

LICENSING PANEL MINUTES

15 JANUARY 2020

Chair: * Councillor Primesh Patel

Councillors: * Christopher Baxter * Maxine Henson

* Denotes Member present

72. Appointment of Chair

RESOLVED: That Councillor Primesh Patel be appointed Chair of the Licensing Panel Hearing.

73. Declarations of Interest

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

74. Minutes

(See Note at conclusion of these minutes).

75. Licensing Procedures

The Chair 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

76. Application for a new premises licence for Thai Kitchen, 21 High Street, Edgware, HA8 7EE

In attendance:

Legal Adviser	Lina Amir, Harrow Council
Licensing Officer	David Gilmour, Harrow Council
Applicant (s):	Com Catering Limited
Applicant's Representative (s):	Anwar Cherquaoui (Director of Com Catering Limited) Saeed Kazim (Proposed Designated Premises Supervisor for Com Catering Limited)
Objector(s):	Alex Steel Helen Young Charlotte Gunn

The Panel 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
- Human Rights Act 1998.
- the considerations in s.17 of the Crime and Disorder Act 1998

Members of the Panel also took into consideration the following, full details of which were set out in the Decision Notice sent to all interested parties:

- Google reviews and location screenshots of two other restaurants run by the Applicant's company, the cover letter submitted with the Application and email exchanges between one of the Objectors and the Applicant;
- the Applicant's cooperation and willingness to accept all conditions proposed by the Police as set out in Appendix 4 of the Agenda documents, including a condition which restricted the playing of background music in the outdoor area until 1900 hours on Sunday evenings;
- the willingness to keep all noise levels to a minimum, including the installation of additional measures such as low level speakers in the outdoor area and the set up of a designated phone number for reporting of any disruption;

- the issue with the licensing hours for the provision of late night refreshment on Fridays and Saturdays had been resolved and amended so that service of food and hot drinks would terminate at 01:30 hours instead of 02:00 hours. In addition, alcohol would not be served in the outdoor area after 23:00 hours on any evening;
- the commitment from the applicant to address concerns over potential Anti-Social Behaviour (ASB) through the use of CCTV and SIA security as well as effective management of the premises and staff training thereby ensuring the safe and efficient customers' dispersal from the premises at closing time;
- the costs of renting the premises and the need to utilise all available space in order to ensure business continuity;.
- the concerns over noise travelling to surrounding residential properties did not constitute sufficient evidence to prove the potential ineffective management of the premises by the Applicant.

RESOLVED: To grant the premises licence for the hours sought subject to the following conditions:

Hours open to the Public and Licensable Activities:

Hours open to the public

Sunday – Thursday	12:00 – 00:30
Friday - Saturday	12:00 – 02:00

Sale of retail of alcohol

Sunday – Thursday	12:00 – 00:00
Friday – Saturday	12:00 – 01:30

Late night refreshment

Sunday – Thursday	23:00 – 00:00
Friday – Saturday	23:00 – 01:30

Recorded music(f), anything similar to (e), (f) or (g)

Sunday – Thursday	23:00 – 00:00
Friday - Saturday	23:00 – 01:30

Conditions (which will form Appendix 4 of the Licence)

1. The premises shall install and maintain a comprehensive CCTV system to the satisfaction of the police. All entry points, exit points and the rear garden area will be covered, enabling frontal identification of every person entering in any light condition. 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. Recordings shall be made available immediately upon the request of Police or authorised officer in accordance with the Data Protection Act throughout the preceding 31 day period.

2. 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 open to the public. The staff member shall be able to show Police data or footage immediately when requested.
3. All staff making sales of alcohol must be a personal licence holder or trained and authorised in writing by the Designated Premises Supervisor. This written authorisation must be available for inspection by Police or authorised officer of the licensing authority.
4. A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale. The log shall be immediately available for inspection at the premises by the police or an authorised officer of the licensing authority.
5. An incident log shall be kept at the premises for at least 12 months, and examined on a regular basis by the DPS. The date and time of each examination will be recorded on the register. The register will be made available on request to an authorised officer of the licensing authority or the Police, which will record the following:
 - a) All crimes reported to the venue, or by the venue to the Police
 - b) All ejections of patrons
 - c) Any complaints received
 - d) Any incidents of disorder
 - e) Any visit by a relevant authority or emergency service.
6. The premises must implement a “Challenge 25” policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence or proof of age scheme (P.A.S.S).
7. There shall be a no ID no entry policy after 2300 hours.
8. Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises.
9. No children shall be allowed in the bar/lounge area of the premises after 2100 hours. Children may be permitted to enter the restaurant area after this time so long as they are accompanied by a responsible adult.
10. The supply of alcohol in the restaurant area and outdoor/garden area shall only be to a person seated taking a table meal and for

consumption by such a person as ancillary to their meal with all service by waiting staff.

11. Those customers who purchase alcoholic beverages (for consumption in the bar/lounge area) without a table meal shall be seated and have access to appetisers and main meals from the restaurant menu.
12. Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo training of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.
13. A minimum of 2 SIA accredited door staff on Fridays and Saturdays from 2100 hours.
14. A register/log containing the names, badge numbers, dates & times of duty of security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.
15. All music played at the venue, shall be set at a background level for ambience only.
16. There shall be no live or recorded music played in the outdoor area of the premises after 1900 hours (Sunday – Thursday) and 2100 hours (Friday & Saturday).
17. If dancers are employed, their names, passport or visa details including those of the band members shall be supplied to the police no less than one month before they are due to start performing.
18. No person shall be allowed to leave the premises whilst in the possession of any glass drinking vessel or open glass bottle, whether empty or containing any beverage. No glass drinking vessels are to be used in the outdoor area after 2200 hours.
19. Notices will be clearly displayed at all exits requesting that patrons respect the needs of the local residents and leave the premises and the area quietly.

REASONS: As detailed in the Decision Notice sent to all interested parties and set out in brief in the preamble above.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.00 pm).

(Signed) COUNCILLOR PRIMESH PATEL
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].