

# LICENSING PANEL MINUTES

## 17 MARCH 2011

**Chairman:** \* Councillor Mrinal Choudhury

**Councillors:** \* Husain Akhtar \* Ajay Maru

\* Denotes Member present

### 55. Appointment of Chairman

That Councillor Mrinal Choudhury be appointed Chairman of the Licensing Panel Hearing.

### 56. Declarations of Interest

**RESOLVED:** To note that there were no declarations of interests made.

### 57. Minutes

(See Note at conclusion of these minutes).

### 58. 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 19, 16 and 17 (Part 4B of the Constitution) respectively.

### 59. Licensing Procedures

The Chairman asked the Panel Members, officers, Responsible Authorities 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

60. **Application to transfer the premises licence in respect of 'Funky Brownz', (formerly known as Spanish Arch PH) 28 Belmont Circle, Kenton Lane, Harrow, HA3 8RF**

### In attendance:

Present:	Vaishali Patel (applicant) David Smith (applicant's representative)
Relevant Representations:	Sgt. Carl Davis (Metropolitan Police)
Legal Adviser:	Adebisi Reid
Democratic Services Officer:	Damian Markland
Licensing Officers:	Puthrasingam Sivashankar Peter Coates

Sgt. Carl Davis of the Metropolitan Police requested that the Panel consider adjourning the hearing on the grounds that certain evidence was not available and that a key witness had been unable to attend. He informed the Panel that the Police believed a caution had been issued against the applicant's business in Haringey and that he had not yet been provided with a signed copy of the document.

The appellant's representative, Mr Smith, informed the Panel that his client accepted that a caution had been issued against the business in Haringey. In relation to the missing witness, Mr Smith stated that the details of the matter were already clearly detailed in the agenda and that he had no questions to ask the witness. In light of this, he did not believe it was necessary to adjourn the hearing.

In response to Sgt. Davis' concern that he did not know who had signed the caution, Ms Patel stated that her brother had signed the document and that she had not become aware of the caution until notified by the Police.

Having considered the requests of both parties, the Panel agreed to continue with the hearing.

**RESOLVED:** That, taking into account:

- The Licensing Act 2003
- Guidance under Section 182 of the Licensing Act
- The Crime and Disorder Licensing objective
- Harrow Council's Licensing Policy
- The Human Rights Act 1998
- The principles of natural justice and having considered all representations,

The Panel decided to grant the application to transfer the Premises Licence of 28 Belmont Circle, Kenton Lane, Harrow, HA3 8RF.

Reason: The Panel have considered that the Crime and Disorder Licensing Objective will not be undermined by granting the transfer.

(Note: The meeting, having commenced at 2.35 pm, closed at 4.50 pm).

(Signed) COUNCILLOR MRINAL CHOUDHURY  
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].