

LICENSING PANEL MINUTES

5 SEPTEMBER 2016

Chair: * Councillor Adam Swersky

Councillors: * Ramji Chauhan * Kairul Kareema Marikar

* Denotes Member present

74. Appointment of Chair

RESOLVED: That Councillor Adam Swersky be appointed Chair of the Licensing Panel Hearing.

75. Declarations of Interest

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

76. Minutes

(See Note at conclusion of these minutes).

77. 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.

78. Licensing Procedures

The Chair asked the Panel Members, officers, Responsible Authority 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

79. Application for a new premises licence for Tigris Supermarket 2, 97-99 Burnt Oak Broadway, Edgware, Middlesex, HA8 5EP

In attendance:

Legal Adviser:	Andrew Lucas
Licensing Officers:	Jeffrey Leib Ash Waghela
Relevant Representations:	Bukie Arije Councillor Barry Kendler Councillor Nitin Parekh
Present:	Asitha Ranatunga, Barrister Mahir Kilic, Licensing Agent Ibrahim Tarlacik, applicant Tacim Gultutan, DPS

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

- Written and oral representations by all the parties
- The Licensing Act 2003
- The Guidance issued under section 182 of the Licensing Act 2003
- Harrow Council's Licensing Policy
- Human Rights Act 1998
- The considerations in s.17 of the Crime and Disorder Act 1998

The Panel agreed to **GRANT** the premises licence for the hours as sought subject to conditions as set out below:

Hours Open to the Public and for Licensable Activities

Hours open to the Public

Monday – Friday	00:00 – 23:59
Saturday – Sunday	00:00 – 23:59

Sale of retail alcohol

Monday – Friday	00:00 – 23:59
Saturday – Sunday	00:00 – 23:59

Conditions:

1. The CCTV system to be maintained and operated in good order and to the satisfaction of the Metropolitan Police's reasonable requests. The medium upon which the images are recorded will be clearly identifiable, stored securely, retained for a period of not less than 31 days and will be made available to officers of the Metropolitan Police or the Licensing Officers of the Local Authority immediately upon request.

2. Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which the footage is transferred must be provided by the premises.
3. A member of staff who is trained to operate the system and supply the footage must be present at the premises at all times when licensable activities are taking place.
4. The Designated Premises Supervisor or person authorised by him must ensure that the CCTV system is checked at least once every week by a suitably trained member of staff. The check must include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time and date.
5. A written authority from the DPS will be kept at the premises where he authorises any member of staff to sell alcohol on his behalf. This authority will be produced immediately upon the request of an officer of the Metropolitan Police or the Licensing Officers of the Local Authority.
6. A record of any incident that takes place at the premises which would undermine one or more of the four licensing objectives is to be kept at the premises. The record will be made available to officer of the Metropolitan Police or the Licensing Officers of the Local Authority immediately upon request. The incident record will include details of:
 - a) All crimes reported;
 - b) Lost property;
 - c) All ejections of customers;
 - d) Any complaints received;
 - e) Any incidents of disorder;
 - f) Any seizure of drugs or offensive weapons;
 - g) Any faults in the CCTV;
 - h) Any visit by a relevant authority or emergency service.
7. All staff shall receive regular training at least twice a year in regards to their responsibilities under the Licensing Act 2003 and in particular about age restricted products. Records of the training will be made available to officers of the Metropolitan Police or the Licensing Officers of the Local Authority immediately upon request.
8. At least two members of staff to be present on the premises between the hours of 23:00 and 05:00 each day.
9. The premises will have an intruder alarm incorporating panic buttons installed. The alarm system will be monitored by a central station and be maintained and regularly tested and staff trained in its use.
10. The age verification policy shall apply to person who appears to be under the age of 25 years old ("Challenge 25 Policy"). A record of age related refusals of sale will be kept and will be made available to

officers of the Metropolitan Police or the Licensing Officers of the Local Authority immediately upon request.

11. Notices will be prominently displayed by the entry/exit doors and point of sale advising customers:
 - a) That CCTV and 'Challenge 25' are in operation;
 - b) Advising customers of the provisions of the Licencing Act regarding underage and proxy sales;
 - c) Not to drink in the street;
 - d) To respect the needs of local residents and to leave the premises quietly, not to loiter outside the premises.
12. There be no deliveries to the Premises at all between the hours of 21.00 at night and 07.00 the following morning.
13. Deliveries to the front of the premises are permitted between the hours of 07.00 and 09.00 only.
14. The front of the premises is to be kept tidy and swept daily.
15. Members of staff on duty between 23:00 and 05:00 shall wear name badges bearing their correct name.

Reasons: The Panel considered that the measures taken above were appropriate and proportionate in the circumstances to promote all the licensing objectives.

Right of Appeal: Any party aggrieved with the decision of the Licensing Panel on one or more of the grounds set out in Schedule 5 to the Licensing Act 2003 may appeal to the Magistrates' Court within 21 days of the notification.

(Note: The meeting, having commenced at 6.35 pm, closed at 8.05 pm).

(Signed) COUNCILLOR ADAM SWERSKY
Chair

[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 Chair 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 Chair and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].