

Decisions of the Licensing Sub-Committee

6 January 2015

Members Present:-

Councillor John Hart (Chairman)
Councillor Brian Salinger
Councillor Alison Cornelius

Officers to the Panel
Bob Huffam– Legal Services
Faith Mwende – Governance Service

Licensing Officer
Daniel Pattenden

Responsible Authority
Sergeant Mark Altman–Metropolitan Police

Applicant
Pararajasingam Satwheeswaran– Applicant
Trevor Hughes – Applicant's Representative

1. APPOINTMENT OF CHAIRMAN

Councillor John Hart was appointed as Chairman.

2. ABSENCE OF MEMBERS (IF ANY)

There were none.

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

There were none.

4. LICENSING SUB-COMMITTEE HEARING PROCEDURE

The Chairman introduced the sub-Committee Members and explained the procedure that would be followed at the meeting.

5. PREMISES VARIATION , COSTCUTTER, 2-4 VARLEY PARADE, THE HYDE, EDGWARE ROAD, COLINDALE, NW9 6RR

The Sub-Committee to consider the application to vary a Premises Licence, under section 42 of the Licensing Act 2003 for Costcutter, 2-4 Varley Parade, The Hyde, Edgware Road, Colindale, NW9 6RR.

The Sub-Committee heard oral representations from the Licensing Officer, the applicants, and the Police.

6. MOTION TO EXCLUDE THE PRESS AND PUBLIC

RESOLVED – That, under Regulation 14(2) of the Licensing Act 2003 (Hearings Regulations 2005), the parties be excluded from the meeting.

7. DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION

The Sub-Committee deliberated in private session.

8. RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE

RESOLVED – That the press and public be re-admitted.

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

This is an application for a variation of the licence in respect of Costcutter, 2-4 Varley Parade, The Hyde, Edgware Road. In essence the application is to be able to sell alcohol and remain open 24 hours per day.

The Police have made a representation on the basis primarily of the promotion of the licensing objective of the prevention of crime and disorder. They say that the premises are opposite several outlets along the Edgware Road which fall into a neighbouring borough and which have given cause for concern in respect of street drinkers and anti-social behaviour, especially by groups. The Police are concerned that the application would bring the street drinkers and other groups across the Road with resultant problems. They are also concerned that the premises already stock strong beers at above 7% proof which are favoured by street drinkers.

The Applicant, Mr Satheeswaren, has been the premises licence holder and DPS for the premises since 16 December 2008 and there has apparently not been any difficulty with the premises in that time. It has to be noted however that the hours requested are a substantial increase on those currently in force.

The guidelines to the Licensing Act make it clear that the panel should accept all reasonable and proportionate representations from the Police unless there is evidence that to do so would not be appropriate for the promotion of the licensing objectives. The evidence brought by the Police should be able to withstand close scrutiny.

In this instance it is accepted that the premises are well run and that the applicant is experienced. The concern for the Panel however is the Police evidence that the area is suffering considerably from the behaviour of street drinkers and general anti-social behaviour. We have heard evidence relating to gangs in the vicinity and the likelihood of the exacerbation of anti-social behaviour if more people are in the area attracted by a late licence.

In line with the guidance we find that the Police proposals are reasonable and proportionate and should therefore be accepted.

We reject the application in order to promote the licensing objective of the prevention of crime and disorder.

All parties were advised of their right of appeal to Willesden Magistrates' Court 448 High Road, London NW10 2DZ before the expiration of a period of 21 days from notification of this decision. Any appeal is by way of Complaint for an order. The Court may either dismiss the appeal, substitute for the decision appealed against any other decision which could have been made by the Licensing Authority or remit the case to the Licensing Authority to dispose of it in accordance with the directions of the court, and can make such order as to costs as it thinks fit.

9. ANY OTHER ITEM(S) THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting finished at 1.35 pm