

LICENSING PANEL MINUTES

30 MARCH 2010

Chairman: * Councillor John Nickolay

Councillors: * Ashok Kulkarni * Phillip O'Dell

In attendance: Mrs Kinnear Minute 522
(Councillors)

* Denotes Member present

517. Appointment of Chairman

RESOLVED: That Councillor John Nickolay be appointed Chairman of this Licensing Panel meeting.

518. Declarations of Interest

RESOLVED: To note that there were no declarations made.

519. Minutes

(See Note at conclusion of these minutes).

520. Public Questions, Petitions and Deputations

RESOLVED: To note that no public questions were put, or petitions or deputations received at this meeting.

521. Licensing Procedures

The Chairman asked the Panel Members, officers and other attendees at the meeting to introduce themselves and then outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

RESOLVED ITEMS

522. Determination of Magistrates Court regarding the appeal by 'Café Café', 49-51 High Street, Harrow, Middlesex HA1 3HT

In attendance:

Legal Adviser: Paresh Mehta

Democratic Services Officer: Miriam Wearing
Manize Talukdar

Licensing Officer: Bernadette Forde
Stuart Fox

The Panel received a report of the Head of Community Safety Services. It was noted that an appeal had been lodged against the decision of the Licensing Panel on 2 November 2009 in respect of Café Café. Upon considering written representations from the parties to the appeal, the Harrow Magistrates' Court had ordered that the matter be remitted back to the London Borough of Harrow, as licensing authority, under section 181(2)(c) of the Licensing Act 2003.

The Panel was advised that it was required to implement the directions of the Magistrates Court, giving effect to the agreement regarding the conditions on the licence.

RESOLVED: That, further to the direction of the Magistrates, the removal and addition of conditions be agreed as follows:

"The condition that after 23.00 hours alcohol only be sold ancillary to a table meal be removed from the licence and that a further condition be added to the licence that there be no new admissions to the premises after 23.00 hours and that a notice confirming this be displayed prominently at the entrance to the premises."

523. Application to vary the premises licence held in respect of 'Sapphire Lounge', North Parade, Mollison Way, Edgware, HA8 5QH

In attendance:

Legal Adviser: Paresh Mehta

Democratic Services Officer: Miriam Wearing
Manize Talukdar

Licensing Officer: Peter Coates (part of meeting)
Bernadette Forde
Stuart Fox

Present: Mukesh Chandarana (Applicant),
K MacLeay and J Simons
(representing Applicant), Councillor
Nana Asante (representing
petitioners), Michael Andrea, Kamel
Chouchroui and Dipen Desai (local
residents)

An application to vary a premises licence issued under the Licensing Act 2003 to Sapphire Lounge, North Parade, Mollison Way, Edgware was considered by the Panel.

It was noted that the Planning Authority had withdrawn its representation due to the removal of the marquee in the rear garden. The Metropolitan Police had withdrawn its representation having come to an agreement with the Applicant regarding the addition of conditions.

RESOLVED: That taking into account the Licensing Act 2003, guidance under Section 182 of the Act, Harrow Council's Licensing Policy, the Licensing Objectives, the Human Rights Act, the Principles of Natural Justice, and having considered all the representations, the Panel approves the application for the following hours of operation for licensable activities:

Sales of Alcohol –	Sunday to Thursday 11.00 am to 11.30 pm Friday and Saturday 11.00 am to midnight
Regulated Entertainment –	Sunday to Thursday 7.00 pm to 11.30 pm Friday and Saturday 7.00 pm to midnight
Late Night Refreshment –	Sunday to Thursday 11.00 pm to midnight Friday and Saturday 11.00 pm to 12.30 am
Hours open to the Public –	Sunday to Thursday 11.00 am to 12.30 am Friday and Saturday 11.00 am to 1.00 am

The Panel also added the following conditions:

1. The Designated Premises Supervisor (DPS) or a senior member of staff if the DPS was not available for a valid reason, must attend the local Pubwatch meeting if a local Pubwatch is in existence;
2. Challenge 21 training to be provided for staff and written records to be kept of any such training;
3. A centrally monitored alarm to be installed and be operational to the satisfaction of the Police;
4. The car park to be controlled through regular hourly checks by staff which will be recorded in a log book. General notices to be displayed warning customers to remove valuables from their vehicles. CCTV notices to be displayed warning that the car park was under surveillance for the purposes of prevention and detection of crime;

5. Two Security Industry Authority (SIA) registered door staff be provided on Friday and Saturday nights from 7.00 pm until 30 minutes after licensable hours;
6. A dedicated telephone line be provided for residents to contact the DPS or duty manager;
7. No open glass containers to be removed off the premises;
8. There will be no off sales;
9. The restaurant door leading to Cotman Gardens to be closed after 11.00 pm other than for use as a fire exit;
10. The DPS or senior member of staff should attend local resident association meetings if requested.

The Panel also recommends, in line with the suggestion of the Applicant, that he seeks technical advice to assess and, if necessary, reduce vibration from the licensed premises.

REASONS: These conditions have been imposed in order to meet the Licensing Objectives, specifically the promotion of Public Safety, the Prevention of Crime and Disorder and the Prevention of Public Nuisance and after having listened to points made by both sides.

(Note: The meeting, having commenced at 7.00 pm, closed at 9.30 pm).

(Signed) COUNCILLOR JOHN NICKOLAY
Chairman

[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 Chairman for that meeting;
- (2) 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 Chairman and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].