

Minutes

LICENSING SUB COMMITTEE (NORTH)

15 March 2012

Meeting held at Committee Room 4a - Civic Centre, High Street, Uxbridge UB8 1UW



	<p>MEMBERS PRESENT: Councillors: Andrew Retter (Chairman) Lynne Allen Bruce Baker Judy Kelly Carol Melvin</p>
	<p>LBH OFFICERS PRESENT: Stephanie Waterford, Licensing Manager Rory Stracey, Legal Advisor Nadia Williams, Democratic Services Officer</p> <p>ALSO PRESENT Mr Ian Duncan – Solicitor representing the applicants (Mr & Mrs Pantling) Mrs Lorraine Foreman Mrs BL Sheppard Mrs J Wang Ms A Snaith</p>
7.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies submitted.</p>
8.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Councillor Andrew Retter declared a personal interest, as he was a Ward Councillor of a neighbouring ward and worked in close proximity to the application site. He remained in the meeting and took part in the discussion and decision of the item.</p> <p>Councillor Carol Melvin declared a personal & prejudicial interest, as the application was in her ward and as she was a member of the Northwood Ladies Bowls Club. She withdrew from the meeting and did not take part in the discussion or the decision of this item.</p>
9.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items will be considered in Public.</p>

10.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>No matters had been notified as urgent.</p>
11.	<p>THE OLDE NORTHWOOD PUBLIC HOUSE (<i>Agenda Item 5</i>)</p> <p>In introducing the report, the Licensing officer advised that a late petition had been received from the Northwood Ladies Bowling Club in objection to the application. It was noted that the Local Government (Miscellaneous Provisions) Act 1982 allowed for Chairman's Discretion as to whether to accept a late petition or not.</p> <p>The petition was shown to Mr Ian Duncan, the applicant's legal representative. The Legal Advisor to the Sub-Committee asked Mr Ian Duncan having viewed the substance of the objection, whether there was any reason not to accept the petition.</p> <p>Mr Duncan responded that there was no reason why the applicant would be prejudiced by the introduction of the late representation. He confirmed that they would be in a position to respond to the substance of the objection at the hearing.</p> <p>The meeting was adjourned for a short time for copies of the petition to be circulated to Members of the Sub-Committee.</p> <p>Mr Duncan addressed the Sub- Committee on behalf of the applicant and three objectors spoke against the application.</p> <p>Following consideration of the application, the Sub-Committee made the following decision:</p> <p>DECISION</p> <p>The Sub-Committee considered this application and took into account evidence and submissions from both parties. In reaching its decision the Sub-Committee took into account the relevant provisions of the Local Government (Miscellaneous Provisions) Act 1982, the Policing and Crime Act 2009 and the Council's Sex Establishment Licensing Policy. In doing so, the Sub-committee decided to approve the application.</p> <p>REASONS</p> <p>In reaching its decision, the sub-committee took into account:</p> <ul style="list-style-type: none"> - the letters of objection and the petition received in response to the application; - the comments of the Police; - the oral statements made by those persons attending the hearing. <p>The reasons for granting the licence were that:</p>

- there was no evidence that any of the mandatory grounds for refusal had been established;
- with regards to the discretionary grounds for refusal, the Committee were of the view that:
- there was no evidence that the applicant is unsuitable to hold the licence;
- there was no evidence that the business would be carried on for the benefit of a person who would be refused a licence;
- the number of sex establishments in the locality would not be equal to or exceed the number that would be appropriate in the locality;
- the grant of the licence would not be inappropriate having regard to the character of the locality, the use to which premises in the locality are put or the layout character or condition of the premises.

The Sub-Committee were of the view that the licence should be granted subject to the following additional conditions (in addition to the Council's standard licensing conditions):

1. The CCTV monitors showing images from the adult entertainment area shall not be positioned so as to be visible to members of the public and shall be positioned and maintained in another suitable location:
Reason: to ensure licensable activities are only seen by persons visiting the adult entertainment area.
2. The depiction of dancers currently displayed on the external signage of the premises shall be removed by 20 August 2012.
Reason: To protect the character of the area and to respect other uses in the vicinity of the premises.

The meeting, which commenced at 2.00 pm, closed at 4.40 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nadia Williams on 01895 277488. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.