

LICENSING PANEL MINUTES

26 FEBRUARY 2018

Chair: * Councillor Ramji Chauhan

Councillors: * Manjibhai Kara * Stephen Wright

* Denotes Member present

154. Appointment of Chair

RESOLVED: That Councillor Ramji Chauhan be appointed Chair of the Licensing Panel Hearing.

155. Declarations of Interest

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

156. Minutes

(See Note at conclusion of these minutes).

157. Licensing Procedures

The Chairman 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

158. Application for review of the premises licence for Club KTM, 32 Railway Approach, Wealdstone, Middlesex HA3 5AA

In attendance:

Legal Adviser:	Paresh Mehta
Principal Licensing Officer:	Jeffrey Leib
Metropolitan Police:	PC Patrick Moran
Applicant's Representative:	Mr Panchal, accompanied by two representatives from the premises

RESOLVED: That, having taken into account the following,

- Written and oral representations by all the parties as set out on the agenda and below
- 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

no steps be taken in relation to the premises licence for Club KTM, 32 Railway Approach, Wealdstone, as appropriate to promote the licensing objectives. This determination, in accordance with section 52(11) of the Licensing Act 2003, does not take effect:

- (a) until the end of the period given for appealing against the decision, or
- (b) if the decision is appealed against, the disposal of the appeal.

REASONS: To promote the licensing objectives.

Oral representations made at the meeting:

The Principal Licensing Officer introduced the report and stated that, since the application for a review, there had been positive meetings between the police and the premises licence holder which had led to improved procedures being implemented by the premises and a positive overall impact. The Panel noted that the Environmental Health Officer had recently approved the acoustic recommendations and settings for the premises, thereby enabling it to trade to the varied licensable hours granted in October 2017.

Patrick Moran, Harrow Police Licensing Officer, informed the Panel that, following submission of the application for a review, the police had investigated the allegation of the incident on 1 January 2018 and reviewed the evidence. CCTV footage had shown that the incident complained about had not actually taken place in Club KTM. A false allegation had been made against Club KTM. Mr Moran speculated that the incident may have taken

place elsewhere. He informed the Panel that despite numerous efforts to contact the victim again, he had not responded. In light of this the police were, in effect, withdrawing their application for a review.

The Panel were of the view that, in light of the above statement by the police, and having considered the application, no further steps were required in order to promote the licensing objectives.

The Chair of the Panel expressed his gratitude to the premises licence holder on having had a positive dialogue with the police and encouraged the premises to continue this and to ensure that they complied with their existing licence conditions.

Right to appeal

Any party aggrieved with the decision of the Panel on one or more of the grounds set out in schedule 5 of the Licensing Act 2003 may appeal to the magistrates' court within 21 days of notification of this decision.

(Note: The meeting, having commenced at 7.25 pm, closed at 7.35 pm).

(Signed) COUNCILLOR RAMJI CHAUHAN
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].