

LICENSING PANEL MINUTES

22 JULY 2013

Chairman: * Councillor Mrinal Choudhury

Councillors: * Manji Kara * Krishna Suresh

In attendance: Barry Macleod-Cullinane Minute 167-172
(Councillors) Simon Williams Minute 167-172

* Denotes Member present

167. Appointment of Chairman

RESOLVED: That Councillor Mrinal Choudhury be appointed as Chairman for this Licensing Panel Hearing.

168. Declarations of Interest

Agenda Item 6 – Application for a new premises licence in respect of 'McDonald's Restaurant, Shaftesbury Circle, South Harrow, Middlesex, HA2 0AE

Councillor Mrinal Choudhury declared a non pecuniary interest in the above item in that he opened the premises during his time as Mayor of Harrow. He would remain in the room whilst the matter was considered and voted upon.

169. Minutes

(See Note at conclusion of these minutes).

170. Public Questions, Petitions and Deputations

A petition was not received at the hearing in light of the fact that it had been organised by a Councillor who had not submitted a representation and was not party to the hearing.

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.

171. 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

172. Application for a new premises licence in respect of 'McDonald's Restaurant, Shaftesbury Circle, South Harrow, Middlesex, HA2 0AE'

In attendance:

Legal Adviser: Paresh Mehta

Legal Observer: Andrew Lucas

Democratic Services Officer: Nicola Fletcher

Licensing Officers: Puthrasingam Sivashankar
Ash Waghela (trainee)

Present: Applicant: Mr Panny Panayiotoi,
Operating Officer, McDonald's
Restaurant, Shaftesbury Circle, South
Harrow, Middlesex, HA2 0AE

Mr Phil Andrews, Agent representing
K&G Restaurants Ltd trading as
McDonald's Restaurant

Mr Joshua Simons, Agent representing
K&G Restaurants Ltd trading as
McDonald's Restaurant

Objector: Councillor Simon Williams

Mr Ron Jeeves, CCR Foundation

The Panel Members accepted the following tabled documents at the hearing:

- Additional photographs provided by Councillor Williams.
- A Voluntary Code of Practice from Keep Britain Tidy, a letter from Mr Salt withdrawing his representation and site plans showing the current location of bins and signs provided by the agent for the applicant.

RESOLVED: That taking into account the:

- Licensing Act 2003;
- the Licensing Objectives;
- Harrow Council's Licensing Policy;
- the Human Rights Act 1998;
- the common law rules of natural justice
- and representations made in writing and at the hearing;

the licence be granted as sought during the following times:

Late Night Refreshment:

Friday and Saturday	23:00 hours – 00:00 hours
	23:00 hours New Years Eve – 03:00 New Years Day

Hours open to the public:

Sunday to Thursday	06:00 hours – 23:00 hours
Friday and Saturday	06:00 hours – 00:00 hours
	06:00 hours New Years Eve – 03:00 New Years Day

subject to one condition being added as follows:

1. all litter bins within the curtilage of the site shall be emptied within 30 minutes of the licensable activities commencing.

The Panel noted that other conditions would also be included on the licence based on the content of the application.

REASONS: The Panel considered that the decision promoted the licensing objective for the prevention of public nuisance. The Panel had sympathy with the residents concerns about litter in the area but felt it was common knowledge that not all the litter was generated by McDonald's Restaurant. The Panel did not consider that the additional hour on two nights would generate extra noise or litter.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.34 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].