

LICENSING PANEL

27 OCTOBER 2009 AND
2 NOVEMBER 2009

Chairman:

Councillors: * Mrs Lurline Champagnie * Jeremy Zeid
* Raj Ray

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**472. **Appointment of Chairman:****RESOLVED:** That Councillor Lurline Champagnie be appointed Chairman of the Panel for the purpose of this meeting.473. **Declarations of Interest:****RESOLVED:** To note that there were no declarations of interests made by Members.474. **Minutes:**

(See Note at conclusion of these minutes).

475. **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.476. **Licensing Procedures:**

The Panel Members, officers and other attendees at the meeting introduced themselves. An officer then outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

477. **Application to Vary a Premises Licence held by 'Café Café', 49-51 High Street, Harrow on the Hill, HA1 3HT:**

The Panel received a report of the Head of Community Safety Services, which sought the determination of an application to vary the premises license for Café Café, 49-51 High Street, Harrow on the Hill, HA1 3HT.

In attendance at the meeting were Mr Williams on behalf of the applicant, Police Sergeant Carl Davis on behalf of the Metropolitan Police and Ms Susan Haynes on behalf of Environmental Health. Also in attendance were members of the public that had made representations against the application. Mr Peter Coates and Ms Bernadette Forde from Licensing Services were also present.

Mr Coates introduced the application and explained that the variation sought to modify the trading schedule as follows:

Recorded Music	Monday to Sunday	1200 - 0100
Late Night Refreshment	Monday to Sunday	2300 - 0100
Supply of Alcohol	Monday to Sunday	1200 - 0100
Hours Open to the Public	Monday to Sunday	1200 - 0130

Mr Coates added that the variation also sought to remove a condition from the license that meant that from 11pm onwards alcohol could only be served with a meal.

Speaking in support of the application, Mr Williams stated that:

- The applicant was willing to compromise on the requested extension to the trading schedule in order to reach a fair solution;
- The applicant would be willing to appoint additional door supervisors;

- The applicant would be willing to close the frontage of premises after an agreed time;
- Problems concerning litter and noise pollution might have been caused by another premises;
- The applicant had a very good relationship with the Police.

Following representations from Sergeant Davis, Ms Haynes and other objectors, it was stated that:

- The doors to the premises were often left open and the frontage was used by customers. This resulted in noise pollution. Furthermore, some customers remained in the area after the premises had closed, left litter on the street and strayed into the no alcohol zone;
- The Police would not be able to dedicate resources to the area as Harrow Town Centre was the priority. This created the potential for incidents of crime and disorder;
- Door supervisors would only remove patrons from the premises, not the local area;
- Whilst it was appreciated that the applicant was trying to run a business, the surrounding area was predominantly occupied by residents and a school. It was felt that this should be reflected in the premises trading schedule.

RESOLVED: That (1) taking into account the provisions of the Licensing Act 2003, the statutory guidance issued pursuant to section 182 of the Licensing Act 2003, the Councils Licensing Policy and the representation made by both parties, the Panel decided to modify the trading schedule as follows:

Recorded Music	Sunday to Thursday	1200 – 0000
	Friday and Saturday	1200 – 0030
Late Night Refreshment	Monday to Sunday	2300 – 0000
	Friday and Saturday	2300 – 0030
Supply of Alcohol	Monday to Sunday	1200 – 0000
	Friday and Saturday	1200 – 0030
Hours Open to the Public	Monday to Sunday	1200 – 0030
	Friday and Saturday	1200 – 0100

(2) the following conditions be added to the licence:

- Tables and chairs must be removed from the frontage of 49 & 51 by 11pm.
- In addition to existing signage, the SIA door supervisor should advise customers to leave the premises quietly and quickly.

REASON: To promote the following licensing objectives:

- the prevention of crime and disorder;
- the prevention of public nuisance; and
- public safety.

(Note: The meeting having commenced at 7.00 pm on 27 October 2009, adjourned at 8.05pm, reconvened on 2 November 2009 at 7.12pm and closed at 11.12pm)

(Signed)
Chairman

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