

REPORT FOR: LICENSING PANEL

Date:	30 March 2010
Subject:	Determination of Magistrates Court regarding the appeal by Café Café
Responsible Officer:	Mr Finlay Flett, Head of Community Safety Services
Exempt:	No
Enclosures:	-Variation Application -Premises Licence -Minutes of Licensing Sub-Committee Panel Hearing, 02 November 2009 -Appeal Decision of Magistrates Court

Section 1 – Summary

An appeal was lodged against the decision of the licensing authority, made by the licensing panel on 2 November 2009 in determining the variation application in respect of 'Café Café, 49-51 High Street, Harrow on the Hill, HA1 3HT. Upon considering written representations from the parties to the appeal, the Harrow Magistrates' Court ordered that the matter be remitted back to the London Borough of Harrow (as licensing authority) under section 181(2)(c) Licensing Act 2003.

Section 2 – Report

2.1 Current Situation

- 2.1.1 An appeal was lodged by John Howard Morrisroe & Brian Quinlan Morrisroe against the decision of the licensing authority made at a licensing panel hearing on 2nd November 2009 when it considered an application to vary the premises licence for 'Café Café, 49-51 High Street, Harrow on the Hill, HA1 3HT.
- 2.1.2 Following the appeal being lodged by the premises licence holder in respect of removing the condition that after 23.00 hours alcohol only be sold ancillary to a table meal, it was agreed that this condition be removed from the licence, and that a further condition be added to the

licence, namely that there be no new admissions to the premises after 23.00 hours and that a notice confirming this be displayed prominently at the entrance to the premises.

- 2.1.3 The court was satisfied with this agreement and remitted the matter back to the licensing authority to dispose of accordingly – i.e. to implement the removal and addition of the conditions noted above.

2.2 Legal Implications

The Licensing Panel is required to implement the directions of the Magistrates Court, giving effect to the agreement regarding the conditions on the licence.

2.3 Financial Implications

There are no financial implications

Section 3 - Statutory Officer Clearance

Name: Kanta Hirani	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 17 March 2010		
Name: Paresh Mehta	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 17 March 2010		

Section 4 - Contact Details and Background Papers

Contact: P Sivashankar, Licensing Services Manager x 6237

Background Papers

- Premises licence
- Variation Application
- Appeal Decision of the Magistrates Court
- Minutes of Licensing Sub-Committee Panel Hearing 02 November 2009