 pm)

(Signed) COUNCILLOR ADRIAN KNOWLES
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].