

LICENSING PANEL MINUTES

13 JUNE 2013

Chairman: * Councillor John Nickolay

Councillors: * Husain Akhtar * Kairul Kareema Marikar

* Denotes Member present

161. Appointment of Chairman

RESOLVED: That Councillor John Nickolay be appointed Chairman for this Licensing Panel Hearing.

162. Declarations of Interest

RESOLVED: To note that there were no declarations of interest made by Members.

163. Minutes

(See Note at conclusion of these minutes).

164. 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.

165. 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

166. Application to vary a premises licence in respect of 'Sainsbury's, 1-9 The Broadway, Stanmore, Middlesex, HA7 4DA'

In attendance:

Legal Adviser: Paresh Mehta

Legal Observer: Priyani Peruma

Democratic Services Officer: Daksha Ghelani

Licensing Officers: Puthrasingam Sivashankar
Bernadette Forde
Ash Waghela (trainee)

Present: Applicant: Mr Gary Luck, Manager,
Sainsbury's Supermarket Ltd, 1-9 The
Broadway, Stanmore, Middlesex,
HA7 4DA

Ms Sabrina Cader, Solicitor representing
Sainsbury's Supermarket Ltd

Objector: Mrs M Gordon, Elm Park
Residents' Association

Ms J Raynaud, Elm Park Residents'
Association

RESOLVED: That taking into account the:

- Licensing Act 2003;
- Guidance under Section 182 of the Licensing Act;
- Harrow Council's Licensing Policy;
- Human Rights Act 1998;
- Written and oral representations by all the parties;
- And the Licensing Objectives;

(1) the seasonal variations, as sought, and reproduced below, be agreed:

Seasonal Variations - From the 1 December to 7 January inclusive each year between the hours of 06:00 hrs and 24:00 hrs; from the Monday prior to Good Friday to the following Sunday following Easter Monday (inclusive) each year between the hours of 06:00 hrs and 24:00 hrs;

- (2) in order to promote the licensing objectives pertaining to the prevention of crime and disorder and prevention of public nuisance, and in light of the fact that the Sainsbury's car park had suffered from incidents, Conditions 1 and 2, as set out in part M of the application, be amended to read as follows and Conditions 3-6 set out in part M of the application remain as set out below:

Condition 1 – the licence holder will ensure that the premises, including the car park, benefits from a CCTV system that operates at all times and is maintained in good working order;

Condition 2 – the system will incorporate cameras covering the car park, including the entrance to the car park, at each of the store entrance doors and the main alcohol display area and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time;

Condition 3 – the system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and will be made available subject to compliance with the Data Protection legislation, to the police for inspection on request;

Condition 4 – the system must be able to export recorded images to a removable means, e.g. CD/DVD and have its own software enabled to allow playback/review;

Condition 5 – a member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public;

Condition 6 – the system will display, on any recording, the correct time and date of the recording;

- (3) in light of the fact that there was consensus that there have been incidents in the Sainsbury's car park, the Panel strongly encourages Sainsbury's to explore options in relation to the CCTV cameras in the car park area and whether 'vandal proof' type cameras were available that could be installed to provide fuller and better coverage of the car park;
- (4) the Panel hoped that Sainsbury's and local residents would meet to discuss the issues that were raised at this Panel hearing and they encouraged residents to make timely contact with the store manager if they had any concerns so that these could be addressed at the right time;
- (5) it be noted that was also a right to bring a review of the premises licence if it became necessary;

- (6) it be noted that the additional information from the objectors was also circulated and considered at the meeting.

REASONS: The Panel considered that the decision promoted the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance.

(Note: The meeting, having commenced at 6.40 pm, closed at 8.20 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].