

Mr.Rajesh Rai  
PEACHES  
177-179 Kenton Road  
Harrow  
HA3 0EY

**Your ref: 176158**

18<sup>th</sup> February 2014

**Licensing Representation to the Application to review the Premises Licence for PEACHES  
177-179 Kenton Road Harrow, HA3 0EY**

**I certify that I have considered the application shown above and I wish to make representations that the likely effect of the grant of the application is detrimental to the Licensing Objectives for the reasons indicated below.**

Officer: Lavine Miller-Johnson – Licensing Inspector

An officer of the Licensing Authority, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a ‘Responsible Authority’ under the Licensing Act 2003.

The application has been made to review the premises licence under section 51 of the Act.

The Licensing Authority representations are primarily concerned with the following licensing objectives;

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm

Dear Mr Rai,

Below is a list of Licensing visits that have taken place at the premises taken directly from the Licensing system. Several visits are following complaints of disturbance from the local community.

10/09/2011	Check Visit	Esther Chan	Night visit conducted with Natasha O'Donoghue. Issues related to disorder (see witness statement, which has been forwarded to Licensing Police Dept. on 14/09/11). <a href="#">Witness Statement</a> see <b>appendix 3*</b>
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07/01/2012	Check Visit	Esther Chan	7/1/12 @ 1:29hrs Joint Visit with NOD Surveillance visit following complaints from residents of Draycott Ave instigating that customers from the venues are causing anti social behaviour nuisance on the street. Parked o/s No * Draycott Ave to monitor activity. At approx 1:30hrs, I saw four females (talking loud) heading from top of Draycott Ave walking towards end of the road and took a right turn on to Kenton Road. At approx 1:45hrs, a male walked up Draycott Ave to urinate by the wooden fence next a premise called Ashton Shah & Co (2b Draycott Ave). No other issues found. Left area at 2:15hrs to continue with duties.
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21/04/2012	Check Visit	Esther Chan	Joint visit with NOD 21/04/12 @ 2:00 hrs Peaches, Kenton Road Issues, residents complaint regarding fighting and nuisance Findings -Checked Sainsbury car park and Draycott Ave for nuisance, no issues found. Saw a SIA wearing high vis vest walking up the road to patrol area. We then drove past Peaches and saw two Asian males leaving the premise and appeared to be fighting as they were walking down the street toward Masters. Action √ Ongoing monitoring
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29/12/2012	Check Visit	Esther Chan	29/12/12 01:03hrs PEACHES, Kenton Road Check visit made with Alpesh, Property Database. Drove past premises, observed 4 Asian males outside the premises next to the railing opposite main entrance talking, while 1 male was seen vomiting over the railing. Another 6 males seen entering the premises at 01:03hrs, staff member in red jumper assisting the customers into the premises. No SIA visible outside the premises. 01:10hrs heard people talking / laughing in shisha lounge. Drove passed premises again and saw the 4 males we saw earlier + 1 female standing outside the premises.
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26/01/2013	Check Visit	Esther Chan	Joint visit with NOD and AK. 26/01/13 01:45hrs PEACHES 177-179 Kenton Road Harrow HA3 0EY  Drove past premises √ a couple of people outside the premises and could hear people still in smoking area. EC to following up with Michael Wood in planning regarding planning enforcement notice.
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20/04/2013	Check Visit	Esther Chan	<p>Joint visit with Sgt Adolphus and PC McDonald: See below notes from Police for Peaches and Masters:</p> <p>Observed Peaches Kenton Road 20/4/13 2.25 - 2.50hrs</p> <p>At 2.25 the premises were closing and customers leaving on mass. Looked like it had been a busy night. 27 customer's o/s the front. There was between 2 and 3 door supervisors who remained standing in the doorway. The majority of the customers appeared drunk. There was one IC4 male slight build with bright white trainers I noticed in particular, he was a couple of shop lengths down from the entrance he was been restrained/prevented by his friend from returning to the entrance of peaches. His body language was forceful and aggressive shouting 'F.....g Pu..y'. His friend who was a much larger build had a light t shirt and body warmer with hood over the top, he was telling him to calm down/leave it and ushering him down Kenton Road towards the direction of masters. There was two Asian females that were shouting at another group. The verbal noise level was high and for approx 5 mins a commotion. The door supervisors did not make any effort to clear people on or quieten them down, they were no wearing High Vis jackets. Numerous taxi's arrived and people began distributing in to them. Approx 12 walked towards Masters. At 2.42hours the door supervisors went inside the venue and locked the entrance door from the inside, Door supervisors did not make any patrol of the vicinity. This left 6 customers still o/s the venue laughing and chatting. One of them went to the side of the venue and urinated in the street.</p> <p>Observed Masters 0235 - 3am 20/4/13</p> <p>Many Peaches customers who were already heavily intoxicated had walked down and joined the queue to enter. At 2.25hrs there was 22 customers in the roped off smoking area, no drinks visible. Verbally loud, chatting laughing. One customer sitting on the bench in the pavement, One door supervisor on the door. Music loud and audible bass although majority of the time drown out by a DJ shouting in to the microphone. I saw a vehicle park in Upton Gdns and a group of 5 females walked from the car to Masters and gained access. I could see an Asian male in t shirt and body warmer with hood who had been a Peaches customer standing in the smoking area and after finishing his cigarette entered the venue. This male had been with one IC4 male slight build with bright white trainers he was been restrained/prevented by his friend from returning to the entrance of peaches. A steady stream of customers continued to arrive in 2's and 3's and gained entry to the premises. Everytime the front door opened the noise level was unacceptable. At 2.50hrs I saw Piper come to the entrance door and speak to the door supervisor. At 2.55 hours two more males</p>
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arrived. This venue is admitting drunken customers and breaching the entry re-entry of 0030hrs 157QK

28/04/2013

Special Initiative Inspection

Esther Chan

OPERATION CONDOR 5- 27th-28th APIL 2013  
OFFICERS: EC, AK, QK16, QK 965, QK601, QK 156, QK306, QK601, QK476, QK436  
177-179 KENTON ROAD @00:40HRS  
- Spoke with DPS Rajesh Rai  
- Premise Licence not displayed at entrance facing outside  
- 5 SIA present employed by Fortress  
- Rajesh Rai stated CCTV recordings are kept for 30-31 days. Manager was only able to show recordings for 22 days only. There are 4 CCTV machines, 2 were disconnected lying on the floor and the other two machines were recording of which one was showing only 9 cameras and the other was showing 16 camera. The CCTV hardrive is located in Flat 1 above premises.  
- 19 in Shisha Garden. Shisha Garden close at 2am. Garden should be close by 11pm in accordance representation raised BY Noise Team, however not stipulated on licence.  
- Rear fire exit not signage and locked  
- Clientele 23-35 years old, young professionals.  
- Last incident on 8/2/13 at 2am, drunk male  
- Refusals not logged.  
- Drug Test Results: NEGATIVE  
  
Licensing Police to review premises.

30/04/2013

Other

Esther Chan

Email:

Subject: Peaches - Kenton Road

Dear Bobby,

As per our telephone conversation on 29th April 2013, the following concerns require your immediate attention:

- ¿ Fire exits were locked at the time of visit
- ¿ Inadequate fire exit signs and directional signs
- ¿ Premise licence not displayed at the entrance facing outside
- ¿ CCTV recordings not kept for 31 days
- ¿ Recent observations indicate that patrons were leaving your premises intoxicated. Groups of patrons were loitering in the vicinity. Door supervisors were not actively controlling the patrons and were not patrolling the area after the premises had closed.

If you wish to discuss this matter further, please do not hesitate to contact me or the licensing police.

Kind Regards

Esther Chan  
Enforcement Officer  
Safer Streets  
Brent Council

Tel: 0208 937 5359



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15/06/2013	Check Visit	Esther Chan	Joint visit with officer NOD and Alpesh from Property Database team. 15/06/13 01:15hrs Peaches, Kenton Road Routine External Visual Check 6 Asian males standing premises (2 on phones and 4 socialising)
25/10/2013	Other	Esther Chan	25/10/13 Sainsbury Nash Way Joint visit conducted with AK for fireworks & annual inspection for premise licence. Spoke with Duty Manager, and Customer Service Manager, I made enquiries in respect to Peaches using the car park. Ms ***** stated that customers and staff from Peaches are not permitted to use the car as such because there are no CCTV cameras in the car park and Sainsbury's are not liable for any issues. There is a fixed gate which closes at 10:30pm and gate reopens at 7am.
26/11/2013	Other	Esther Chan	WARNING LETTER sent to Rajesh Rai of Peaches via recorded delivery on 26.11.13 (delivery ref BR770136698GB). <a href="#">Warning Letter</a> see appendix 5*

*Please see appendix below for supporting emails and letters*  
**Appendix 1- complaint email 23.08.2011**

23/08/2011  
16:12

Email From: Chan, Esther  
Sent: 23 August 2011 16:10

Cc: \*\*\*\*\*  
Subject: Complaint -Kenton Road

Dear all,

Just received a call from resident/complainant \*\*\*\*\* of No \* Draycott Avenue to report the following incidents:

On the 5/8/11 at approximately 22:30hrs-22:45hrs, approximately 7 youths were in Draycott Avenue causing a nuisance whereby they were having some sort competition fighting and doing press-ups against each other. At approx 4:00hrs, again a group of youths were loitering in the neighbourhood, fighting again for an hour.

On 13/08/11 between 2:00hrs-4:00 hours, a group of people which \*\*\*\*\* describes as aggressive were shouting, causing disturbance.

On 22/08/11 at 23:55hrs, 2 vehicles were parked outside No \*-\* and No \*. \*\*\*\*\* saw people opening the boot of the vehicles and picked up some sort of tool and began fighting which went on for 45mins until more vehicles heading from the direction of Peaches/Sainsbury's turned up and approximately 10-15 people loitered with the crowd.

Kind Regards

Esther

**Appendix 2- complaint email 05.09.2011**

Sent:05 September 2011 11:46

Subject: Kenton Road

Hello

Call received this morning regarding Peaches & Masters Kenton Road HA3

Caller reports Anti Social Behaviour 04/09/2011 at 04:00

Patrons leaving the premises, fighting, swearing and shouting along Upton Gardens HA3. Crates and objects from shops hurled at each other, residents are frightened and fed up.

Police called REF CAD2125

Regards

Dennis Viechweg

Business Support Officer



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# Witness Statement

CJ Act 1967, s9;

MC Act 1980, ss5A(a) and 5B;

MC Rules 1981, r70;

UPRN: 

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Statement of: .....ESTHER CHAN.....

Age of if under 18.....over 18

Occupation: .....LICENSING ENFORCEMENT OFFICER.....

This statement (consisting of ..... page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Dated the:.....12/09/11.....

Signature: .....

I am employed by the London Borough of Brent as a Licensing Enforcement Officer. My duties include enforcing the Licensing Act 2003. I was on duty with my colleague Licensing Enforcement Officer Natasha O'Donaghue on 10<sup>th</sup> September 2011 driving an unmarked vehicle carrying out licensing visits. At 02:04 hours, we parked our vehicle on Willowcourt Avenue, Kenton to observe the crowd outside Masters, 217 Kenton Road, Harrow. At the time of my observation, I could see approximately 14 people of mixed races (predominately Black and Asian origin) and genders standing outside Masters and neighbouring shops (Kai and L'u Hairdresser, 219 Kenton Road) socialising/smoking and there were also people sitting on the bench and loitering by the phone box directly outside the venue. The front entrance door of Master's was opened and I could hear a slight music bass emanating from the venue. At approximately 2:13 hours, the music emanating from the venue grew louder. At approximately 2:13 hours I saw three males leaving the venue walking towards Upton Gardens talking out loud to each other. At approximately 2:20 hours, two Asian females were seen walking from Willowcourt Avenue heading towards Masters. There appeared to be two SIA staff (one female & one male) dressed in black clothing standing outside the entrance of the venue, however the SIA staff did not seem to was controlling the crowd that were standing outside the venue, some of which had not departed since the time of my observation. At approximately 2:25 hours, I saw two males leaving a mini cab together and one of them crossed the road and approached a group of people who were already standing outside the venue to talk whilst the other male dressed in red and white jacket, dark trousers wearing glasses walked into the Chicken shop opposite the venue. At the same time, we heard four females screaming along the pavement near the venue. Two males dressed in dark clothing and a female dressed in grey top and light brown boots were seen walking from Upton Gardens heading towards a group of approximately two people sitting on the bench outside Kasturi, 231 Kenton Road,

Signature:

Signature Witnessed by:





# Witness Statement

CJ Act 1967, s9;

MC Act 1980, ss5A(a) and 5B;

MC Rules 1981, r70;

Continuation of Statement of .....

Page No: of

Harrow to socialise and smoke. At 2:42 hours we departed the area and drove toward Peaches, 177-179 Kenton Road, Harrow to observe the patrons leaving the venue. A large group of patrons were dispensing from Peaches walking along pavement talking and shouting. I could see the SIA staff from the venue directing the patrons to leave the area. At approximately 2:46 hours, a group of people were standing on the road by parked vehicles outside Northwick House, 191-193 Kenton Road for over 5 minutes talking and laughing. At the same time, a group of four Asian males including a male dressed in the red and white jacket, dark trousers and glasses (previously identified at 2:25 hours) were arguing and swearing next to the venue. The SIA staff shortly attended the situation and separated the crowd. Shortly after the four males came head to head again and would not leave the area and again the SIA staff from Peaches came out to deal with problem. The SIA staff were trying to break up the fight but the four males were not having responding to SIA staff members and continued shouting at each other. Then at approximately 2:50 two of the four males were seen walking away from the venue toward Kenton Road (Masters direction). The male dressed in the red and white jacket, dark trousers and glasses (previously identified at 2:25 hours) was then seen calling somebody as backup (to start a big fight with the two males seen walking away). At approximately 2:52 hours, we drove past Draycott Avenue and observed a crowd of seven males/females from Peaches fighting physically. At approximately 2:54 hours, the male dressed in the red and white jacket, dark trousers and glasses (as identified at 2:25 hours) was seen loitering by the rear of a premises next to Draycott Avenue along with three other males shouting and one male smashed his fist into a premises window. At approximately 3:00 hours two Asian females were seen leaving Peaches walking along the pavement to get into a silver vehicle. One of the female appeared to be quite drunk and upset and walked away from the vehicle and started shouting and crying. Soon after the other female shouted for friend's attention and escorted her to the vehicle. We left the scene at 3:05 hours to continue with our duties.

Signature.....

Signature Witnessed by:.....

## Appendix -4 complaints received

13.08.2013

### Complaint Details

Please give details of your complaint

Complaint Details

I am" writing to writing to complain in the strongest possible way about the antisocial behaviour that has been taking place in Carlton Avenue over the last couple of years. Every weekend people leaving this venue at between 3.30 and 4.00 am are causing trouble by being extremely loud and noisy, shouting, swearing and slamming car doors shut. Last Sunday morning 4 August at approximately 3.35 I was woken by people shouting outside my flat, I looked out and 3 people were actually on my property sitting on the wall, I told them in no uncertain terms to get off my property or I would call the Police. They swore at me but did cross the road to the house opposite which caused that property's security lights to come on and also the security lights of the house next to mine. This is not the first time I have had to shout at people outside in the road, who are often drunk and abusive. I have talked to neighbours about this particular incident and they agree that something has to be done about Peaches. Obviously I would like to see it closed down, but I doubt if that is going to happen but I think the Licence issued to the owners should be reduced so that the place closes at 12 midnight This is a residential area and I am extremely annoyed about getting woken up in the early hours every weekend. This venue should be situated somewhere away from a residential area

### Complaint Details

Please give details of your complaint

Complaint Details

The use of the side garden causes alot of noise nuisance. The garden is used till 3/4 in the morning. Regulated entertainment, the watching TV/sports takes place in the garden along with the smoke from the shisha travelling into the complainant flat.

Mr \*\*\*\*\* would like a call from the licensing inspector on \*\*\*\*\*

## Complaint Details

Please give details of your complaint

Complaint Details

Loud music being played at Peaches bar till the early hours of the morning

4.10.2013

## Complaint Details

Please give details of your complaint

Complaint Details

Further to the visit by Juhaina and Martin of the environment team on 3rd October and their request to notify them of any noise nuisance, we visited the premises on Friday 4th October 2013.

I witnessed loud music, patrons shouting, singing and generally talking very loud. We were situated in Fat 3 and clearly heard the nuisance coming from the side Shisha lounge located at Peaches of 177-179 Kenton Road, Harrow, HA3 0EY.

The conversation between the patrons was clearly audible not to mention the singing, shouting and giggling going on. The noise was not tolerable and was coming into the bedroom and reception of the flat. It was not possible for a person to get sleep and after some time became very annoying.

I phoned the Brent noise nuisance line at 1.10am to contact the noise team to witness the nuisance for themselves, but was told by the operator that she had been informed not to log any more calls.

I stressed the importance of the matter to the phone operator that I had been notified by the visiting environment officers that the site was under supervision and that she should contact the noise team. The operator asked for the name and address of the site and replied that as she was not aware of the site and was not known of to her, and she could do nothing.

I felt very disappointed and let down, that the operator even refused to note the complaint down, let alone contact the noise team. The phone operator gave a reference for my communication to you as Jean- log in operator 7348.

This is the same information we have also been advised by some frustrated tenants that on many occasions the complaints are not being logged in by the operator for the reason they have had too many other complaints to follow up on and have been instructed not to log in any more complaints for the day.

Kindly look into this nuisance as it is persisting, even after the environmental officer's visits.

Thank you

21.11.2013

## Complaint Details

*Please give details of your complaint*

*Complaint Details*

Att. Brent Environment Dept.

Dear Sir/Madam

I am currently a tenant in No. Evergreen Court, Kenton, HA3 0AW.

I have been constantly complaining to the landlord and their managing agent regarding the noise pollution from the Peaches Bar & Restaurant, which is based in front of our building (177-179 Kenton Road, Harrow). I have been asked by the managing agent to file a complaint to your department. We are facing constant nuisance from the goers of the Peaches Bar & Restaurant, in terms of noise and disturbance to us, and the immediate area.

There are constant fights, and on some occasions even police appearances, on Friday and Saturday nights, which cause a great deal of hassle to us. We have trouble sleeping due to drunkards who enter into our car park and cause noise. The customers of the Bar leave at roughly 3-4 am every Friday and Saturday which adds to our troubles, due to their cars constantly starting and revving. They show no care or respect for us residents. Following their activities from the Bar, the screaming and shouting adds to the commotion as they proceed to the scores of cabs which wait directly in front of the building. It takes us a very long time on the weekend to fall asleep due to this.

The constant noise is ear-ache to us, and we feel that immediate action must be taken to put a definite end to these troubles.

Thank you.



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**Brent Civic Centre,  
Engineers Way,  
Wembley Middlesex  
HA9 0FJ.**

TEL / MOB 020 8937 5359  
EMAIL [esther.chan@brent.gov.uk](mailto:esther.chan@brent.gov.uk)  
WEB [www.brent.gov.uk](http://www.brent.gov.uk)

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### ***Appendix 5–Warning letter***

Rajesh Rai  
Peaches Bar and Restaurant  
177-179 Kenton Road  
Harrow  
HA3 0EY

26<sup>th</sup> November 2013  
Our Ref: 176158  
Your Ref

Dear Mr Rai,

#### **Licensing Act 2003 – Complaints**

##### **Re: Peaches Bar & Restaurant, 177-179 Kenton Road, Harrow, HA3 0EY**

I am writing to inform that we have continued to receive complaints from local residents about noise and anti social behaviour during both the opening hours and dispersal of customers from your premise. In addition, there have been seven incidents this year where violence has been used and in several cases, both the suspect and the victim were said to be intoxicated.

We have also noticed that the external area is being used for the consumption of shisha and alcohol after 00:00 hours, which is a breach of conditions 24 and 25 of the existing licence.

With Christmas coming and the party season about to begin, it is extremely important that there is no repetition of either the behaviour or the breaches shown above. Both London Borough of Brent and Metropolitan Police Licensing Departments will be monitoring your premise over the holiday period in the hope that there are no further issues.

Please take this opportunity to remind your staff regarding the Licensing Act 2003 and in particular the sale of alcohol to underage persons, proxy purchases and sale to drunken people.

I must stress that any breaches to the licensing legislation by you or your staff may result in a review of your premises licence.

Please do not hesitate to contact me quoting the above reference should you require any further advice or information.

Yours faithfully,  
Esther Chan  
Licensing Inspector  
Safer Streets

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I have analysed the above visits carried out since the year 2011. The objectives that in my opinion have been undermined are :

- Objectives not satisfied** - Prevention of Public Nuisance
- Public safety

**The Licensing Authority require the following points to be included in the operating schedule or added as conditions on the premises licence**

1. Due to the catalogue of complaints from residents regarding noise and violent disturbance from patron of your premises, I propose the following to be amended:

- **Opening hours to be reduced from 07:00-04:30 Friday – Saturday to 08:00-00:00 Friday –Saturday (this meets the requirements of planning permission consent). Please see below:**

1. Permission 09/2307 controls hours of operation of the premises and the operation of the smoking area.

Cond 3.

The permitted opening hours of the ground-floor restaurant premises shall be between 0800 hours and 0000 hours, Sunday to Thursday, 0800 hours and 2400 hours Friday and Saturday, and 0900 hours to 2200 hours on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

**Objective satisfied** - Prevention of Public Nuisance

Public Safety

- **The use of the beer garden shall not be permitted after 22:00**
- **Objective satisfied** – Prevention of Public Nuisance
- **SIA staff should be clearly identified wearing high visibility jackets**

**Objective satisfied** – Prevention of Public Nuisance

Public Safety

- **A maximum of 15 people at any one time shall be permitted to smoke in the beer garden without drinks after the permitted time of 22:00**

**Objective satisfied** – Prevention of Public Nuisance

***The Licensing Authority has no further representations to make.***

In order for the Licensing Team to withdraw this representation, it will be necessary for you to confirm in writing that you are willing to accept the above conditions and carry out any necessary works.

Yours sincerely



**Lavine Miller-Johnson**  
Licensing Inspector  
Safer Streets  
Environment and Neighbourhood Services