



**MINUTES OF THE ALCOHOL AND ENTERTAINMENT
LICENSING SUB-COMMITTEE (C)
Monday 17 March 2014 at 7.00 pm**

PRESENT: Councillor Harrison (Chair) and Councillors Hunter and Jones

Also present: Councillor RS Patel

1. Declarations of personal and prejudicial interests

None declared.

2. Application by Rajesh Rai for a variation of the premises licence for 'Peaches Bar and Restaurant' (177-179 Kenton Road, Harrow, HA3 0EY) pursuant to the provisions of the Licensing Act 2003

RESOLVED:

That the application by Rajesh Rai for a variation of the premises licence for 'Peaches Bar and Restaurant' (177-179 Kenton Road, Harrow, HA3 0EY) pursuant to the provisions of the Licensing Act 2003 be **refused**.

The Alcohol and Entertainment Licensing Sub-Committee (C) felt that the condition on the premises licence stating that no shisha was to be served after 00:00 Monday to Sunday helped the licensee uphold the licensing objectives, in particular in relation to the prevention of public nuisance. The Sub-Committee therefore felt that the request in the variation to remove this condition would be detrimental to the prevention of public nuisance and so accordingly the application was refused.

3. Application by the Metropolitan Police for a review of the premises licence for 'Peaches Bar and Restaurant' (177-179 Kenton Road, Harrow, HA3 0EY) pursuant to the provisions of the Licensing Act 2003

RESOLVED:

Having considered the application by the Metropolitan Police to review the premises licence for 'Peaches Bar and Restaurant' (177-179 Kenton Road, Harrow, HA3 0EY) pursuant to the provisions of the Licensing Act 2003, the Sub-Committee resolved that the **premises licence continue in full force and effect but subject to amendments to the hours of licensable activities and opening hours, additional conditions, an amendment to an existing condition, deletion of some existing conditions and an informative.**

- (i) that the following amendment to hours of all licensable activities permitted on the premises apply:

that all permitted licensable activities on the premises must cease at 01:00 (the following day) Monday to Sunday.

- (iii) that the opening hours during which the premises is permitted to remain open to the public be amended to read:

Monday to Sunday – 07:00 to 01:30 (the following day).

- (iii) that the following conditions be added to the premises licence:

1. The shisha lounge area shall be vacated and clear of all patrons by 00:00.
2. From 07:00 until 00:00, the management and staff shall operate and maintain a smoking corral in the rear outside area of the premises.
3. From 07:00 until 00:00, the management and staff shall ensure that no more than 15 persons shall be permitted in the smoking corral at any time.
4. From 07:00 until 00:00, the management and staff shall ensure that no drinks are permitted in the smoking corral.
5. From 07:00 until 00:00, the management and staff shall ensure that there is no provision for seating and heating within the smoking corral.
6. From 21:00 until 00:00, the management shall ensure that the outside area is supervised by a dedicated external area warden wearing a high visibility jacket.
7. Customers in the beer garden are to be supervised by a steward at all times.
8. No entry or re-entry to the premises shall be permitted after 00:00.
9. There shall be a minimum of four SIA approved door supervisors and two stewards to control entrance to the premises and to control order within the premises.
10. A substantial food offering and non-alcoholic drinks shall be available at all hours the premises is open to the public and free water to be made readily available until closing time.
11. No sales of spirits by the bottle shall be permitted whatsoever on the premises
12. No drinks shall be served other than in plastic or toughened glasses.
13. A "Challenge 25" policy shall be adopted and adhered to at all times.
14. An incident log shall be kept at the premises, and made available for inspection on demand to an authorised officer of the Council or the Police, which will record and shall not be limited to the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
15. Any incident requiring blue light services shall be reviewed by management and staff at the earliest opportunity and the police informed in a timely manner.

16. A periodic review about the operation of the premises between the premises licence holder, the police, residents associations and the landlord's agent shall take place every three months.

17. All staff are to undertake annual external training by an approved training provider.

(iv) That the following condition from part 2, annexe 2 of the premises licence be amended to read:

24. No shisha to be served after 23:15 Monday to Sunday.

(v) That the following conditions from part 2, annexe 2 of the premises licence be deleted:

Conditions 3, 9, 18 and 25 respectively.

The Alcohol and Entertainment Licensing Sub-Committee (C) accepted the evidence from the police and local residents that there had been numerous incidents of crime and disorder and public nuisance in and around the premises in the last five years, many of these occurring after midnight, particularly during weekends. In addition, there had been a number of complaints received in respect of public nuisance concerning the use of the shisha lounge area and beer garden. In view of these circumstances, the Sub-Committee felt that it was appropriate and reasonable to reduce the hours of licensable activities and opening hours and to amend and add conditions accordingly on the licence in relation to the premises, including the shisha lounge area and beer garden, in order to help the premises licence holder uphold the licensing objectives (prevention of crime and disorder, prevention of public nuisance, ensuring public safety and protecting children from harm.).

The Alcohol and Entertainment Licensing Sub-Committee (C) also issued an informative reminding the premises licence holder of the need to adhere to condition 21 of part 2, annexe 2 of the premises licence (the locks and flush latches on the exit doors and gates shall be unlocked and kept free from fastenings other than push bars and pads whilst the public are on the premises). The Sub-Committee during its decision making process considered all of the evidence having regard to the Council's statement of licensing policy, amended government guidance issued under section 182 of the Licensing Act 2003 and the licence holders human rights under the Human Rights Act 1998 (namely Article 6, Article 8 and Article 1 of the First Protocol. Accordingly, in all of the circumstances of the case it was felt that the decision of the Sub-Committee was reasonable and proportionate.

The meeting closed at 1.55 am

J LONG
Chair