

Licensing Panel

Minutes

14 March 2023

Present:

Chair: Councillor Kanti Rabadia

Councillors: Dan Anderson Matthew Goodwin-Freeman

1. Appointment of Chair

RESOLVED: That Councillor Kanti Rabadia be appointed Chair of the Licensing Panel Hearing.

2. Declarations of Interest

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

3. Minutes

(See Note at conclusion of these minutes).

4. 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.

5. Abi Community Hall - 285-287 Northolt Road, South Harrow, HA2 8HX.

In attendance:

Legal Adviser:	Alister Cryan, Harrow Council
Licensing Officers:	Ash Wagela, Harrow Council
Relevant Representations:	Mr Kanakalinghan - Applicant Arka Licensing – Applicant's Agent

The Licensing 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 Licensing panel hearing was held at the Auditorium, Harrow Council Hub, Forward Drive, Harrow, HA3 8FL.

In making its decision, the Licensing Panel carefully considered the application and written representations, as set out within the report and the verbal representations made at the hearing.

The application was for a new premises licence for a local community hall in South Harrow at the site of a former bank. The panel heard how the applicant had 20 years' experience of running an off-licence and post office in South Harrow and wanted to set up a community hall for the benefit of the local community.

The applicant (and his agent) explained to the panel that the premises could currently take around 150 people in total at any one time, and that he planned to host small parties and weddings. Food would be served but would be prepared off site. He confirmed that he had agreed with the Metropolitan Police to add certain conditions to the licence.

Questions were asked of the applicant by the panel, about noise levels and the noise report provided by the applicant. The applicant said that the noise levels were unlikely to be heard beyond the premises and that they had applied for four Temporary Event Notices and that there had been no complaints. Events would be pre-booked and those booking the events had brought their own sound systems. The applicant indicated that he anticipated having 2-3 bookings per week and that they would be mainly at weekends.

Clarification was sought with the applicant about the indoor sporting events, and he clarified that this was meant to be for televised sporting events such as football or cricket matches. The applicant otherwise anticipated the venue being used for weddings and parties and the upstairs hall being used for business meetings. The applicant advised that he did not have the staff for the upstairs hall and the downstairs hall to be open at the same time.

Following some concerns about street drinking the applicant advised that there had been concerns about the alleyway behind the premises but that he had cleaned it up and installed lighting and CCTV which meant that street drinkers were no longer gathering there.

The applicant offered that there would be a 'drinking up' time of 30 minutes before closing time.

It should be noted that following changes to regulated entertainment in 2015, certain regulated entertainment are exempt from needing to be licenced and in this present case, for live music, a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises provided that the audience does not exceed 500 is exempt, and for recorded music, no licence permission is required for any playing of recorded music between 08.00 and 23.00 on any day on a premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500. As these exemptions apply in this case, the times noted above for licensed regulated entertainment start at 23.00 hours.

In light of the clarification provided at the meeting, the amendments to the original application agreed with the Police, and the additional measures agreed to at the hearing (noted above), the Licensing Panel resolved to grant the licence with the hours and conditions stated above.

The Licensing Panel believes that with the amendments made and the explanations provided, the measures taken above are appropriate and proportionate in the circumstances to promote all the licensing objectives.

The panel also noted that it had received two written objections from local residents which it considered in coming to its decision although none of the objectors attended the hearing.

RESOLVED: To grant the premises licence subject to the following:

1. Hours Open to the Public and hours for Licensable Activities:

	Supply of Alcohol	Indoor Sporting Events, Live Music, Recorded Music, (indoors only)	Late Night Refreshment	Hours Open to Public
Monday	11.00 – 22.30			07.00 – 23.00
Tuesday	11.00 – 22.30			07.00 – 23.00
Wednesday	11.00 – 22.30			07.00 – 23.00
Thursday	11.00 – 23.30	23.00 – 00.00	23:00 – 00:00	07.00 – 00.00
Friday	11:00 – 01.30*	23:00 – 02:00*	23:00 – 02:00*	07:00 – 02:00*
Saturday	11:00 – 01:30*	23:00 – 02:00*	23:00 – 02:00*	07:00 – 02:00*
Sunday	11.00 – 22.30			07.00 – 23.00

*Continues into the following day

2. Conditions

- Conditions agreed with the Metropolitan Police will be applied to the licence, as amended, as well as conditions that will be extrapolated from the Applicant's operating schedule (adjusted with regard to those agreed with the police).
- Police condition 1 will be amended to say:
 - *CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days with date and time stamping and shall be made available to police and authorised Officers from the Council upon request. This must comply with the Data Protection Act including signage.*
- Police condition 9 will be amended to say:

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

 - all crimes reported to the venue*
 - all ejections of patrons*
 - any complaints received*
 - any incidents of disorder*
 - any faults in the CCTV system or searching equipment or scanning equipment*
 - any refusal of the sale of alcohol to include the date and time of the refused sale and the name of the member of staff who refused the sale*
 - any visit by a relevant authority or emergency service*
 - all seizures of drugs or offensive weapons*
- Police condition 16 will be amended to say:
 - *On occasions when the venue is open past 23.00 hours SIA trained staff will be employed from 21.00 hours for the duration of the event, the numbers of SIA staff will be agreed with the Metropolitan Police prior to the event taking place.*
- In addition, the following conditions will also be added to the licence:
 - *The premises licence holder shall operate an anti-drugs policy to include signage in conjunction with a search and seizure policy as agreed from time to time in writing with the Metropolitan Police.*
 - *All windows and external doors shall be kept closed after 12.00 hours, or at any time when regulated entertainment takes place, except for immediate access and egress of persons*
 - *The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.*

(Note: The meeting, having commenced at 6.30pm, closed at).

(Signed) Councillor Kanti Rabadia
Chair