

# LICENSING PANEL MINUTES

## 31 MARCH 2011

**Chairman:** \* Councillor Thaya Idaikkadar

**Councillors:** \* Ajay Maru \* John Nickolay

**In attendance:** James Bond Minute No. 66  
**(Councillors)**

\* Denotes Member present

### 61. Appointment of Chairman

**RESOLVED:** That Councillor Thaya Idaikkadar be appointed Chairman of the Licensing Panel Hearing.

### 62. Declarations of Interest

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

### 63. Minutes

(See Note at conclusion of these minutes).

### 64. 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.

### 65. Licensing Procedures

The Chairman asked the Panel Members, officer/s, Responsible Authority/ies 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

### 66. Application for a Summary Review of the Premises Licence held in respect of 'JDs Lounge', 25 The Broadwalk, Pinner Road, North Harrow, HA2 6ED

#### In attendance:

Present: Ms Elaine Dunning (Licence Holder)  
Mr Dunning  
Mr Graham Hopkins (Licence Holder's Representative)  
Mr Frankie Romaine (Designated Premises Supervisor)  
Mr Ciaran Twomey (Bar Manager)

Relevant Representations: Sergeant Carl Davis (Applicant, Metropolitan Police)  
Sergeant John Crump (Applicant, Metropolitan Police)

Witnesses: Michela Christine Cogan (Environmental Health Officer)  
Lois Elizabeth Smith (Environmental Health Officer)

Local Residents: Mr David Stockwell and Mr Derek Stockwell (Interested Parties)

Headstone North Ward Councillor: Councillor James Bond representing the residents, Mr David Stockwell and Mr Derek Stockwell

(Apologies were submitted on behalf of Headstone North Ward Councillors Anthony Seymour and Janet Mote)

Legal Adviser: Paresh Mehta

Democratic Services Officer: Daksha Ghelani

Licensing Officers: Bernadette Forde  
Finlay Flett  
Puthrasingam Sivashankar

Following introductions and presentation of the report by the Licensing officers, the licence holder's representative, Mr Hopkins, objected to

Councillor Bond, Headstone North Ward Councillor, making representations on behalf of his constituents, the Stockwells, on the ground that no such notification had been received by his client.

In response, the Licensing Officer and the Council's Legal Adviser stated that the legislation allowed Ward Councillors to make representations on behalf of their constituents and no advance notification was required.

Following the hearing of representations from all parties present and the receipt of a record sheet entitled 'Harrow Council – Out of Hours Noise Investigation', photographs showing the number of patrons/public outside JDs Lounge taken from a mobile phone by one of the two Environmental Health Officers who were acting as witnesses at the Panel hearing, an email from Mr Graham Hopkins to Sergeants Davis and Crump setting out various draft conditions on which the Panel sought clarification during its deliberations, it was

**RESOLVED:** That, having taken into account the provisions of the Licensing Act 2003, guidance issued under Section 182 of the Licensing Act, 2003, the Licensing objectives, Harrow Council's Licensing Policy, the Human Rights Act, 1998, Section 17 of the Crime and Disorder Act 1998, the principals of natural justice, and having considered all representations, the Panel have decided to modify the premises licence hours of opening and conditions as follows:

Hours of open to the public:

Monday to Wednesday	10.00 am to 12.00 am (midnight)
Thursday, Friday and Saturday	10.00 am to 12.30 am
Sunday	12.00 pm to 12.00 am (midnight)

All licensable activities to cease half an hour before the above closing times.

Conditions

- Condition 1, Annex 2 of the agenda, be amended to read as follows:  
  
'The CCTV system to be maintained and operated in good order and to the satisfaction of the Metropolitan Police's reasonable requests as documented in the Harrow Police Security Recommendations document. The medium upon which the images are recorded will be clearly identifiable, stored securely, retained for a period of not less than 31 days if analogue and not less than 14 days if digital, and will be made available to Council and Police Officers on request.'
- Condition 2, Annex 2 of the agenda, be retained.
- Condition 3, Annex 2 of the agenda, be amended to add the following words at the end of that condition: 'Staff to encourage patrons to disperse from the Premises quickly and quietly.'

- Condition 4, Annex 2 of the agenda, be deleted.
- Condition 5, Annex 2 of the agenda, be retained.
- Condition 6, Annex 2 of the agenda, be amended to read as follows:  
'The Premises shall operate a Challenge 25 policy for sale of alcohol and will advertise this. Notices are to be displayed at the entrance doors and points of sale.'
- Condition 7, Annex 2 of the agenda, be deleted.
- Conditions 8 and 9, Annex 2 of the agenda, be retained.
- Condition 10, Annex 2 of the agenda, be amended to read as follows:  
  
'Door Supervisors will be employed from 19.00 hours until closing hours on Fridays and Saturdays and on other days when extended hours apply. Both front and rear doors will be manned by door supervisors from 19.00 hours until each is permanently closed for that night. Additional door supervisors are to be employed at a ratio of 1:50 or part thereof, when there are more than 100 customers on the Premises.'

Additional Conditions:

- Polycarbonate glasses to be used after 19.00 hours and all previously used glass vessels to be collected by 19.30 hours.
- All staff to be trained for their role on induction and at six month intervals. Written training records are to be kept and produced to the Police and Local Authority Officers on demand.
- There should be a personal licence holder on duty after 19.00 hours daily.
- No more than 8 people should be outside the front of the premises after 19.00 hours.
- All doors and windows to be kept closed, except for entry or egress, whilst regulated entertainment is taking place. Outer lobby doors are to be kept closed after 23.00 hours during regulated entertainment.
- No new entry after 23.00 hours.
- Rear door to be closed at 23.00 hours and to be alarmed, visible and audible at the bar.
- DPS or Premises Licence holder to attend Pubwatch meetings.
- Staff to regularly clear all empties inside and outside the premises.

- The Premises Licence holder to make available a telephone contact number for residents which should be displayed at the entrance to the premises.

The Panel has also decided that the licence would no longer include any extension of opening hours and licensable activity hours on the days currently specified.

The Panel reminded the parties that the interim steps pending this determination would cease to have effect upon the coming into effect of the Panel's decision.

Reason: The Panel considered that its decision promoted all the Licensing objectives and was necessary given the nature of the incidents that have taken place at the premises and the nuisance caused.

(Note: The meeting, having commenced at 2.37 pm, closed at 6.07 pm).

(Signed) COUNCILLOR THAYA IDAIKKADAR  
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].