

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

23rd June 2020

Licensing Application: 19080
Licence Number: 152252
Premises Licence Variation - Blue Ginger Bar & Restaurant Limited
280 Watford Road
Harrow
Brent
HA1 3TZ

I am responding and objecting (in part) to this variation of the Premises for 280 Watford Road, HA1 3TZ as the Councillor for Northwick Park and also a close neighbour.

Introduction

A planning application was granted in circa 2003 for a golf course & driving range on Metropolitan Open Land (MOL) under exceptional circumstances (for a building with uses ostensibly coming within the limited exceptions for building on MOL). These included – as **ancillary** - uses such as a golf shop, offices and a cafe'. The operators opened a bar / restaurant (where the current Blue Zenzer Restaurant currently operates) without planning permission but were granted permission via a retrospective planning application, following what was essentially a direction by one of the many Planning Committees which considered the breaches of planning consent by the golf centre operator from commencement of construction. They also later opened a gym and conference facilities on the lower ground floor without consent.

The operations of the golf centre should have been controlled via its lease from Brent Council which specifies that the operator must comply with all planning regulations and consents.

As the golf centre sits on MOL, there are also (via the planning consents) parking restrictions in place that limit the car parking capacity to that needed for the (planning) authorised uses, that is the parking to the frontage, and an authorised overflow car park plus a 'Special Events Area') to the side (North) of the centre building. However, the planning consent for this parking has **lapsed** because the conditions imposed on its use were never fully complied with, however, the overflow car park continues to be used and sometimes the special events area which has no consent for car parking and should remain green space.

As the restaurant operator (prior to their recent takeover of the site) would not open early for golf course and driving range users, the golf centre operator applied for planning permission to change the use of the reception area into a dual use reception and cafe - areas E & N.

This planning consent was granted with conditions that:

- 1** the area would not supply alcohol or allow it to be consumed in the area; &
- 2** that the roadways around the golf centre building be adapted, by the use of railway sleepers in the centre of the roadway and the installation of posts along both sides of

the roadways to restrict the onsite parking to comply with Planning Conditions, NPPF, London and Borough Plan with regards to MOL.

Obviously legislation is in place to protect MOL from inappropriate development such as non-sport or recreational pursuits and the lease mirrors these, however, licensing appears to give a possibility of circumventing the legislation and planning.

There were also conditions set in the original planning consents that prohibited use of the outside areas for loud speakers, and that the restaurant /bar use be confined within the footprint of the original allowed restaurant/bar (allowed via a retrospective application, passed against officer recommendation and an Enforcement Order). Obviously, the planners recognised the MOL restrictions as well as the nuisance that allowing speakers and drinking outside the premises would have: the adverse affect - a public nuisance - on surrounding properties. This nuisance would be more dominant than at many other licensed sites because of its raised position above the highway amid open fields and there being no close building or trees to block the music and loud babble from inebriated revellers.

Based on experience in the early days of the golf centre, before the Council stepped in as both landowner and Planning Authority (when neighbours suffered badly from disturbed nights), it was found that indeed, the use of external speakers, discos, karaoke nights and outside diners/drinkers did in fact create a nuisance to surrounding properties; it was also found that using the restaurant/bar area for live music also created a substantive nuisance for surrounding properties.

The effect of this was severely exacerbated, when the music went on long past the authorised hours of operation, which are (supposed to be) restricted through the lease and planning consents and this licensing application subverts. The council as freeholder eventually convinced the then site operator to curtail these activities.

Again, I must emphasise that noise from the site - be it ostensibly generated externally or internally - travels a substantial distance across the open parkland and agricultural fields that surround most of the site. To one of those sides is Northwick Park Hospital and its ward blocks - only a little over 200 yards distant from proposed licensed areas driving range bays.

I note that these area are for alcohol only – combined with driving range with powerful clubs aimed towards a public footpath, inadequately protected by damaged netting for which Brent Council itself as freeholder will bear a public liability if any harm comes to public footpath users. It should also be noted that the hospital's car parks are in proven range of the range golf balls.

Some of the outdoor facilities such as the Adventure Golf and Baseball Batting Cage already create much noise disturbance across the surrounding rural and residential area - just in normal use. These were not originally granted planning permission and were enforced against as inappropriate use and were finally approved by one of the many retrospective consents and appeal to the Planning Inspectorate on the grounds that they could be considered ancillary.

Furthermore, the balcony area and “smoking area” frontage and side have been used in breach of the lease and planning consents over the years and have cause much distress by reason of noise disturbance to surrounding areas.

Area K has also been used in the past as an overflow for the restaurant/bar and also caused much distress to surrounding properties including the nearby church of St Cuthbert's and the residents of Harrow School Farm.

The Four Licensing Objectives

1) The prevention of crime and disorder

- a) With there being so many corners, nooks and crannies throughout the site, how will the operator ensure that illegal activities do not take place on the site? I give as an example the drug dealing that takes place in the surrounding areas such as Northwick Park Pavilion, Northwick Park Village and surrounding residential areas.
- b) The golf centre is supposedly a family venue. However, the baseball batting cage, Adventure Golf was recently used to advertise as a **Stag Night venue**. Then there's the new Putt Crazy - I quote from the Putt Crazy website "*Putt Crazy for wild nights*" - "*Bring your friends, grab a drink and putt*". This Putt Crazy facility website purports to be for families but uses words more emphasising the "wild nights" with drink.
- c) Crime and disorder, mainly disorder go hand in hand with alcohol, to have such a large fully licensed establishment operational during extensive town centre type hours is asking for a problems to happen - conversely keeping to sporting use, with an ancillary 150 seat restaurant/bar (with a granted capacity of 350 is close to excessive for an out of town location) would probably avoid any for of regular disorder and crime. To expand the licensing further would require regular monitoring by Police especially as so many children could be present. Furthermore the likelihood of the local drug taking and dealing would see this as an ideal location away from the stares of the Police or an escape route from the hospital and university housing, plus Northwick Park Pavilion hot spots where they can blend in with customers who would be hard pressed to notice newcomers.
- d) See also below paragraph b) of **The prevention of public nuisance**

2) The prevention of public nuisance

- a) Using the outside areas such as C, G or M for eating and drinking will allow noise pollution to permeate the surrounding areas of some 200 homes along Pebworth Road and Norval Road which are between 300 and 900 metres away, the Hospital Ward Blocks at 200- 300 metres, Harrow School Farm and the Multiple Sclerosis Centre at 200 metres and St Cuthbert's Church and Community Hall also just 300 metres away.
- b) As I pointed out in my Introduction, the parking capacity of the site is already at its Planning Consent limit for the Golf Course and Driving Range, plus the current Restaurant/Bar; the Baseball Batting and Adventure Golf were additions that did not attract extra parking spaces being provided as they were thought to be "ancillary". No overall assessment of the total uses on site to date has since been undertaken from a highways/parking/public order perspective. It is unlikely that any extension of paved areas for parking would be allowed on MOL.

Having allowed the introduction of the Putt Crazy planning in itself may not appear to increase the requirement for parking – as it may "look" ancillary. However, it being licensed will make it more of a draw.

Also by Increasing the licensed areas to the reception/cafe area on the upper ground floor which was to be an unlicensed (by planning condition) area meant for the golfers not accommodated by the original restaurant which refused to open up & serve breakfast to the early golfers) makes this additional area into a **replicant of the current restaurant/bar**. The original restaurant/bar is known to consume the majority of parking spaces (testament of the previous owners). Consequently to increase the licensed areas will attract yet more vehicles that cannot be parked on site - this is why large licensed premises should be located in town centre locations with good public PAL ratings and obvious policing to safeguard users and the general public - this will not be the case at this hidden location.

The licensing of the Putt Crazy area will no doubt attract many more users to the site. So, leaving aside every other consideration, the Putt Crazy, especially fully licensed till midnight in the week and 2 am at weekends through to Sunday - will not be ancillary users to the site but use specific – and alone ensure that the car parking capacity of the site is exceeded and parking will be on adjoining roads until the early hours of the morning. With "free-standing" drinking till those hours. It simply does not bear thinking about for my residents. Also we must not ignore the potential for the site's increased parking requirement to stop traffic movements along Watford Road - which is one of the Borough's most polluted roadways, being sited under a flight path, alongside two diesel railways and the roadway itself carrying substantial amounts of traffic in excess of 20,000 per day.

It is this over requirement for parking and the sheer extended use of the golf centre as an out of town entertainment centre, which will enabled by the addition of:

- (a) licensing of external areas; &
- (b) the current alcohol free cafe turning into a standalone bar;
- (c) Putt Crazy and adjoining bar areas till 12 midnight /2 m

That will all surely create a public nuisance. An example of the probable consequences of this over requirement (as experienced a number of years ago when they had some special events) was to create traffic queues along the single carriageways of Watford Road. There is no chance of avoiding this, because of a central reservation at the site entrance which was

placed there as a result of the original development - and as this location has always been an accident hot spot - from the site to the North and across Northwick Park Roundabout.

- c) Northwick Park Hospital's Emergency Department could easily become inaccessible when the golf centre is busy, if this application succeeds.
- d) The church car park suffered from overflow parking as well as some acts that I would wish not to repeat which occur in their car park. I am not saying that these are generated by the existing use of the golf centre – just that it is a local problem and potentially exacerbated if the “golf centre” becomes a destination of choice for late night drinking and entertainment with free parking and access to fields on which goodness only knows what public nuisance might take place.
- e) As a consequence OF PREVIOUS PROBLEMS, the church has had to install gates at their entrance, though this is not 100% infallible.
- f) Overflow parking is also experienced on the local roads; yellow lines are no deterrence outside regulated hours, and are parked on to the frustration and disadvantage of local residents.
- g) Rumours abound that the drivers who are partaking of alcohol in the golf centre often park on the surrounding streets to avoid (drink driving) being seen leaving the licensed site.
- h) Harrow School Farm's yard and car park is often used for U turns (almost certainly from the golf centre), to the danger of those living in and using the area where also the local multiple sclerosis centre is located - numbers in excess of 20 vehicles an hour have been recorded entering the farm yard. Also the junction of Watford Road and Pebworth Road, who experience impeded in their access to and egress from Watford Road because of people doing U turns on Watford Road. These people must be in an awful hurry as there is a roundabout (towards Wembley) only 2-300 metres further on.

It may be that the majority of these U turns in the farm yard and Pebworth junction and on Watford Road itself late at night (NB there is a U turn prohibition in force) may well be being performed by drivers having partaken of the consumption of alcohol.

- i) Certainly take away motor scooters/motorbikes are now frequently performing U turns and illegal right turns having exited the golf course onto Watford.
Perhaps this item b. should also have been included under: **1. Prevention of Crime and Disorder.**

Please note that, as a local Councillor & resident of some 30+ years, since development of the golf centre, I have received the complaints of local residents and attempted to raise them with the Council as freeholder and in possession of the rights (& responsibility (for its residents) to do something) sadly so far without a great deal of result. At one point we employed the use of the Camera cars which led to the issuing of hundreds of PCN, however, it is impossible to use this technology when there is only artificial light. Consequently evenings and nights become a real nuisance to local residents. This massive extension of use and licensing totally changing the nature of what was intended to be a golf course and outdoor sporting area in a park is just too much to take for the residents - it cannot be denied that many locals use the facility - and may not have recognised the associated dangers.

- j) The hours of operation, i.e. after 23:00 hours would be completely exceptional for any licensed premises in the Northwick Park Ward - indeed, I should imagine if this application is granted, it could adversely affect other hostelryes/restaurants/bars in the ward, and surrounding areas.
- k) Normally only town centre locations have such extensive licensing hours such as these. It is notable that when the first planning for the golf centre sought extensive licensing hours Harrow Council objected most vehemently because they feared it would become an out of town entertainment centre affecting their own town centre locations. Has anyone asked Harrow Council on this occasion?
- l) This site, if granted post 23:00 hours bar licensing may well attract late night, town centre style drinking along with the disturbances that such extended licensing attracts. I cannot see how this can be managed by the applicant, nor is it an area patrolled by our limited Police resources - with the proposed increase it would surely require some of our scarce police resources.
- m) Even now, once 23:00 hours passes, various locations in the surrounding area such as Northwick Park Pavilion, Vale Farm Allotment Car Park and Vale Farm Sports Centre Car Park, The Pimple, Elms Lane Open Space experience regular disturbances. These are mainly from "motorised" youths intent on enjoying themselves to the full. This can be seen from the piles of canisters (legal highs), beer tins and bottles, black lines in the car parks from vehicles being used to perform doughnuts and burn outs. All these locations are known locations for drug taking and trading. Unfortunately, this phenomenon has also recently crept onto the local streets.
- n) In the first few years of operation the Blue Zenzer Restaurant/Bar was used for live music, Karaoke and disco type events. These events caused so much local noise nuisance and complaints from Greens Cottages, Pebworth Road, Norval Road, The Green and Carlton Avenue West (I was aware of the complains and nuisance as Chair of the Residents' Association at the time and my own personal experience), that the practice was stopped, I believe that this was done primarily by action of the Council, enforcing the terms of the lease.
- o) Regarding noise nuisance - other than recorded background music - no other licensable activities are allowed on either floor unless all doors are kept shut or are self closing double doors, which are kept under physical control such a silent alarms audible to management, if either set of doors or windows are retained in an open position.
- p) The premises lease does not allow restaurant/bar use outside of the building envelope and also requires that the door from the restaurant/bar to the balcony area is kept locked and only facilitates emergency evacuation. I would ask that the licensing takes this into account so that the outside areas are not used other than for sporting activities because of the intense noise nuisance that these areas have caused in the past and as recognise by the leaseholder (Brent Council).

3) Public safety

- a) There appears to be a reliance on the use of CCTV to safeguard and regulate the premises. However, who will – in the time of austerity & limited officer resource time – enforce this? Who will enforce it at all?
- b) In addition, there are many areas of the building that do not have daylight illumination and we all know how poor CCTV is in artificial light. I do not believe that CCTV is sufficient for regulation and public safety within the building where there is little or no daylight, obviously during the hours of darkness CCTV is of little use.

There are no physical gatekeeping methods. Matters will be made worse by the fact of three parties involved in the “management” of the areas: Playgolf London Ltd, which has the Lease of the whole building from the council; Blue Ginger (the licensee who has a sublease from Playgolf London Ltd of part of the ground floor and a tiny area on edge lower ground floor which I cannot tie up with any of the areas marked on the licensing application plan; Paul Lawrence who apparently is intended to have a sublease coming out of the Blue Ginger sublease (neither of which is currently in existence and so there is no means of DIRECT effective control by either Playgolf, the Council’s tenant – or Blue Ginger which makes the application). This may seem to be a point outside licensing Committee remit but if there are no legal documents in place on the custodianship of the premises, obligations to the Council as freeholder or – as far as can be seen from the documents produced by the applicant even between Blue Ginger & Paul Lawrence – what hope is there of proper enforcement of licensing conditions?

- c) As the premises will become more like a 'nightclub' between say 8:30 and closing time (NB midnight Monday till Thursday, and 2:30a.m. Friday through Sunday (into Monday), should we not be introducing safeguarding procedures utilised in 'nightclub' type premises. Would you allow your children to wonder around a nightclub with loud music and clientele who are being attracted by advertising lines such as "*Putt Crazy for wild nights*" - "*Bring your friends, grab a drink and putt*"? But is this a suitable use for an area of public park, MOL and owned by Brent Council who imposed STRICT obligations under the Lease to protect the Park status and the local amenity of the neighbourhood?
- d) If the balcony area is allowed to be licensed it will no doubt block one of the two fire exits - interestingly, the alternate fire exit would require customers to pass the kitchens and grill area to access the fire exit! This is a massive public safety issue and therefore the balcony must not be licensed or used for dining and be kept clear at all times as a fire exit.

4) Protection of children from harm.

- a) It is quite obvious that the operator is trying to change the premises into primarily a hostelry (by having the vast majority of the in use space as licensed areas and operating to late hour) and therefore I believe that this would be an unsuitable environment for children. May I remind you of the website quotes regarding the Putt Crazy "*Putt Crazy for wild nights*" - "*Bring your friends, grab a drink and putt*". It may even become through these applications an A4 use – pub.
- b) The 2003 Act, refers to not only physical harm but also to psychological and moral harm, it can be interpreted in the widest possible sense. I believe that allowing the licensing of areas supposedly for the use of children such as the Putt Crazy, while advertising as adult use will teach children that alcohol and sport go together as normal practice. Also, the licensing of the entire operational areas of the site will show children that alcohol is a normal pastime.

In summary, I believe it is morally wrong to allow the licensing of the entire operational area of the site, primarily the reception area and Putt Crazy would be a grave mistake. Having a distinctly separate area such as the current Blue Zenzer Bar/Restaurant is an appropriate licensing maximum for a sporting facility which is trying to attract families with children. I ask, is this a licensed, all day, entertainment centre or as should be, a golf centre with ancillary uses on MOL which requires sporting and recreation uses not large licensed premises for which no one would get planning permission.

- c) As the licensing application hours extend to 00:30, and 2:30 am at weekends, it is possible that children could be on site in a drinking establishment for thirteen/fifteen and a half hours. Is this acceptable? Is it possible to regulate? As the premises are large and with many secluded areas, how will children be protected? We all know that CCTV does not work well in artificial lighting
- d) How will children be protected in any meaningful way by staff collecting glasses and bottles? One look at the configuration of the lower ground floor shows how children will be “embedded” into the licensed premises, they will be attracted there by the Monster Claws area, and the “children’s parties” dedicated room (which will also be licensed”!!)
- e) If CCTV is to be relied upon for regulating the accessibility of licensed areas & alcohol to children, I note all the operator offer is an “operations policy”, which is not visible on the Licensing website, a Challenge 25 policy which does not really deal with children, and a glass & bottle collection. This is right on top of an area for “family parties” and a dedicated room for “children’s parties”. Who will manage this effectively? Will there have to be daily inspections of CCTV to check on compliance?
- f) Would you allow your children to wonder around the equivalent of a nightclub with loud music and clientele who are being attracted by advertising lines such as "*Putt Crazy for wild nights*" - "*Bring your friends, grab a drink and putt*"? Also, is this a suitable use for an area of public parkland - would it be accepted in Gladstone Park? This MOL and owned by Brent Council who imposed STRICT obligations under the Lease to protect the park status and the local amenity of the neighbourhood? This licensing would put this and therefore child safety in jeopardy.

Other

The following are some of the Conditions which were apparently in force in relation to the 2012 Premises License Application. No notice was given to local residents of this application; I do not know if it was given to local Councillors. If it was, it was not drawn to the attention of the local Residents Association, SCRA – of which I was Chair at the relevant time.

Even though now in place, I think it worthwhile commenting on those conditions which worry me (previous responses by Brent Council are shown in red):-

1 CCTV shall be installed and maintained in a working condition.

CCTV in artificially lit areas is normally of very poor quality. I believe security staff would have to be used if the site moves towards being an evening entertainment venue with food and, more specifically, alcohol, particularly as a “main attraction”. It would become part of the 'night time economy' – particularly with its outside space in these post-COVID days. This indeed- becoming part of the night time economy – is obviously the intention here. Again, it is important to remember that this facility is situated on MOL - and, coming as a new application for the use of the building as per this application - would never be granted planning permission for this use. It is in a public park, with protected green space, surrounded by a hospital and residential property and with a busy arterial road leading to a primary A&E major hospital.

4 The maximum number of persons permitted in the Bar Area & Restaurant shall not exceed 350.

I believe this capacity is far in excess of the safe level of occupation of a 150 seat restaurant, I believe 200 maybe 250 would be more appropriate and safe, especially as there are only two exits, and only one if the doors to reception are unusable. There is no record of fire safety checks on the site.

7 Where the function room is to be used for pre-booked events and where the event is to take place beyond midnight, the licence holder/DPS/management shall liaise with the Police as to whether door supervisors are to be deployed.

Interestingly, the previous application conditions mirror my concerns about the lower ground floor. Obviously, the Police believed at that time _ against a much less wide-ranging application - that late evening events can be troublesome. For this reason I believe that the alcohol licence for any part of the premises should be limited to 23:00. This is also in accordance with the premises lease and the granted planning consents. So, the Police and Council (the freehold owner) believe that the licensing activities should be curtailed and kept to 23:00 at the latest.

8 Customers shall not be permitted to take open glass containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority.

I would hope that alcohol in any container would not be allowed outside the building envelope in compliance with the lease, the terms of which were set to protect the local area from disturbance in this inappropriate location on Metropolitan Open Space. Moreover, the application asks that tables are set in the golf driving range bays, served by waiting staff with mobile devices that go to these essentially private bays – 50+ of them. Similarly, this would have an adverse effect on the MOL setting close to residential properties. I also ask, does alcohol fit with a driving range where members of the public are in range - the entire Playgolf site sits within Public open Space which is open to the public to roam freely also, the hospital car park is proven to be in range of the range balls

9 The use of the garden shall cease at 23:00 hours after this time it can be used for smoking only, no open drinking vessels shall be taken outside and a maximum of 20 persons shall be allowed out at a time.

This condition must be applied even taking account of no alcohol to be taken outside. I would recommend that the group numbers should be much lower due to the noise nuisance that would be caused to surrounding residential properties and the local church. This type of activity and the numbers might be acceptable in town centre locations, but not in this rural location on the edge of a large residential area.

11 On major event days at Wembley Stadium the following shall apply:

- Customers shall not be allowed to congregate outside the premises.

- No glass bottles shall be handed over the bar but decanted into toughened glass or plastic vessels.

This condition is essential - interestingly, if the premises do indeed attract Wembley Event Day users, how will they operator prevent the car park filling and causing grid lock on Watford Road with its potentially catastrophic consequences to Northwick Park Hospital if the roadway use is denied. I believe this is a major area of concern, and is reason enough not to grant this licence, the maximum licensed area should be the current Blue Zenzer restaurant/bar. This type of road blockage would be possible on any day if the licensed property is allow to expand as substantially as proposed.

12 The Licensee shall undertake a risk assessment of any significant promotion or event, using the Metropolitan Police Service Promotion/Event Risk Assessment Form (Form 696) or an equivalent and provide a copy to the Metropolitan Police and Brent Council's Licensing Unit not less than 14 days before the event is due to take place.

Agreed and retain. NB "ANY" significant promotion or event" – however, this application will make the site a thirteen and half hour Licensed Destination. Surely this merits very close examination.

13 Where an event has taken place the licensee shall complete a Debrief Risk Assessment Form (Form 696A) and submit this to the Metropolitan Police and Brent Council's Licensing Unit within 3 days of the conclusion of the event.

Agreed and retain. Interestingly, if one was to walk the entire site, one would find rubbish throughout the site especially in the unauthorised wasted area (it is supposed to be in the northern compound according to the lease and planning consent. Has a debrief EVER taken place?

14 The licensee shall keep an incident book which shall be made available to the Police and Licensing Authority.

Interestingly, over the years of operation I have only heard of one event when perhaps the Police should have been called (and weren't). Has the operator at any time had to make records in the incident book? Not to have would seem very unusual in such a busy licensed operation. Has this log been submitted as evidence to the Licensing Committee? Over what period?

15 Toilets shall be checked every two hour(s) for the use of drugs and other illegal activities.

I beg to differ on the need for this operation, in that its frequency should be increased substantially – drug users can be observed in several very close locations even at all times of the day.

The entire ward is permeated by the use of drugs at multiple locations, some very close to this site. Unfortunately this is currently seen as "low level crime" but residents do not agree. In addition, it is increasing, with substantial numbers of suppliers in the area - the Bakerloo and Metropolitan Lines give easy access and escape. Will this extensively licensed site, if this variation is granted, bring even more drug use and trade to the area - having spoken to the Safer Neighbourhood Team and the Borough's SNT Acting Inspector - this site is rarely visited as crime and ASB is rarely reported. This

can easily be checked on the MPS website for Northwick Park. The lack of reports from such a licensed site is surely unusual? Meanwhile there are multiple reports every month to either side of the site including the hospital and university.

The monitoring must also extend to all the outside areas, including the car parks. The number of small canisters to be found around the site confirms this need.

The driving bays should also be monitored all the time, as there is a Public Right of Way crossing the Driving Range. It has been reported to me - and I have experienced – users of the driving range bays - being aimed at while using the footpath. The frequency of such increases the later in the day it gets. Is this because people have been drinking and their inhibitions are reduced? I know that it is quite frightening when golf balls start following you across the driving range and beyond. Also, golf balls can regularly be found in the hospital car parks - perhaps again by relaxations of inhibitions.

In Brent Council's position as freeholder and because of the statutory position on residual liability if there is a public liability, Brent could also be held to account of there is an accident from ordinary residents using the public right of way. The netting put up to protect footpath users is not in good condition in any event.

I would ask that before the granting of any changes to the premises license, that the footpath protections and walking surface are improved substantially, and that users of the driving range are monitored at all times, and not by CCTV, and those aiming at walkers – and using too powerful clubs (ostensibly prohibited but obviously not currently monitored sufficiently, according to anecdotal evidence of users of the footpath) are ejected. The combination of alcohol and driving range clubs, and the "targets" of walkers appearing across the path (which may be illuminated by floodlights) is a bad accident waiting to happen.

18 Notices requesting customers to leave quietly shall be displayed at each exit.

Very necessary. Interestingly, the planning consent (and therefore the lease provisions which separately require the Council's tenant to comply with any planning consent) specified substantial planting in front of the car park. This was to reduce noise and light nuisance to nearby properties. Unfortunately an Adventure Golf Facility was introduced high up on the frontage, and most of the remaining required shrubbery along the frontage of the car park was removed; this has allowed the noise from the site to be more obvious and therefore a nuisance.

19 Photographic proof of age shall be required from all persons appearing to be under 21

Is this sufficient? I could forge a proof of age quite easily. Is it possible to beef this up? In any event, 21 year olds and close are not the issue.

21 No children under 16 shall be admitted unless accompanied by a responsible adult.

This condition should apply to the entire site. But that goes against the theme of the new Putt Crazy & Children's party room "offer".

With further reference to the conditions under the 2012 licence, I have previously enquired about their enforcement and monitoring.

These are some of the responses I got from Licensing. Maybe a little surprising and disappointing?

Have the above conditions been checked for compliance? **We cannot go and check compliance unless we have intelligence to do so. In the case of this premises we have never had a complaint. As this place has been operating as a standard restaurant, it is not a high risk premises. However, in**

2015 we did visit because enquiries were made regarding having a licence for a café area. At the time of our visits we did not identify any breaches. It was an informal visit.

Does Licensing take any note of the Lease to the Operator from the Council or Panning Consent and Conditions? – No as the licensing regime is a separate regime.

Do you believe that the current Licence allows for 'off sales' of alcohol (especially such as Deliveroo)? Will the variation allow for the same? – Yes because the initial application was for both on and off licence in 2005.

NB this current variation ONLY refers to on-sales. Will off-sales be permitted under the licence as varied, and if so what are the conditions for that? I have in mind the off-sale of alcohol with people leaving the premises, wandering onto the park, out onto the nearby highway etc in the early hours?

Finally, item 21 above "No children under 16 shall be admitted unless accompanied by a responsible adult" If as the current application states, almost the entire site will be licensed, how will this condition be applied? I believe it is almost impossible and I often see children obviously under the age of 16 wandering about unescorted. I know several of my neighbours' under 16 children use the premises on their own. – If any of the responsible authorities feel that this condition should remain and is fair and proportionate as well as enforceable it can be applied.

I believe, and visual evidence proves it is almost impossible to police this condition 21: I often see children, obviously under the age of 16 wandering about unescorted – but this whole application is founded on a "family" use. How will children be protected? And NB, the family area is away from visibility on the lower ground floor, serviced by a separate bar area, and driving range bays closed off.

Conclusions

- No outdoor area should be licensed for the consumption of alcohol or other licensable activity.
- Where alcohol is consumed or music or any other loud activities take place, then double sets of self closing doors should be in place (with silent alarms audible to management if anyone attempts to prop open/opens both sets). It should be impossible to leave both sets of doors open at the same time. I would ask that the upper ground floor has no licensable activities other than for the restaurant/bar with recorded background music only.
- The planning conditions relating to car parking should be complied with. Should this license be granted and the site attracts far larger numbers by car (as would be expected by such a large licensed site with entertainment), then something must be done to prevent more vehicles arriving than the site can handle or was designed for (circa 150). If the car park and overflow car park do fill to capacity, then it is certain that queues will form on Watford Road and **block** the local traffic, most worryingly and perhaps catastrophically traffic to and from Northwick Park Hospital and its A&E department. Grid lock will occur as it is impossible to avoid a southbound queue as Watford Road is only a two lane road with a lengthy central reservation (installed for road safety as this was previously an accident black spot until the island was introduced, even now the junction with the Playgolf site is problematical). The removal of the central reservation would be wrong as it would most likely to result in the return of accidents, especially as right turns out of the centre could become the norm. It should be noted that Watford Road carries over 20,000 cars per day and is hardly ever quiet. At night, it is a fast road, with a dangerous bend and rise as one approaches from the north.
- Areas where children have access, other than the current restaurant/bar, should be alcohol free, so as not to teach children that sport and alcohol go hand in hand – and because there will be no way of safeguarding them from the dangers of licensed premises, particularly on the invisible lower ground floor - and to protect children from over exuberant and uninhibited drinkers, who are also using the driving range with golf clubs potentially having consumed alcohol at their serviced driving bay. The nature of the premises means that children may potentially stay in licensed premises for long hours of the day.
- The cafe area E & N should definitely remain an alcohol free area. Otherwise the impression will be given that the entire site is there for the consumption of alcohol, which in particular will influence the children drawn to the site by Putt Crazy etc.
- One could say that the operation of the site should be regulated via the lease; unfortunately the Council has not always been able to do so, perhaps because of lack of resources or lack of understanding of the reason the covenants were imposed (the officers who dealt originally long having left the Council's employ). So applications to the Council to enforce have proved inadequate and cumbersome to the Council. The lease holder (in the past) has ignored the lease requirements until threat of civil action is taken. However, by regulating via Licensing, it becomes easily enforceable via the licensing Authority and the Police who can determine the Licence at any time if breaches occur.
- If any further areas other than the current Blue Zenzer restaurant/bar are licensed for alcohol, I would recommend that all these other areas be safeguarded **at all times** by obvious specific monitoring staff. The alternative CCTV solution is inadequate for monitoring large areas which are lit by artificial light. I suspect that the number of people who would be

required to sufficiently monitor a CCTV system covering this multiplicity of areas and may well be the same or more than required to monitor directly by staff. This is very important because of the large numbers of children who may be attracted to this potentially substantially licensed establishment. If the areas attracting children were not licensed then this requirement would be lessened substantially.

- Finally the hours requested up till 12 or 2am, with closing times of half an hour later will render the lives of nearby residents intolerable and fundamentally change the nature of the area, which is parkland. The Licensing Authority should be encouraging sporting uses within the park, and not an out of town entertainment venue. The applicant has previously sought permission for a banqueting hall – refused by the Planners – but who is to say if this application is successful and, over the years, the driving range and golf course use become ancillary to the licensed premises that the applicant will not seek to abandon the golf/sporting uses? For which this site for the benefit of the health of the population and in an area of shortage of green space is positioned.