

LICENSING PANEL MINUTES

17 APRIL 2014

Chairman: * Councillor Manji Kara

Councillors: * Mano Dharmarajah * Varsha Parmar

* Denotes Member present

202. Appointment of Chairman

RESOLVED: That Councillor Manji Kara be appointed Chairman of the Licensing Panel hearing.

203. Declarations of Interest

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

204. Minutes

(See Note at conclusion of these minutes).

205. 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.

206. Licensing Procedures

The Panel noted the procedure for the conduct of an oral hearing, which was set out in the agenda.

RESOLVED ITEMS

207. Consideration of an objection notice to a Temporary Event Notice submitted in respect of 'The Star Lounge Bar and Restaurant, 32 Railway Approach, Wealdstone', Harrow, Middlesex, HA3 5AA

In attendance:

| | |
|-----------------------|--|
| Responsible Authority | Emmanuel M’Fum, Environmental Health Officer |
| Licensing Officer: | Ash Waghela, Licensing Officer |
| Legal Adviser | Paresh Mehta, Legal Practice |
| Legal Observer | Ann Osborne, Legal Practice |
| Democratic Services: | Miriam Wearing, Senior Democratic Services Officer, Clerk to the meeting |

The Panel received a replacement page 5 of the agenda papers which detailed the legal implications for consideration of a Temporary Event Notice.

The Licensing Panel carefully considered all of the relevant information including the written representations by all the parties and the oral representation of Mr M’fum for the Environmental Health Authority. The panel noted that Mr Bhimji (TEN applicant) did not attend due to being abroad and he was not represented at the hearing.

RESOLVED: Taking into account

- the Licensing Act 2003 and the steps appropriate to promote licensing objectives
- the guidance issued under section 182 of the Licensing Act
- Harrow Council’s Licensing Policy
- the Human Rights Act 1998

a counter notice not be issued, thereby allowing the temporary event on 5 May 2014 to take place.

All of the conditions from the existing premises licence be imposed on to the temporary event notice.

REASONS: Whilst there have been complaints about noise in the past, apparently mostly from one complainant, since the abatement notice has been served on 2 March 2014, there has been no statutory nuisance observed at the premises.

The Panel also noted that the event on the 5 May 2014 is a private function which the panel hoped would attract greater control, and monitoring by the owner and therefore is less likely to cause any nuisance, and that the event runs in to a bank holiday rather than a normal working day.

The Panel considered that this decision promotes the licensing objectives, particularly the public nuisance objective and that the measures taken above

are appropriate and proportionate in the circumstances to promote all the licensing objectives.

(Note: The meeting, having commenced at 6.40 pm, closed at 8.05 pm).

(Signed) COUNCILLOR MANJI KARA
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].