

Licensing Department.
London Borough of Brent.
Civic Centre
Engineer's Way.
Wembley,
HA9 0FJ

By email : business.licence@brent.gov.uk

June 24 2020

Dear Sirs,

Premises Licence number 152252 dated 1 September 2012 - Application to vary numbered 19080 280 Watford Road Harrow HA1 3TZ Blue Ginger Restaurant & Bar Ltd ("BGRB")

1 **the name of the premises:** (as copied from the Licensing Application) Blue Ginger Bar and Restaurant Limited t/a Blue Zenzer, 280 Watford Road, Northwick Park, HA1 3TZ

2 **my name and address:** [REDACTED]
(resident approximately 450 yards away from the premises)

3 I wish to make a representation, and objection to the above Application to vary numbered 19080 on the grounds set out below.

By way of background, I note that a previous application to vary the above Premises Licence 152252 in substantially similar terms was made on January 23rd 2020 (although that application described the premises as " *Blue Zenzer -Parkgolf Northwick Park, 280 Watford Road, Harrow, HA1 3TZ*"). I objected to that variation by letter of February 11th 2020, and, for completeness (setting out, as it does, the background to the construction and authorised/appropriate use) - and as part of my objection, I enclose a copy of that February 11th letter.

4. The grounds on which I am are relying are:

A Prevention of Public Nuisance

My first objection is on the basis of the likely effect that this application will have on my life, and that of my neighbours, by reason of Public Nuisance in various forms arising from :

- (i) the activities licensed - music live & recorded, dance, films and the sale of alcohol throughout a substantial part of the building (& the possibility of more to follow flagged up); and
- (ii) the extensive hours of such licensing from 11 am; and
- (iii) the physical location and construction of the building, in Northwick Park (MOL and public open space), abutting Watford Road, and the open fields of Harrow School Farm; and
- (iv) alcohol being served in driving range bays, when a public footpath crosses the driving range with (inadequate)" protective" netting constantly in disrepair through which walkers can be seen, and which walkers - from personal experience - are seen by some driving range users as fair game for target practice.

My home backs onto the Farm fields and, at night-time, with little traffic and the acoustic across open space, noise from what will become an out-of-town entertainment centre will easily carry and

be a disturbance of sleep, completely changing the (precious and rare residual agricultural and outdoor sporting) green space character of the area. I give more detail below of the types of public nuisance of which I have had experience .

Although the application states that licensing relates to indoor areas only, the driving range bays, smoking area and balcony are all marked as "*external*" on the Application plan - but are within the red edging for alcohol licensing.

The proposed licensing with **standalone bars** till midnight Monday to Thursday, and 2 am Friday through Sunday **with closing times half an hour later** will be a cause of disturbance not capable of control by enforcement and cause real damage to the sleep and quality of life for residents.

This is not a centre of town location. Standalone bars will not be functionally linked with the golf uses, and will attract a new clientele in the late evening.

Harrow Council objected to the original planning consent on the basis that they feared it would become an out of town entertainment centre. **How right and prescient Harrow Council was.**

My concerns relate to the **generation of noise, and other effects likely to arise from very substantially sized prominent licensed premises - licensed till midnight/ 2 a m for music (live & recorded, dance, music/dance films , restaurant and sale of alcohol (including on outside areas).**

The current uses have not been without problems and the operator has over the years of operation pushed the boundaries of what was originally approved by the Council as landowner and through planning - and intended to be tightly controlled.

Northwick Park was and is a park, a piece of public open space, largely used for outdoor recreation. Brent Council is the freeholder, and it is relevant and important to set out what Brent council as landowner authorised when it granted the Lease in 2009 which is now vested in Playgolf London Limited.

The authorised user under the lease from Brent Council to the tenant is for "*a golf course of at least 6 holes and golf driving range with at least 57 bays for use by the public during normal playing hours and ancillary leisure facility for the public and for all purposes reasonably ancillary thereto, and to the provision of a baseball batting cage.*" (My emphasis added). This authorised use has not been extended by the Council.

In addition, Brent Council's lease to Playgolf London prohibits "*anything which may be or become a nuisance annoyance or cause damage or inconvenience to ... occupiers of any Neighbouring Property or the public.*"

I set the above out to illustrate that the premises were built on an out of town site. Northwick Park is designated as Metropolitan Open Land ("MOL") with all the protections on use which that designation attracts, which were reflected in the Lease from Brent Council and all the planning decisions.

It is also a large area of public open space in an area with a shortage of open space; it is in a park. Such a location was never intended for large, prominent premises licensed for music, dancing, "musicdance", films, restaurant use, standalone bars premises, alongside outdoor sports areas

where there is a risk of drink spilling out into those areas at night - together with all the attendant noise, nuisance, traffic, highway danger & parking problems.

It was intended to have a use (essentially linked to outdoor sport), and one appropriate and sympathetic to the context and close proximity of not only a major hospital and a Church & church hall - but also large residential estates not buffered (for sound, etc) by buildings in between.

All these properties' amenity might reasonably be expected to be affected by an extension of use, beyond activities reasonably expected to take place within the confines of a golf course, golf club, golf driving range, a park used for outdoor leisure and recreation/ sport.

I specify below the type of public nuisance which will arise from this licence and the variation if granted. For this purpose, I set out some history - both to show what has been considered by the Council's legal and planning departments in the past and against what assumed uses, and to set out some part of a **history of non-compliance with Lease and planning consent conditions**. These will illustrate existing issues of non-compliance, and indicate a basis for my **concern for compliance in the future**.

A.1 Nuisance in terms of effect on protected local amenity and fundamental link to golf centre use

A.1.1 The premises, the subject of the application, were constructed in the early 2000s on Northwick Park - a park, an area of public open space and Metropolitan Open Land (MOL). The freehold of the land is vested in Brent Council. The construction was as a golf course, golf driving range, an ancillary cafe, golf centre administrative offices and ancillary areas (e.g., golf washing areas) facilitating a golf club and driving range.

A.1.2 The original planning applications were contentious, and the 1999 consent only obtained after a previous application was called in and directed to be refused by the Mayor. The consent once granted was for a building - and tightly controlled uses - both appropriate under the planning regime for buildings on MOL, essentially for outdoor sports.

A.1.3 In the event, the building actually constructed was bigger, higher and different from that authorised by the 1999 consent, and the uses more extensive.

A.1.4 Planning Consents for additional uses were added over the years, in the initial years retrospectively, one after an appeal to PINS, and in each case opposed by many residents.

A.1.5 All of the relevant additional use planning consents (whether retrospective or not) have contained conditions. "*Not to damage the amenity of the area.*"; "*Not to damage the local amenity*"; "*to remain functionally linked to the primary use as a golf centre*"; "*to control the use of the restaurant activities and their potential impact on the Metropolitan Open Land*". A further condition was to prohibit "*private functions that exclude members of the public or any golf Centre user or require purchase of ticket to enter*".

A.1.6 The effect of the application if granted will be to damage the amenity of the area, the use will not be functionally linked to the primary use as a golf centre and private functions will exclude members of the public and require tickets to be bought

A.2 Nuisance in terms of Noise

A.2.1 I have lived at my home since 1989. As per my February 11 letter, I am fully familiar with the noise nuisance, which occurred when the Centre first opened - then (largely) unlicensed for alcohol. Residents suffered from the noise of parties, discos, karaoke and the sounds of external drinking both during the day but particularly late at night. Complaints were made vociferously to the Council, as freeholder, and action was - eventually - taken to curtail the activities.

A.2.2 The point is that we already know how noise escapes from the premises and how it affects. Please note however that - at **that time** - **there was no question of the licensed use of the external areas formed by the 50+ golf driving range bays for drinking (including late night)**

A.2.3 Noise did escape from the premises generally - the construction has too many exterior openings to be of sound-proofed construction. However, the actual use for drinking etc was then "only" in the "bear garden" (so marked on the existing 2008 plan & January variation plan) - Area K, and the external upper ground floor balcony area to the south of the existing restaurant.

A.2.4 This application - although it states the licensing is **indoor only** - will license the use of the individual driving range bays, all along the eastern perimeter of the building - together with the smoking area at the front (western perimeter), and the balcony to the south of the current restaurant . **These are all external and so marked on the application plan.**

A.2.5 As the applicant itself anticipates, there will be a risk of the "*breakout of regulated entertainment*" via the doors & windows to the driving range bays referred to in Schedule M, to which I refer in A.2.7 ff below.

There will inevitably be noise from exterior drinking into the early hours along the whole extent of open area on the lower ground and upper ground floors on the west side of the building - **approximately 50 bays for individual "parties", serviced by mobile waiting on staff coming to the bays, without any need for those parties to break up to go to the bar.**

A.2.6 as above, there is the issue of noise, which will travel over the open fields. The Centre as a whole was never constructed with an eye to soundproofing, as a user as an out-of-town late-night entertainment centre was not envisaged. Waiting on staff will bring drinks to the tables; even if the weather is not clement, the 50+ driving range bays will be sheltered. We can envisage drinking parties in substantial numbers up to 2 a.m at weekends including Sunday nights.

A.2.7 As a golf driving range, the physical construction of the bays has extensive areas open to the outside. This is appreciated by the applicant, who says, in Schedule M, "*doors and windows to the external driving range areas marked as C (lower ground floor) and G. (upper ground floor) with exception of access and egress shall be kept closed to prevent the breakout of regulated entertainment*" (my emphasis added). There is no indication how these will be "kept closed" by default/physical means, or by any form of "management", or what will happen, if there are breakouts of noise nuisance from the "*regulated entertainment*".

A.2.9 there is further opportunity for "*breakout of regulated entertainment*" at the door to the balcony area on the upper ground floor, which is used in conjunction with the restaurant. There is no indication of any similar measures proposed to be taken "*to prevent the breakout of regulated entertainment*" through those balcony doors.

A.2.10 in any event, there will also be the noise from exterior drinking into the early hours on that balcony area - i.e., for along the whole extent of the south wall on the upper ground floor of the premises (8 tables shown), and also along the "*smoking area*" (Area M), along part of the Eastern

wall of the premises by the entrance to the centre. All this up until midnight or 2 AM, and setting a context to the entrance of the centre as a licensed premises - a very large pub.

A.2.11 Although this application does not indicate that Area K is included in the current licensing application to vary, this is a large external area – on this plan marked as "*external garden*" - but on the 2008 plan, and indeed the January 2020 variation application plan, this area was again marked as "Bear Garden", with 11 tables.

This application indicates that, should this area be required for licensable activities, "*the licensing authority would be notified by the licence holder...*". That is not very reassuring, since it would indicate that the applicant has a view to extending the licensed areas on site even further.

This "bear garden" area has in the past been used for external drinking, and precipitated complaints. This was the case that when the Centre first opened, it was extensively used for parties, discos and karaoke events with a very great deal of noise nuisance for residents.

At the very least, if the application is granted, as above, "gatekeeping methods" to ensure that the doors to the "bear garden" area **cannot be opened** (e.g. appropriate locks and alarms going off audible to "management")

A.2.12 If these feared noise nuisances did take place, it would be late at night, sporadic but making for cumulative and anticipatory anxiety for residents, with no possibility of intervention by residents/the hospital/ any form of Council environmental noise nuisance enforcement, leaving no alternative but for residents, et cetera to await renewals of licences, and an opportunity to oppose. In any event, with the severe cuts suffered to Local authority environmental teams, there are unlikely to be any resources available to deal. Environmental was frequently contacted in the early days of the golf centre on the issue of noise, and light.

A.2.13 The areas of the driving range bays— **whether or not the licence variation is granted – should be completely excluded from licensing for the sale of alcohol and should be closed off, with appropriate "gatekeeping methods" to ensure that the doors cannot be opened (e.g. appropriate locks and alarms going off audible to "management")**

Similar consideration should be given to the balcony area, in the light of noise generated and the risk of the "break out of regulated entertainment."

A.2.14 the application includes two standalone bar areas, independent from the restaurant (and therefore at least a link with eating meals.) What is to stop the premises from becoming a late night destination of choice simply for drinking?

The attraction of an independent bar area will be **enhanced** by the "*late night refreshment*" aspect, for the period from 11 until midnight.

A.2.15 This leads to the issue of noise for those attending the premises **on entering and exiting** - particularly during the period after pubs and restaurants close - which arrivals can be envisaged as at varying times after 11. It will also encourage driving to the premises, the prospective patrons possibly having already had drink.

A.2.16 This entry and exit will go on until final exit after **closing time (12:30 - Monday to Thursday, and 2:30 am Friday through Sunday)**. There may be stragglers. People will have been drinking - these are standalone bars for the late night licensing. It does not bear thinking about.

A.3 Nuisance in terms of Traffic generation, dangers, and overflow parking concerns

A.3.1 The same point about **experience** from the opening of the Centre applies to my concern re the likelihood of nuisance from additional traffic, danger on the busy Watford Road from illegal U-turns and parking problems for residents on nearby estates roads being generated.

A.3.2 I have referred just above to the new risks of a **well advertised late night licensed property in a prominent location**. Experience in neighbouring streets at present is that existing patrons (wishing to avoid being seen leaving the existing licensed restaurant in a car) park on nearby streets and return on foot, so as to avoid immediate attention.

A.3.3 On U-turns around the traffic island by patrons

A.3.3.1 As set out in the Officer's report to planning application 12/0316 (for the restaurant (areas D & L) eight years ago, Highways Department had received reports over the years of unlawful U-turns exiting the property and turning right into Watford Road, sweeping out to get round the traffic island.

The island was installed when the centre was developed to stop dangerous right turns across Watford Road - a major route, and a previous accident black spot especially at night, when traffic can travel quickly - and featuring a hazardous bend and rise coming from the Hospital.

A.3.3.2 Over at least the last 12 months, we have witnessed - and other residents have complained of - exacerbated problems in that takeaway services are operating from the restaurant, and the delivery motorbike drivers regularly at speed unlawfully turn right and around the traffic island, creating traffic dangers.

A.3.4 Traffic surveys/analyses for the premises in the past

A.3.4.1 The **only** traffic analysis/ survey ever undertaken was in 2000 - by HMV for the then tenant. **At that point, only an ancillary cafe was envisaged with "an average of 20 users"; the traffic analysis therefore focused on the number of golfers who would come to the golf course, and users of the driving range bays.**

A.3.4.2 There are around 150 spaces on site: approximately 100 spaces at the front of the building.

A.3.4.3 The remainder come from an "overflow car park" to the North of the building. Separate from that - fenced off and gated - is a "*special events*" area. These areas are together the subject of a separate retrospective planning consent, with conditions. **When thinking about all this, and at the risk of being boring, it must be remembered that this site is MOL and subject to particular planning policies and requirements which set the context for every application on this site.**

A.3.4.4 The special events area is **not** a car park, save on very restricted occasions. Both the "overflow" car park (to the North of the building) and the special events area were "conditioned" not even to be brought into use until a "*management plan*" was approved and implemented. This has **never been submitted - let alone approved. This goes back over around 13 years.**

A.3.4.5 In 2012, the then Planning Committee **required** that a **retrospective** application for a consent be made by the then tenant to authorise the Blue Ginger restaurant on site, as it was deemed not to have been authorised by the original planning consent.

The Blue Ginger restaurant authorised by that consent is (as far as I can tell) in Areas D and L on the upper ground floor -together, possibly, with a very small area on the lower ground floor which I believe is Area H.**[Those areas (D & L and the small lower ground floor area) are certainly the only ones sublet to BGRB by the tenant Playgolf London Limited, and therefore BGRB's right to control. I return to this below (A.4)]**

A.3.4.6 The 2012 planning consent was granted for a **150 seat restaurant**. Despite strong residents' representations at the time -and remembering that the restaurant had already been in operation for some years - no further analysis of traffic to be generated on site was required or undertaken as part of the process for that retrospective restaurant consent. Officers **may have relied on the tight conditions on use of the car parking areas (see below)**.

A.3.5 Parking spillage onto adjoining roads, and noise nuisance as patrons return to their cars - see lack of availability on site as existing, which will be exacerbated by the intensified use

A.3.5.1 The parking aspect of the original development was looked at **strictly** - this was a building on MOL and adherence to the Council's (& London Plan) planning policies were taken seriously.

A.3.5.2 In addition, the traffic surveys and report furnished by the then tenant as part of the initial application envisaged very little traffic (see above A.3.4.1).

A.3.5.3 There was again contention over the later **separate retrospective planning consent for the car parking**. There are around 150 authorised spaces on site

A.3.5.4 There are approximately 100 spaces at the front of the building; there is then an overflow car park to the North of the building. Separate from that - fenced off and gated - is a "special events" area. **The special events area is not a car park for general use, hence its fencing and gating.** It was consented for use on very restricted occasions.

A.3.5.5 Both the overflow car park to the North and the special events area were conditioned not to be brought into use until a "*management plan*" was approved and implemented.

A.3.5.6 This management plan **has never been submitted - let alone approved. This goes back over around 13 years.**

A.3.5.7 Subsequent problems of parking on the centre's **internal access roads** arose. These were to have been dealt with by the construction of bollards and the laying of railway sleepers to prevent parking on the centre's access road pavements. This was imposed as a condition on the **planning consent for the (unlicensed) cafe-bar (in Areas E & N)**. **The installation of the bollards was not complied with.**

A.3.5.8 With the extreme intensification of use implicit in this application and the current uses **already** implemented for the lower ground floor, we fear use of our adjoining residential roads, which have no parking restrictions on them.

A.3.5.9 The attractions will bring parties and family outings, which the Centre's parking will not be able to accommodate.

A.3.5.10 At night , there will be the risk of parking by patrons arriving and leaving late ,parking away from the Centre on our residential streets to avoid attention on leaving licensed premises in cars, especially in the early hours of the morning.

It will quite simply attract much more traffic, and parking.

A.4 Nuisance by floodlighting and potential danger to walkers on the footpath crossing the driving range

A.4.1 I refer above to the licensing of the 50+ driving range bays, and the risk of break-out of regulated entertainment through the doors and windows to the bays. To use the driving range bays across the open fields beyond, once it is dusk, requires floodlighting.

A.4.2 the premises also abut Northwick Park Hospital, and ward blocks. The Hospital drew attention to the nuisance **caused to those ward blocks by the floodlights from the golf driving range**, and the disturbance to patients. There was a history of dispute about the floodlighting and its light spill, and failures to extinguish the lights at the specified time. This has largely been problem-free of recent years. **At present, the floodlights are extinguished at 10 PM.**

A.4.3 The application, however, specifically states that the driving range bays will have tables within them and that waiting on staff will take orders from the bays (Areas C - lower ground floor & G - upper ground floor) for both drinks and late night refreshment up until the closing time of midnight/2AM. **This would indicate the bays would be in use, and therefore presumably accompanied by the floodlights, until the end of the licensing hours or even closing time, in each case a half hour later (Midnight 30/2.30 am)**

A.4.4 This will cause extensive nuisance, even further afield, as the lights are visible from Barn Hill (for which ward of the Borough, I am one of the councillors). If the driving range bays are not to be used for the purposes of driving on the range (requiring floodlights), why are they to be used at all , and the individual bays actually licensed for the sale of alcohol?

A.4.5 As a user of the footpath which crosses the driving range, where the protective nets are already substantially damaged, I can testify from personal experience that some users of the driving range appear actually to be targeting walkers across the footpath. An inspection of the state of the "protective netting" intended to secure the safety of the footpath (but long fallen into dangerous disrepair) would make the potential danger to public safety apparent.

A.4.6 In previous years, the use of powerful "drivers" - which were prohibited under the rules for the driving range - became prevalent. This was apparent when the length of drive of golf balls landed them in the Hospital car parks outside the boundaries of the golf course.

I do not like to think of the effect of having alcohol in the driving range bays with the use of powerful clubs available.

Those using the driving range should not have direct access to alcohol and the bays areas should not be included in any premises licence for reasons of public safety.(Brent Council as landowner has residual public liability for public safety on the footpaths by virtue of the Lease obligations and statute law).

A.5 How will the control required to ensure no public nuisance be effected?

A.5.1 Who has the legal right of possession to operate and control the Licensed premises?

A.5.1.1 **Playgolf London Limited has a Lease of the whole premises from Brent Council , and therefore in legal control either in its own right, or via subleases it has granted.** Playgolf London sublets part to BGRB; I attach the Land registry filed plan for this sublease, showing the extent sublet to BGRB.

A.5.1.2 **Playgolf London Limited currently is the only party which has legal possession of the areas of the Premises the subject of the application - apart from D & L on the upper ground floor and H on the lower ground floor.**

A.5.1.3 **BGRB as subtenant has legal possession only of areas approximating to Areas D & L on the upper ground floor (edged red & coloured blue), and H on the lower ground floor (edged red only).**

A.5.1.4 BGRB does not have a sublease of the cafe bar (Areas E &N), notwithstanding that it has operated it for some years - nor of any area on the lower ground floor other than H.

A.5.1.5 It is said in the application that Paul Lawrence Management Limited (PLML) will have a sub-lease (actually a sub-underlease) of Areas A& H; BGRB will have to be granted a sub-lease of Area A first.

A.5.2 Who is the Licensee, responsible for control and the performance of the licensing objectives - and legally able to do so?

A.5.2.1 This application for variation of the 2012 Licence is by BGRB as current licensee. However, it envisages two separate operators: BGRB, and PLML but with management control for licensing purposes only by BGRB.

A.5.2.2 **These will not be easy premises for Licensing to ensure control for various reasons:**

(a) **from the point of view of lawful occupation and legal possession,** BGRB has only a right to Areas D, L & H under its sublease.

Brent Council's Lease to Playgolf London **prohibits** its parting with possession of its leased premises, save by way of a Council approved sublease. (For one of many good reasons - the Council takes a ten per cent share of the rent of sublet premises, sublet at full open market rent with 5 yearly reviews .)

So Playgolf London is the only party entitled to **legal possession** of the areas **other than D,L & H** (including where CCTV would be installed). There is no reference to that in the application.

Brent Council as landlord could require its tenant Playgolf London Limited to seek possession from BGRB and PLML.

(b) according to the application, **the whole of the lower ground floor is to be managed and overseen by BGRB, even though PLML are operating Areas A & H under a (proposed) sub-underlease.**(The premises are in operation , or were prior to lockdown).

(c) This joint operation is to be regulated by an "*operations policy document*", which is apparently available on request:" *Full details of how the lower ground floor shall be operated and managed by Blue Giber Bar and Restaurant Ltd t/a Blue Zenzer and the sub tenant Paul Lawrence*

Management Ltd is set out in the **operations policy document** a copy of which can be provided on request."

However, I requested a copy for the purpose of assessing my representation but Business Licence did not have one to supply.

Apparently, I can see it when it gets added to the website - after expiry of the time for putting in representations. Then, if I have further issues, apparently I can make further representations - which makes little sense (particularly - as will be apparent - this is a complex matter, needing holistic consideration, and takes a very long time to consider and write about)!

(d) So I have not seen this "*operations policy document*", and can only comment on the **principle** of a complex management arrangement between two operators of areas which may not be physically separated - to be used by children - purely by a "*policy document*" but:

(i) **any policy document or operating plan can be changed at any point.** How will the Licensing Committee be satisfied with such a "*moveable feast*" of a document? Will the core principles approved as effective from the "*policy document*" to protect the four licensing objectives be set in stone and embodied in licensing conditions, which can be monitored? Once the Licence is granted, where are the guarantees of how anything will be enforced?

(ii) whose "*operations policy document*" will it be - BGRB/Playgolf London/PLML's? Where is the document between these various parties, which will enable BGRB as Licensee to enforce in the various areas in the legal possession (currently) of Playgolf London & BGRB (& PLML once the sub-underlease to PLML is granted). Specific contractual provisions will be needed, with a right of enforcement?

(iii) we are talking here about **mixed areas for use by children and adults** - and very different kinds of use. Putt Crazy operation is advertised as both for family events and adult use - Putt Crazy Kids and Putt Crazy Adults <https://www.hillingdontimes.co.uk/news/18235912.new-1-5m-crazy-golf-course-opens-harrow-today/> <https://puttcrazy.com/> -

PLML will be the operator of the two areas to which children will be "attracted" : Areas A & H.

Area A - Putt Crazy golf with seating areas. This includes "Monster Claw" (dinosaurs).

Area H - "a new room to allow children's parties" (so may be used for other functions; it will be licensed). There appears to be little in the way of physical separation of Area A from the standalone bar and tables where drinks will be taken.

There is further "muddying of the waters" because Putt Crazy operation is advertised as both for family events and adult use - **Putt Crazy Kids** and **Putt Crazy Adults**, as above .

The Adult use refers to "*wild nights*" and "*bookable private areas*".

(iv) However, the Licensing application plan for this application set out does not clearly demarcate (by way of edging lines) the precise extent of Area A.

In addition, presumably Area H was an existing enclosed space - as it is sublet to BGRB already. However, there is some confusion as it is referred to as a "*a new room to allow children's parties*" . Understanding where these mixed areas are is important in terms of the exercise of control.

(v) Relying on a policy document which can be produced on request (but so far hasn't been , or isn't public) means that those considering this complex application to vary, and considering the representations they may wish to make **have no document** to see how these areas of a substantially sized licensed premises, available to children and families and adults (including on "wild nights") will be **rigorously controlled**. The **"only on request" provision of an important part of the licensing enforcement seems rather casual**. These numerous licensed areas need enforceable and monitored gatekeeping methods, if granted as per the application

(e) **I note, however, that the applicant recognises " concerns raised in relation to the shared access on the lower ground floor, and supervision of customers between both the floors that there is a requirement for additional control measures to promote the 4 licensing objectives and a series of additional conditions are provided under the operating schedule section M in this application"**

(f) These concerns therefore go further than "just" the operating policies between BGBR and PLML, and extend to the **" supervision of customers between both the floors"**

(g) It is very important to note that - **from a visibility point of view - this is an enclosed centre**. It was designed as a golf course building and a driving range not extensive licensed premises. The applicant itself **"foresees problems of supervision of customers between both the floors"**

(h) Areas A & H - for use by children - are on the lower ground floor within that enclosed centre, **not visible to the general public**. A very great deal will depend on the "management" of these areas to achieve the licensing objectives.

A.5.3 All the "tenant parties" in this - Playgolf London, BGBR and PLML appear connected , through common directorships and/ or as fellow subsidiaries/group companies but that does not give legal possession to the Licensee, or result in control that can be seen by the Licensing Committee as enforceable. Any party can change. For example, Playgolf London has a mortgage; it could assign its lease; it could pass into different hands. Similarly BGBR and/or PLML.

B On the grounds of prevention of Crime and Disorder

B.1 I have raised above (paragraph A.3.3) issues of illegal traffic manoeuvres on Watford Road, and the dangers of drinking and driving. The premises will be accessed by vehicle; public transport - apart from night buses - will not be available at the later hours.

B2 We locally have problems of drug user and drug dealing in quieter areas, such as the end of Pebworth Road, where I live - and there are particular and persistent problems on Northwick park by the Pavilion. Policing this is not easy over open fields and parkland.

B.3 St Cuthbert's car park suffers unfortunately from sexual activity in the car park, which is thought by the SNT police and the Church to be linked to prostitution.

B.4 Late night drinking every night from standalone bars , out of the eye of town centre policing with plenty of avenues of escape, is potentially a risk, and a draw for potentially unlawful activity, and/or fighting.

I should be glad to know if our local SNT police have a view; problems are ongoing and persistent but this extension of licensed late night use must have the potential to render the problems greater.

Our estate already has a professional security patrol at night-time from 8pm to 4 am (with varied additional hours outside those core times).

C Protection of Children from harm

C.1 I have discussed this above in context of the control measures within the building - paragraph A.5.2.2 (c).

My concerns increase, when considering the safeguarding of children, which - with this use - goes far beyond the use of **Challenge 25** in the needs for protection, or removal of glasses and bottles from tables - when you cannot tell from the application plan or the Putt Crazy websites if there is any physical separation, especially with children and areas for drinking and the bar.

Presumably the room available for children's parties (Area H) will be separate; the pictures on the websites show little physical demarcation. Again even that children's parties room is to be covered by the licensing application.

C.2 The applicant itself notes the situation will be difficult, including between the upper ground and lower ground floors. This is an enclosed centre, with little exterior glazing at the front. There is little public visibility. There are many different discrete, enclosed areas within the building - the applicant mentions supervision of patrons between floors. What does the applicant have in mind/fear?

C.3 I do not know how the toilet areas are "policed"; there is nothing about this in the application. Clearly CCTV would be inappropriate per se in the toilets but some serious thinking needs to be done to protect children in a large mixed use and fully licensed premises. The applicant does not appear seriously to have approached this from a safeguarding point of view. Which body would provide the safeguarding?

C.4 the use as a family destination, combined with an adult twin use, seems inherently risky.

C.5 There is for example no curfew time for children to leave - before, e.g., the "wild parties".

C.6 The applicant's Schedule M conditions seem inadequate. It mentions CCTV - a most unreliable means of tracking unlawful activity and easily (I am told by friends, e.g. in educational and indeed public house environments) avoided by those who wish to do harm.

C.7 Challenge 25 - though helpful for young people who might get into trouble - is of no application in context of the "protection of children from harm."

C.8 The clearance of glasses and bottles from tables is no more than would be expected for a well-managed and busy bar (including for a healthy public order preventive purpose of not having loose glassware and bottles about).

However, beyond stopping children draining those glasses/bottles of left over alcohol, it does not seem a very potent tool to protect children from harm, when their activities in the areas will be embedded amongst standalone bar premises and tables - and, of course 20+ driving bays on the lower ground floor potentially full of drinking parties.

C9 There is a real danger of under-age drinking. Children of residents on our estate attend the premises on their own.

D Public Safety

D.1 I am concerned by the prospect of Northwick Park becoming a destination of choice for late night drinking.

D.2 Northwick park Hospital is near by. It has an A& E department, and the all night buses travel along Watford Road. Pedestrians do walk Watford Road late at night. The bus stop at Carlton Avenue, the Green is well used. I have referred above to what happens in St Cuthbert's Church car park, which adjoins. There is a public footway which goes on a dogleg along the side of the Church towards the fields; this is not lit at night, and the Church and vicarage suffer from nuisance.

D3 I do not happily envisage the complete change in the character of the area which will come about if this application is granted.

If the operations policy document is supplied, I should be glad to be informed in case I wish to make further representations. In the light of the comment received from Business Licence to which I refer at paragraph A.5.2.2 (c) , I assume I would then have extended time to comment.

I hope that this application will be rejected, and the whole position on licensing of these premises examined, in light of the history outlined above.

Thank you.

Yours faithfully,

[REDACTED]