



## **Report for:                    Licensing Panel**

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<b>Date of Meeting:</b>	19/10/2023
<b>Subject:</b>	Application for a new premises licence for SOUTH PARADE EXPRESS, 50 South Parade Mollison Way, Edgware, Harrow, HA8 5QL.
<b>Responsible Officer:</b>	Dipti Patel, Corporate Director, Place
<b>Exempt:</b>	No
<b>Wards affected:</b>	Edgware
<b>Enclosures:</b>	Appendix 1 – Application and premises plans for a premises licence Appendix 2 – Location map Appendix 3 – Representations Appendix 4 – Proposed conditions agreed with the Police

### **Section 1 – Summary**

An application for a new premises licence under Section 17 of the Licensing Act 2003 has been received for SOUTH PARADE EXPRESS, 50 South Parade Mollison Way, Edgware, Harrow, HA8 5QL (the "**Premises**").

A representation has been received from the Licencing Authority acting in its capacity as a responsible authority.

The representation expresses concerns about the possible undermining of one or more of the licensing objectives should the licence be granted.

## Section 2 – Report

- 2.1 This report asks the **Licensing Panel** (or “**Panel**”) to consider an application for a new premises licence
- 2.2 Mr Piraveenth Kenkarajah submitted an application on 23<sup>rd</sup> August 2023 for a new premises licence for SOUTH PARADE EXPRESS, 50 South Parade Mollison Way, Edgware, Harrow, HA8 5QL. A copy of the application is shown as Appendix 1.
- 2.3 The period for representations for this application was from 24 August 2023 to 21 September 2023, As representations remain in respect of this Application a hearing is required for the application to be considered by the Panel.
- 2.4 The Applicant has applied for the following hours open to the public and licensable activities:

	<b>Sale of alcohol for consumption off the premises</b>	<b>Hours open to public</b>
Monday	06:00 – 00:00	06:00 – 0:00
Tuesday	06:00 – 00:00	06:00 – 0:00
Wednesday	06:00 – 00:00	06:00 – 0:00
Thursday	06:00 – 00:00	06:00 – 0:00
Friday	06:00 – 00:00	06:00 – 0:00
Saturday	06:00 – 00:00	06:00 – 0:00
Sunday	06:00 – 00:00	06:00 – 0:00

- 2.5 The application includes proposed conditions and also proposes Mr Piraveenth Kenkarajah, to be the Designated Premises Supervisor.

### Description of premises

- 2.6 The in the relevant section of the application, The applicant describes the premises as “THE STORE HAS BEEN OPERATING AS A FRESH FOOD CITY - MAINLY VEGETABLE AND GROCERY ITEMS, INCREASING BUSINESS RATE AND RENT, CURRENT OWNER IS GIVING IT UP. APPLICANT WOULD LIKE TO RESTART A NEW LOCAL CONVENIENCE STORE WITH ALL PRODUCTS, INCLUDING ALCOHOL. THE STORE WILL ALSO HAVE A HOT CABINET TO SELL READY MADE HOT FOOD, SUCH AS PASTIES, SPRING ROLLS ETC. HE HAS EXPERIENCE WORKING IN WEMBLEY 24 HR LICENSED SHOP. HE WOULD LIKE TO START THIS RETAIL SHOP WITH HIS EDUCATION AND EXPERIENCE IN RETAIL BUSINESS. HE NEVER WORKED IN THIS STORE ALTHOUGH IT WAS RUN BY HIS FAMILY MEMBERS. HE GAINED EXPERIENCE WORKING FOR OTHER RETAILERS. IT IS IMPORTANT FOR THE YOUNG APPLICANT TO HAVE EVERYTHING SET UP AS PER THE LAW, AS HE IS STEPPING IN RETAIL AND HIS FUTURE BUSINESS. HE KNOWS THE AREA

WELL AS HE HAS GROWN UP HERE. APPLICATION. WAS CONSULTED WITH LICENSING AUTHORITY.”

- 2.7 For clarity the Premises is a grocery style store that sells international foods and fresh fruit and vegetables.
- 2.8 A location map for the Premises is shown in Appendix 2.

### Representations

- 2.9 The Licencing Authority has made a representation that can be found in Appendix 3.
- 2.10 The Licensing Authority’s representation reflects concerns with the upholding of the licencing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. The representation from the Licensing Authority suggests that due to historic evidence and outstanding queries about the accountability of the Applicant the application should be rejected.
- 2.11 Where a relevant representation is submitted under Section 35(3) of the Licencing Act 2003 (the “**Act**”) the Authority must hold a hearing to consider such representations, unless the Authority, the applicant and each person who has made such representations agree that a hearing is unnecessary.
- 2.12 Relevant representations mean those which are about the likely effect of the grant of the application on the promotion of the licensing objectives, and have been made in time, not withdrawn, and in the case of representations made by a person (other than a responsible authority), are not considered by the Licensing Authority to be frivolous or vexatious.
- 2.13 The Police have worked with the Applicant and have agreed conditions which would appear at Annex 2 of the premises licence should the Licensing Panel approve the same and grant the application. These agreed conditions, which are proposed to be in addition to those proposed by the Applicant, can be found in Appendix 4 of this report.

### Officer Observations

- 2.14 Representations that have been received are mainly based on concerns with the upholding of the core licencing objectives and the accountability of the Applicant as expressed in the Licensing Authority’s representation given the ownership of the Premises and historical issues with the Premises.
- 2.15 Consideration should be given on how these issues could directly affect the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm objectives.

- 2.16 The most critical part of the operating schedule are the steps taken by the Applicant to promote the licensing objectives. Applicants are always reminded to take careful consideration as to what is entered in this section as whatever is proposed will be transferred into conditions on the licence.
- 2.17 The Panel's discretion is engaged in the light of relevant representations to impose conditions that are appropriate to promote the licensing objectives. Any such conditions should be tailored to the size, type, location, characteristics and activities at the premises, and the Panel should be aware of any indirect costs that may arise from the imposition of conditions.
- 2.18 When imposing conditions relating to CCTV the Panel should bear in mind the Information Commissioner's guidance that such conditions should only be imposed where it is justified to do so and in order to meet the licensing objectives.
- 2.19 The Panel has the discretion to add to or modify conditions in light of the representations where it is appropriate to do so to promote the licensing objectives.

#### Licensing policy

- 2.20 In considering the application the Panel will consider the Council's Statement of Licensing Policy. The Panel has discretion to depart from the guidelines, which are designed with consistency and transparency of decision-making in mind.

#### Statutory guidance

- 2.21 The Panel's attention is drawn to Section 2 of the current statutory guidance which refers to the licensing objectives:

##### ***"Crime and disorder***

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other

partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.
- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.
- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities

should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.

### ***Public safety***

- 2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.8 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
  - Ensuring appropriate access for emergency services such as ambulances;
  - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
  - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
  - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
  - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
  - Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and

- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38- 8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that. “

### ***Ensuring safe departure of those using the premises***

2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks. “

### ***Maintenance and repair***

2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules. Safe capacities

### ***Safe Capacities***

2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For

example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.

- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act<sup>1</sup>, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.
- 2.14 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

### ***Public nuisance***

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11

pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

### ***Protection of children from harm***

- 2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
  - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);

- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);

- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at

theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency. Offences relating to the sale and supply of alcohol to children 2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given."

- 2.22 Full copies of the Licensing Authority's Statement of Licencing Policy, hearing procedure and statutory guidance to the Act will be available at the Licensing Panel Hearing or in advance if so required.

### Harrow Licensing Policy

- 2.23 The Licensing Authority's Statement of Licensing Policy sets out the matters that the Panel may take into account when considering representations (although the Panel is not limited to these matters).

## **3. Alternative Options considered**

- 3.1 The Licensing Panel is required by the Act to take one of the options listed below as it considered appropriate for the promotion of the licensing objectives.
- 3.2 The steps as set out under section 18(4) of the Act and summarised below are—
- (a) to grant the licence subject to—
    - (i) [such conditions as are consistent with the operating schedule accompanying the Application] modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and
    - (ii) any mandatory conditions which must be included in the licence;
  - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

- (c) to refuse to specify a person in the licence as the premises supervisor;
- (d) to reject the application.

#### 4. Legal implications

- 4.1 The Licensing Panel is required to hold a hearing to consider an application for a premises licence where relevant representations are received unless all parties agree that a hearing is unnecessary. The hearing must be held in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.
- 4.2 Under Part 3A of the Council's Constitution (18 May 2023), the Licensing Panel has the power to determine applications and to make Orders in respect of licences where objections have been received.
- 4.3 The Licensing Panel is required to give appropriate weight to the representations (including supporting information) presented by all the parties, the Guidance issued pursuant to section 182 of the Act, the Council's Statement of Licensing Policy and the steps that are appropriate to promote the four licensing objectives.
- 4.4 Having considered those relevant matters, the Licensing Panel is required to take such steps (as outlined in section 3.2) as it considers appropriate for the promotion of the licensing objectives.
- 4.5 It should be noted with all options that –
  - clear reasons should be given for the decision.
  - any additional or modified conditions should be practical and enforceable.
  - the applicant and any person who made relevant representations would have the right of appeal to a magistrates' court on one of the grounds provided in Schedule 5 to the Act.
- 4.6 In addition to determining the application in accordance with the legislation, Members must have regard to the –
  - (a) common law rules of natural justice
  - (b) provisions of the Human Rights Act 1998
  - (c) considerations in section 17 of the Crime and Disorder Act 1998
- 4.7 By section 6 of the Human Rights Act 1998, the Panel is required to act in a way that is compatible with rights under the European Convention for the Protection of Human Rights. The following provisions of the European convention seem relevant: Article 6 (right to a fair trial) Article 14 (prohibition of discrimination) and Article 1 of the First Protocol (protection of property)

4.8 If any party is aggrieved with the decision of the Licensing Panel on one of the grounds set out in Schedule 5 to the Act, they can appeal to a Magistrates' Court within 21 days from notification of the decision.

## 5 Financial Implications

5.1 There are no financial implications, other than a small fee income if the new licence is granted.

## 6. Risk Management Implications

Risks included on corporate or directorate risk register? **/No**

Separate risk register in place? **/No**

The relevant risks contained in the register are attached/summarised below. **No**

The following key risks should be taken into account when agreeing the recommendations in this report:

<b>Risk Description</b>	<b>Mitigations</b>	<b>RAG Status</b>
Failure to determine the application for a new premises licence would put the Licensing Authority in breach of its obligations under the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.	<ul style="list-style-type: none"><li>The Authority must determine this application within the timescales set by prescribed regulations</li></ul>	Green

## Section 3 - Statutory Officer Clearance

**Statutory Officer: Jessie Man**

Signed on \*behalf of/by the Chief Financial Officer

**Date: 05.10.2023**

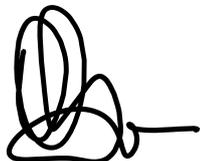
**Statutory Officer: Baljeet Virdee**

Signed on \*behalf of/by the Monitoring Officer

**Date: 05.10.2023**

**Chief Officer: Cathy Knubley**

Signed by the Director of Environment



Date: 5 October 2023

## **Mandatory Checks**

Ward Councillors notified: Yes.

## **Section 4 - Contact Details and Background Papers**

**Contact:** Emma Phasey, Head of Licensing and Enforcement, emma.phasey@harrow.gov.uk

**Background Papers:** Background Papers: Licensing Act 2003 Statutory Guidance (issued December 2022).

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1125660/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_December\\_2022.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1125660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_December_2022.pdf)

London Borough of Harrow – Statement of Licensing Policy