



**METROPOLITAN
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Date: 16th July 2019

Your ref: 16520

Our ref: QK/344/253NW/19

Police representation to the Premises Licence Review Application for Heather Park Hotel Heather Park Drive HA0 1SN

Officer: Damien Smith 253NW
Licensing Sergeant

An officer of the Metropolitan Police, 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 for a review of the premises licence under section 51 of the act.

I certify that I have considered the application shown above and I wish to make representations.

The Police representations are concerned with the prevention of public nuisance and public safety.

In 2016 this venue was closed to the public following years of Anti-Social behaviour (ASB) and breaches of its licence. Where the venue is situated geographically is of importance. The building is surrounded by residential premises and there is a school nearby. While closed in 2016 the complaints of ASB dropped significantly and the residents were afforded peace and quiet and a better quality of life.

In October 2018 Police received complaints regarding noise emanating from the premises from residents.

In November 2018 Police and other responsible authorities were made aware of a new premises licence application for the venue. This application was made in the name of Heather Catering Limited. The consultation period was until 26th December 2018. During this period the consultation was suspended twice and the end date was set at 17th January 2019. The applicant had failed to comply with notices detailing their proposed hours and key to informing the local community what is happening at the venue. Part of the Police role within licensing is to visit venues especially when new applications have been made. On December 14th 2018 PC McDonald 2157 NW visited the venue and recorded that the section to the left of the building was closed

off and under refurbishment but the other section appeared to be smoking shisha in an area more than 50% covered and there seemed to be apparent planning breaches. This information was shared with Brent Council.

The new premises licence application requested the following;
LIVE MUSIC – RECORDED MUSIC – DANCE – LATE NIGHT REFRESHMENTS -
Sunday – Thursday, 0800 until 0030 Hours - Friday and Saturday 0800 until 0300 hours
ALCOHOL – Sunday – Thursday, 0800 until 0000 Hours – Friday and Saturday 0800 until 0230 Hours
Opening Hours – Sunday – Thursday, 0800 until 0030 Hours – Friday and Saturday 0800 until 0300 Hours.

During the application consultation period Police received an email from a disgruntled resident voicing their concerns and their friends living in the area, that the Venue was in operation without a licence and noise was coming from the venue. (CAD2803 06JAN19 refers)

Police made representations to the application on 17th January and within the letter expressed their concerns at this venue. Police referred to another venue in the area – *'In June 2018 a neighbouring licenced premises was granted a licence with their hours reflecting all licensable activity to cease by 2230 hours and the premises to close at 2300 hours based on minimising the impact of disturbing residents'*. This was mentioned and deemed relevant based on the hours set by the Sub Committee in relation to the other venue. PC McDonald went on to voice her concerns of the use of the rear garden for this new premises, given the garden backs onto residential premises and that it appeared that two separate business' wanted to operate under one licence.

On 6th February 2019, following residents' concerns and complaints and planning issues plus representations a hearing took place at Brent Civic Centre. At this hearing the Alcohol and Entertainment licensing sub-committee decided the premises could have a licence and set the operating hours as;
Sunday – Thursday Licensable Activity will cease at 2300 hours and close at 2330 hours.
Friday and Saturday Licensable Activity to cease at 0030 Hours and premises close at 0100 hours.
The committee also added 'No entry or re-entry' after 2300 hours.

Police would also like to highlight sections from the actual application form where the applicant explains their commitment to upholding the licensing objectives. Section 'M' subsection 'C' Public Safety section where the applicant has written the Manager and staff will take action to keep customers inside the premises and notify them to not make noise when they leave. The place will have its own parking places, promote sense of security and community feel. Have good relationships with Community, Police and neighbourhood watch. In subsection 'D' The applicant has written, Activities will be limited and take place during licensed time period.

With the above in mind, on 22nd April Police were emailed by a resident woken by noise from the venue at 0400 hours.

On 24th April while on cycling patrol PC Aulak from Alperton SNT was flagged down by a member of public. It was clear to see the member of public was distressed and they voiced their concerns at the community feeling let down by the Council and police due to the constant noise, music, drunkenness, road rage, double parking,

engines revving and Anti-social behaviour all at unacceptable hours such as 4 or 5 am. PC Aulak recorded these concerns and shared them with the licensing team. (QKRT00492510 refers)

In June 2019 Police were made aware that a review application in relation to the Premises - LB Brent ref 16520.

On 10th July 2019 The safer neighbourhood team attended a ward panel meeting. The Police rely on such meetings to work with the ward residents and discuss all manner of issues ranging from crime types, good news stories and what is relevant to the ward members. On this occasion one matter took precedence and it was this venue and the behaviours associated. The atmosphere was somewhat tense and those in attendance fully supported their colleagues and those suffering due to the noise and constant disruption caused by the venue. One member stated they are experiencing sleep deprivation and stress. This is in stark contrast to the entries I refer to on the application form to uphold the licensing objectives.

On 13th July another call was made to the local SNT by an upset resident who lives near the venue detailing every weekend something goes wrong with the Amira Lounge and repeatedly beyond 0300 hours. The caller made reference to the sheer amount of cars that people use to get to the venue and in the early hours the cars make unnecessary noise and sound their horns. The caller also expressed concerns that people may be driving while under the influence of alcohol. (Cad 1131-13JUL19 refers).

In addition to the matters listed Police are aware that complaints have been submitted to the Council. Police believe that this premises has out grown its environment and its use has created unnecessary nuisance and stress to the residents and surrounding community. It is clear to see that every weekend has become a nightmare for the residents who have voiced their concerns via all plausible lines of reporting, whether to the Council, noise team, 999, 101 and Local SNT officers. One such resident quoting they all feel let down by 'US'. The management of the venue has simply been ineffective from the pre – application stage, during application and now Post application despite best efforts of all the responsible authorities and the Sub Committee in February. There is sufficient evidence from residents alone let alone the visits by the Council and Police officers that the venue operates regularly beyond the hours approved on the licence. The venue has not been well received by the Community, in fact quite the opposite.

Police have no confidence in the operational procedures in place with this venue. There appears to be a blatant disregard for the Public Nuisance objective and for the conditions as set out on the Premises licence. Police believe the licence should be revoked given the impact it has had with the residents. If the committee do not revoke the licence Police would recommend the maximum suspension in order to provide the management an opportunity to address the concerns raised.

Yours Sincerely,

PS Damien Smith 253NW

Licensing Sergeant Brent, Harrow & Barnet