

Decisions of the Licensing Sub-Committee

22 March 2022

Members Present:-

Councillor John Hart
Councillor Claire Farrier

Councillor Nick Mearing-Smith

1. APPOINTMENT OF CHAIRMAN

RESOLVED that Councillor Hart be appointed Chairman for this Licensing Sub-Committee meeting.

2. ABSENCE OF MEMBERS (IF ANY)

None.

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

None.

4. LICENSING SUB-COMMITTEE HEARING PROCEDURE

The Chairman explained the procedure that would be followed at the meeting.

5. REPORT OF TRADING STANDARDS & LICENSING MANAGER - LARA GRILL, 24 CHARCOT ROAD, COLINDALE, NW9 5ZD

The Sub-Committee considered an application for a new premises licence made under section 17 of the Licensing Act 2003 in relation to Lara Grill, 24 Charcot Road, Colindale, NW9 5ZD.

6. MOTION TO EXCLUDE THE PRESS AND PUBLIC

RESOLVED that the parties be excluded from the meeting, together with the press and public, in accordance with the Regulation 14(2) of the Licensing Act 2003 (Hearings and Regulations 2005).

Prior to exclusion, parties were notified that the decision of the Sub-Committee would be announced verbally and then a full written decision provided within 5 working days.

7. DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION

The Sub-Committee deliberated in private session, accompanied by the Officer from HB Public Law and the Governance Officer.

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

The Licensing panel carefully considered all the relevant information including:

- Written and oral representations by all the parties
- 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
- The Council's Licensing Policy
- Human Rights Act 1998

The Licensing panel hearing was held in person.

In making its decision, the Licensing panel carefully considered the application and all written representations, as set out within the report and the verbal representations made at the hearing by the applicant/agent. None of the persons who made representations attended but their written representations were taken into account by the panel.

The panel noted that some of the representations made included matters that are outside the scope of the licensing sub-committee and that some of the areas of concern raised by them related to another premises in the locality. The persons who made representations are reminded that they can contact the council's Licensing team and/or Environmental Services team to see if they can offer any assistance to them in relation to issues arising from the other premises.

The panel heard from the applicant and his agent that he operates two other premises in Dagenham and Langley and that alcohol sales make up 7% of the sales at those sites and also that they have not experienced any nuisance issues there. He hopes that the same will be the case at this new premises. He noted that alcohol sales on the premises will only be to customers having a table meal. The panel was told how this premises would be operating differently to the other one complained about by the persons making representations, and that the other premises is open much later and hosts shisha too, unlike this one which is intended to be a restaurant with more family clientele, and not a shisha venue.

The panel also heard that as part of planning approval, the premises had to carry out an acoustic test which was passed and that the extractor system is one that uses water filtration and has silencers added to keep noise levels down.

It can be noted that following changes to regulated entertainment in 2015, certain regulated entertainment is exempt from needing to be licenced under the Licensing Act 2003. For recorded music, no licence permission is required for any playing of recorded music between 08.00 and 23.00 on any day on a premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

The Licensing panel believes that based on the submissions made by the applicant together with the conditions agreed with the police, the measures taken are appropriate and proportionate in the circumstances to promote all the licensing objectives, and therefore allows the application for the issue of a new premises licence.

Right to appeal

Any party aggrieved with the decision of the licensing 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.

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

None.