

# LICENSING PANEL MINUTES

## 31 MARCH 2014

**Chairman:** \* Councillor John Nickolay

**Councillors:** \* Mano Dharmarajah \* Kairul Kareema Marikar

**In attendance:** Jerry Miles Minute 201  
**(Councillors)**

\* Denotes Member present

### 196. Appointment of Chairman

**RESOLVED:** That Councillor John Nickolay be appointed Chairman of the Licensing Panel hearing.

### 197. Declarations of Interest

**RESOLVED:** To note that the following interests were declared:

Agenda Item 6 - Application to Vary a Premises Licence in Respect of South Harrow Sports and Social Club, Valentine Road, South Harrow, HA2 8EG

Councillor John Nickolay declared a non-pecuniary interest in that he was Chair of Governors at Welldon Park Infant and Nursery School, and Welldon Park Junior School. He would remain in the room whilst the matter was considered and voted upon.

Councillor Kairul Kareema Marikar declared a non-pecuniary interest in that she was a governor of Bentley Wood High School.

Councillor Jerry Miles declared a non-pecuniary interest in that he was a governor of Welldon Park Infant and Nursery School, and Welldon Park Junior School. He was also a resident of the Ward in which the premises under

consideration was situated but he did not live in the vicinity of the premises. He confirmed that he would be representing some of the objectors and that he would not be introducing any new points other than those already made by them.

#### **198. Minutes**

(See Note at conclusion of these minutes).

#### **199. 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.

#### **200. 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**

#### **201. Application to Vary a Premises Licence in Respect of South Harrow Sports and Social Club, Valentine Road, South Harrow HA2 8EG**

In attendance:

Applicant:	Malcolm Le May (representing the applicant) Simon Jeynes (representing the applicant)
Objectors:	Pat Kerry R Young Mr and Mrs Muruganathan Mr J Wambeek Mrs C Gallagher Mr F McGettigan R Groom Dennis Murphy Yvonne Murphy Liz McGettigan David Cumbers
Other Councillor(s)	Councillor Jerry Miles (representing some objectors)
Licensing Officers:	Richard Le-Brun, Environmental Services Manager - Public Protection Ash Waghela - Licensing Officer
Legal Adviser:	Bob Huffam, Solicitor, Legal Practice
Democratic Services:	Daksha Ghelani, Senior Democratic Services Officer, Clerk to the meeting

The Panel Members accepted a document titled 'South Harrow Sport & Social Club' at the hearing. The document described how the Club was formed and was circulated for information only. The Panel Members also noted that Councillor Jerry Miles, Ward Councillor, would be representing some of the objectors present at the meeting and that he confirmed that he did not intend to submit new information.

**RESOLVED:** That, having carefully considered all the relevant information, including:

- written and oral representations by all the parties;
- the Licensing Act 2003 and the steps that are appropriate to promote the licensing objectives;
- the Guidance issued under section 182 of the Licensing Act 2003;
- Harrow Council's Licensing Policy; and
- the Human Rights Act 1998;

the Panel agreed that:

- (1) the application in respect of live and recorded music be refused;
- (2) the hours for the sale of alcohol between Monday to Saturday be extended from 23.00 hours to 23.30 hours;
- (3) the premises close on Monday to Saturday at 00.00 hours, and on Sunday at 23.00 hours;
- (4) clear signage be placed at all exits asking customers to leave quietly and to respect neighbouring residents, such signage to be agreed with the Licensing Authority.

**Reasons:** The Panel considered that the decision promoted the licensing objective for the prevention of public nuisance and the protection of children from harm. The Panel was of the view that the measures taken above were appropriate and proportionate in the circumstances to promote all the licensing objectives.

**Additional Matters:** The applicant's representatives were advised that under the Licensing Act 2012, live music or acoustic music (but not recorded music) could be played until 23 hours where the premises had accommodation of fewer than 250 people.

**Right of Appeal:** The Panel also advised that any party aggrieved with the decision of the Licensing Panel on one or more of the grounds set out in schedule 5 of the Licensing Act 2003 may appeal to the Magistrates' Court within 21 days of notification of the decision.

(Note: The meeting, having commenced at 6.36 pm, closed at 9.08 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].