

LICENSING PANEL MINUTES

2 OCTOBER 2017

Chair: * Councillor Barry Kendler

Councillors: * Ms Pamela Fitzpatrick * Adam Swersky

* Denotes Member present

144. Appointment of Chair

RESOLVED: That Councillor Barry Kendler be appointed Chair of the Licensing Panel Hearing.

145. Declarations of Interest

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

146. Minutes

(See Note at conclusion of these minutes).

147. Licensing Procedures

The Chairman asked the Panel Members, officer/s, Responsible Authorities 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

148. Application to vary a Premises Licence for Club KTM, 32 Railway Approach, Wealdstone, Harrow, HA3 5AA

In attendance:

Legal Adviser:	Mr Andrew Lucas
Licensing Officers:	Mr Jeffrey Leib, Mr Ash Waghela
Applicant:	Mr Prakash Pradhan
Applicant's Representatives:	Mr Surendra Panchal Mr Rickee Bissessur
Objector:	Mr Pravin Anand

RESOLVED: To vary the premises licence subject to the following timings and conditions:

Hours Open to the Public and for Licensable Activities

Live music, Recorded Music, performance of dance and similar, sale of retail alcohol

Sunday – Wednesday	12:00 – 02:00 next day
Thursday – Saturday	12:00 – 04:00 next day

Late Night Refreshment

Sunday – Wednesday	23:00 – 02:00 next day
Thursday – Saturday	23:00 – 04:00 next day

Hours Open to the Public

Sunday – Wednesday	12:00 – 02:30 next day
Thursday – Saturday	12:00 – 04:30 next day

Special Extensions:

Licensing activity hours will be 12:00 – 04:00 on the following days: Valentine's Day, Nepalese Republic Day, Dussehra, Diwali, Christmas Eve, Christmas Day, Boxing Day, New Year's Eve, New Year's Day and all public bank holidays.

Conditions

The Panel agreed that all the conditions in Annex 2 of the current Premises Licence be removed and replaced with the following:

Prevention of crime and disorder

1. CCTV

- (1) The Premises Licence Holder or Designated Premises Supervisor shall install and maintain a comprehensive CCTV system to the satisfaction of the Metropolitan Police. All entry and exit points must be covered enabling frontal identification of every person entering.
- (2) The Designated Premises Licence Holder shall ensure that the CCTV system shall continually record whilst the Premises is open for licensable activities and during all times when customers remain on the Premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- (3) Recordings shall be made available immediately upon the request of the Police or authorised officer of the Licensing Authority providing such requests are in connection with the prevention or detection of crime. Recordings are to be supplied in the form of digital download burned onto a flash drive, DVD or CD disc.
- (4) A staff member from the Premises who is conversant with the operation of the CCTV system shall be on the Premises at all times when the Premises is open to the public. This staff member shall be able to show Police or an authorised officer to the licensing authority recent data or footage with the minimum delay when so requested.
- (5) All faults/defects in the CCTV system must be reported to the Metropolitan Police immediately the fault is discovered. The notification must be made to the Metropolitan Police non-emergency telephone number 101 and a log number obtained from the Police and recorded in the incident book. The Harrow Police Licensing Unit must also be notified as soon as reasonably practicable.
- (6) All faults with the CCTV system shall be repaired as soon as possible and in any case within two working days after which time, if the system is still inoperative, no licensable activities shall take place without the agreement of Harrow Police Licensing Officer and/or Licensing Authority until the fault is rectified.
- (7) A monitor on which CCTV pictures can be displayed will be installed in the reception area.

2. Door supervisors

- (1) The premises licence holder shall employ at least two door supervisors from 2300 hours until at least thirty minutes after the terminal hour for the premises to be closed to the public.
- (2) This condition may be waived or varied from time to time with the agreement of the licensing authority and/or the police licensing officer for Harrow.
- (3) The Designated Premises Supervisor shall maintain a register/log of licensed door supervisors indicating the number of licensed door supervisors on duty, their identity, contact details including addresses and phone numbers and the times they were on duty. A copy should be available immediately upon request to officers of the Metropolitan Police or the Licensing Authority.

3. Entry control

- (1) Notices will be displayed at each public entrance to the premises, which clearly state the premises' policy on admission and searching.
- (2) The premises licence holder shall ensure any customer who behaves inappropriately will be barred from the premises and their details passed to the Harrow Pubwatch scheme.
- (3) A portable metal detector shall be kept, maintained and used on the premises to detect and deter the possibility of illegal weapons being brought into the premises.
- (4) Any queue to enter the premises which forms outside the premises is orderly and supervised by licensed door supervisors so as to ensure that there is no public nuisance or obstruction to the public highway.

4. Staff training

- (1) The premises licence holder shall maintain records of the training given to each member of staff in respect of promoting the licensing objectives, including the implementation of licensing conditions; health and safety; first aid; alcohol and drug awareness; and, conflict management.
- (2) The premises licence holder shall provide the training records to officers of the licensing authority when reasonably requested.

5. Record keeping

- (1) The Designated Premises Supervisor shall be responsible for maintaining a record for at least 12 months of "Significant

Incidents” that occurs on the premises whilst licensable activities are being provided.

- (2) “Significant Incidents” to be recorded include (but are not limited to):
 - (a) failures of or faults with the electronic identification system
 - (b) failures of or faults with the CCTV system
 - (c) refusals of alcohol sales
 - (d) calls to the police arising from illegal drugs on the Premises
 - (e) other matters that may affect the licensing objectives
 - (f) assaults or other injuries whether or not police or medical assistance is required
 - (g) CCTV and electronic identification system records supplied to Police and Licensing Authority officers
 - (h) seizures of false identification
 - (i) records of reasonable requests from authorised officers

6. Misuse of drugs

- (1) Whilst licensable activities are taking place, the toilets at the Premises must be checked at least every two hours for illegal drug use or supply. A written log of all checks must be kept at the Premises for at least 31 days and made available for immediate inspection on the request of an authorised officer of the Metropolitan Police or the Licensing Authority.
- (2) On finding or being notified about any unlawful drugs or suspected drugs (including paraphernalia) the Designated Premises Supervisor shall immediately ensure the items are kept securely from unauthorised access, and shall contact the police non-emergency telephone number for advice as to safe and lawful disposal.
- (3) A monitored central station alarm and security system shall be maintained and operated in good order and to the satisfaction of the Metropolitan Police.
- (4) There shall be a policy agreed with the Metropolitan Police and approved by an authorised officer of the Licensing Authority for the premises relating to illegal drugs found on persons visiting the premises or on the premises.
- (5) The Licensee shall comply with all reasonable crime prevention and/or public safety and/or public nuisance prevention measures that may be required by the Licensing Authority and/or the Environmental Health Officer and/or the Metropolitan Police and which are consistent with the premises operating schedule providing such requirements do not incur unreasonable or disproportionate expenditure.

7. Notice to Police

- (1) The Metropolitan Police Service (MPS) must be given at least 14 days' notice of all forthcoming events organised by an external promoter and have received a completed MPS Promotion / Event Risk Assessment (form 696) 14 days in advance of any such event. A copy of the form 696 is also to be provided to the Licensing Office at South Harrow Police Station. The Metropolitan Police Service must have received a completed MPS Debrief Promotion/Event Risk Assessment (form 696a) three days after any risk assessed event.

Prevention of public nuisance

1. External areas and areas for smoking

- (1) The premises licence holder shall make arrangements to ensure so far as is reasonably practicable that no customers shall be permitted to remove from the Premises any open bottles, glasses or foodstuff for consumption or disposal outside the Premises.
- (2) No more than four customers are permitted in the outside smoking area at any one time.
- (3) Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

2. Customer dispersal

- (1) The premises licence holder shall arrange for information about local public transport and local taxi firms to be clearly displayed to customers within the premises.
- (2) Signage must be displayed in the customer area and at the exits requesting customers to leave the premises quietly and not to disturb neighbouring residents.
- (3) There shall be a dispersal policy for the premises agreed with an authorised officer of the Licensing Authority.

3. Noise management

- (1) All windows and external doors shall be kept closed between 21:00 hours and 08:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
- (2) No pre-arranged deliveries or unloading of goods may be made to the premises between 1900 hours and 0700 hours.

- (3)
 - (i) Loudspeakers shall not be located in the entrance lobby or outside the premises building.
 - (ii) Loudspeakers and other sound amplification equipment must not be directed outwards towards any street or installed externally to the premises.
- (4) A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open and to be made available to residents in the vicinity.
- (5) The recommendations of an independent acoustic expert and approved by an Environmental Health Officer shall be implemented before any live or amplified music may be provided after 0200 hours on Saturday and Sunday or midnight on any other day.
- (6) Only speakers permanently installed at the premises and connected to a sound limiter may be used. Customers, guests, performers or anyone else visiting the premises are not permitted to use their own speakers at the premises.

Public Safety

- (1) The maximum number of persons accommodated on the premises at any one time should not exceed 280 (excluding staff).
- (2) There shall be no entry to new customers after 00:00 (midnight) from Sunday to Thursday, or after 01:00 on Fridays and Saturdays.
- (3) Alcohol is to be served in polycarbonate, plastic or shatter-proof glasses. No bottles shall be given to customers.
- (4) When the premises are hired for a private event there is to be no admission to the public to the Premises for the duration of the private event.

Protection of children from harm

- (1) All children under the age of 16 years are to be accompanied on the premises by a responsible adult.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.15 pm).

(Signed) COUNCILLOR BARRY KENDLER
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].