

Decisions of the Licensing Sub-Committee

11 April 2014

Sub-Committee:

Councillor Andreas Tambourides (Chairman)
Councillor Maureen Braun
Councillor Claire Farrier

Officers to the Panel

Chidilim Agada – Governance Service
Harinder Dhaliwal – Legal Services

Trading Standards and Licensing Technical Officer

Jack Dowler

Responsible Authority

Sergeant Mark Altman – Metropolitan Police

Applicant's Representatives

Mr Joshua Simons (of Joshua Simons & Associates)
Mr Ken Macleay (of Joshua Simons & Associates)
Mr Lingam Raghulam – Operations Consultant for Appt Ltd trading as a McDonald franchise

1. APPOINTMENT OF CHAIRMAN (Agenda Item 1):

Councillor Andreas Tambourides was appointed Chairman.

2. ABSENCE OF MEMBERS (IF ANY) (Agenda Item 2):

All Members were present.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY) (Agenda Item 3):

There were none.

4. APPLICATION FOR A NEW PREMISES LICENCE - N20 RESTAURANT, 1105 – 1111 HIGH ROAD, LONDON, N20 0PT (Agenda Item 5):

The hearing for this application was adjourned prior to the meeting at the request of the Applicant in the public interest, for the Applicant to consult with members of the public.

5. LICENSING SUB-COMMITTEE HEARING PROCEDURE (Agenda Item 4):

The members of the Sub-Committee, officers present, Applicants and the Police introduced themselves. The Chairman explained the procedure that would be followed at the meeting.

6. APPLICATION FOR A NEW PREMISES LICENCE - MCDONALDS, GREAT NORTH LEISURE PARK, CHAPLIN SQUARE, NORTH FINCHLEY, N12 0GL (Agenda Item 9):

7. MOTION TO EXCLUDE THE PRESS AND PUBLIC (Agenda Item 10):

That under Regulation 14.2 of the Licensing Act 2003 (Hearings) Regulations 2005, the public be excluded from the meeting.

8. DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION (Agenda Item 11):

The Sub-Committee deliberated in private session.

9. RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE (Agenda Item 12):

RESOLVED – That the press and public be re-admitted (none were present).

The Sub-Committee, having considered the application and all verbal and written representations received, unanimously **RESOLVED** –

This is an application submitted under Section 34 of the Licensing Act 2003 for a variation of the premises licence by Joshua Simons & Associates on behalf of Appt Corporation Ltd trading as McDonalds, Iron Bridge, Uxbridge Road, Southall, UB1 3EG.

Mr Ken Macleay made the application on behalf of McDonalds Restaurant, Great North Leisure Park, Chaplin Square, North Finchley, London N12 0GL to allow the following:

- To allow late night refreshment indoors and outdoors from 23:00 hours until 05:00 hours (24 hours) Monday to Sunday.
- To allow the premises to remain open to the public from 23:00 hours until 05:00 hours (24 hours)
- To remove condition numbers 6 and 9 from the current premises licence. These conditions are:

Condition 6: The main restaurant is to be closed to the public at 00:00 hours.

Condition 9: This licence only permits the “Drive through” facility will be open between the hours of 00:00 and 05:00 Monday – Sunday. The remainder of the premises shall remain closed to the public during this period.

A representation was received from Sgt Mark Altman on behalf of the Metropolitan Police in relation to the prevention of crime and disorder and concerns that allowing the variation of the existing licence would result in increased Crime and Disorder in the area. The Sub-Committee heard verbal representations from the Police which concerned the impact that this would have in terms of increased crime and disorder.

Based on both the oral and written information provided by the applicant in respect of the security measures and crime and disorder in the area, and bearing in mind the concerns of the Police, the Sub-Committee have decided to vary the application under section 34 of the Licensing Act 2003 as follows:

- To allow late night refreshment indoors from 23:00 hours until 02:00 hours (Monday to Sunday)
- To allow late night refreshment outdoors from 23:00 hours until 05:00 hours (24 hours) Monday to Sunday

- To allow the premises to remain open to the public from 23:00 hours until 02:00 hours

A single condition to read: With the exception of the drive through, the Restaurant area and remainder of the premises will be closed to the public between 02:00 and 05:00 hours.

Additional conditions were put forward by McDonald's. These conditions will be imposed but with a slight variation to the closing time as follows:

1. Suitable numbers of staff will be employed to staff the restaurant between 23:00 hours and 02:00 hours. One dedicated member of staff to monitor the restaurant.
2. A manager will be employed at the premises 7 days week between licensing timings 23:00 and 02:00.
3. All managers employed between 23:00 hours and 02:00 will be trained in the McDonalds Conflict Management Programme accredited to City and Guilds level to ensure staff welfare and customer safety.
4. The McDonald's Staff Safe system will be installed, in operation and available for all staff and managers between 23:00 and 02:00.
5. Toilets shall be locked and accessed only by way of a RADAR or other locking system.
6. CCTV is installed and in operation throughout the restaurant area. The system records for 31 days. The CCTV system is linked to the staff safe system.

The Head of Governance was instructed to inform all parties of the Sub-Committee's decision.

Informative

All parties were advised of their right of appeal to Willesden Magistrates' Court before the expiration of a period of 21 days.

10. ANY OTHER ITEM(S) THE CHAIRMAN DECIDES ARE URGENT (Agenda Item 13):

There were none.

The meeting finished at 12.30 pm