

# London Borough of Harrow



## LICENSING PANEL

**THURSDAY 28 AUGUST 2003**

**7.30 PM \***

**PANEL AGENDA (GENERAL PURPOSES)**

**COMMITTEE ROOM 6  
HARROW CIVIC CENTRE**

\* THERE WILL BE A BRIEFING FOR MEMBERS AT 7.00 PM IN COMMITTEE ROOM 5

**MEMBERSHIP (Quorum 3)**

**Chair: Councillor O'Dell**

**Councillors:**

**Knowles**

**Branch**

**Reserve Members:**

1. Bluston  
2. Burchell

1. Arnold  
2. John Nickolay  
3. Mrs Joyce Nickolay

1. Thornton  
2. Miss Lyne

(none)

**Issued by the Committee Services Section,  
Law and Administration Division**

**Contact: Michelle Fernandes, Committee Administrator  
Tel: 020 8424 1542 E-mail: michelle.fernandes@harrow.gov.uk**

***NOTE FOR THOSE ATTENDING THE MEETING:  
IF YOU WISH TO DISPOSE OF THIS AGENDA, PLEASE LEAVE IT BEHIND AFTER THE MEETING.  
IT WILL BE COLLECTED FOR RECYCLING.***

**LONDON BOROUGH OF HARROW**

**LICENSING PANEL**

**THURSDAY 28 AUGUST 2003**

**AGENDA - PART I**

1. **Attendance by Reserve Members:**  
To note the attendance at this meeting of any duly appointed Reserve Members.
2. **Declarations of Interest:**  
To receive declarations of interest (if any) from Members of the Panel arising from business to be transacted at this meeting.
3. **Arrangement of Agenda:**  
To consider whether any of the items listed on the agenda should be considered with the press and public excluded on the grounds that it is thought likely, in view of the nature of the business to be transacted, that there would be disclosure of confidential information in breach of an obligation of confidence or of exempt information as defined in the Local Government (Access to Information) Act 1985.
4. **Minutes:**  
That the minutes of the meetings held on 25 June and 29 July 2003 respectively, be deferred until they are printed in the Council Bound Minute Book.
5. **Public Questions:**  
To receive questions (if any) from local residents or organisations under the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution).
6. **Petitions:**  
To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Committee Procedure Rule 15 (Part 4B of the Constitution).
7. **Deputations:**  
To receive deputations (if any) under the provisions of Committee Procedure Rule 16 (Part 4B of the Constitution).
8. **Applications For The Renewal Of A Public Entertainments Licence - Time, 314 Station Road, Harrow, Middx.:** (Pages 1 - 18)  
Report of the Chief Environmental Health Officer.
9. **Application For The Grant Of A Permit For An Amusement Machine With Prizes In Respect Of The Easybite Cafe At 48 South Parede, Mollison Way, Edgware, Middlesex, HA8 5QL:** (Pages 19 - 34)  
Report of the Borough Solicitor.
10. **Any Other Business:**

Which the Chair has decided is urgent and cannot otherwise be dealt with.

**AGENDA - PART II - NIL**

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<b>Meeting:</b>	LICENSING PANEL
<b>Date:</b>	28 AUGUST 2003
<b>Subject:</b>	APPLICATION FOR THE RENEWAL OF A PUBLIC ENTERTAINMENTS LICENCE  TIME, 314 STATION ROAD, HARROW, MIDDX.
<b>Key decision:</b>	
<b>Responsible Chief Officer:</b>	CHIEF ENVIRONMENTAL HEALTH OFFICER
<b>Relevant Portfolio Holder:</b>	COUNCILLOR PHIL O'DELL
<b>Status:</b>	PART 1 (PUBLIC)
<b>Ward:</b>	GREENHILL
<b>Enclosures:</b>	APPLICATION, EXISTING LICENCE AND OBJECTION LETTERS

## 1. Summary

- 1.1 This report gives details of an application for the renewal of a public entertainment licence and gives guidance to assist the Licensing Panel in reaching a decision. There are two objections to the renewal application from local residents. Following conciliation between the applicant and the objectors, the applicant has put in place measures to reduce late night noise; however it has not resolved the matter to the satisfaction of the objectors.

## 2. Recommendations (for decision by the Panel.)

- 2.1 **Members are asked to determine the application in accordance with the guidance in section 8, below.**

## 3. Relevant Previous Decisions

On 28<sup>th</sup> October 2002, the Licensing Panel heard concerns from local residents who live opposite to Time regarding the noise and nuisance created by patrons leaving the premises in the early hours of the morning. To assist in resolving the matter, Mr Hennessy offered to use the rear fire escapes as exits to minimise the nuisance to the residents in the front of the Club (in Station Road). The Panel accepted this. Since then, residents from Platinum House, situated at the rear of the Club, have complained about disturbance from music noise from the premises and from departing patrons.

#### **4. Relevance to Corporate Priorities**

- 4.1 While this report is in response to a request for the renewal of a licence, the public safety and environmental control aspects of licensing address corporate issues. In particular the quality of the environment, promotion of leisure pursuits and a prosperous local economy.

#### **5. Background Information**

- 5.1 Application has been made for the renewal of the existing Annual Entertainments Licence for Time Night-Club, 314 Station Road, Harrow (appendix A). Mr R Hennessy of Sloanes Bar Restaurants Ltd, the operators of the premises, has made the application. The premises have been licensed for public entertainments since 1999.
- 5.2 The premises are licensed for up to 200 persons, the premises are suitable for this number. A copy of the licence is appended to this report.
- 5.3 The Chief Planning Officer advises that there are no planning restrictions on the use of the premises.
- 5.4 The objections from local residents regarding noise from patrons leaving the premises and music noise from the premises. In response to the initial objections, Mr Hennessy has changed the exiting procedures and by introducing a CCTV camera and flood lights to the rear of the premises. Mr Hennessy also has sought advice from a noise consultant and executed works suggested by the consultant. However, this did not resolve all the concerns of the objectors. Copies of relevant correspondence are appended to this report.
- 5.5 The Police and the London Fire and Emergency Planning Authority were notified of this application and no objections were received.
- 5.6 The application is referred for the decision of the Panel, as there are two remaining objections to the renewal.

#### **6. OBJECTIONS TO THE APPLICATION**

- 6.1 Copies of the original letters of objection are attached (Appendix B).
- 6.2 Once the date for the hearing was established the applicant and the objectors were invited to provide written statements of the evidence they wished to present at the hearing (see Appendix C).
- 6.3 Guidance regarding the procedure for the determination of an application at an Oral Hearing in public is on Paragraph 27 onwards in the attached document (see Appendix D).

#### **7. The Premises**

- 7.1 Location

The premises are on the first floor of commercial premises in Central Harrow. The ground floor is occupied by Burtons the Tailors. There is a small area at the rear of the building for the parking of cars.

## 7.2 Construction

The premises are of solid construction and meet the requirements of the Council's Technical Regulations regarding construction.

## 7.3 Complaint History

Environmental Health has received six complaints about the premises in the last year. These concern late night disturbance from patrons outside the premises and leakage of music noise.

## 8. **Determination of the Application**

8.1 Having considered the representations of the objectors and the applicant, the Panel has to determine the application for the renewal.

### **The Renewal Application**

8.2 The legislation does not list the grounds on which the Panel can refuse an application for a renewal, merely stating that the Panel has discretion to grant or refuse. The legislation does allow for the imposition of conditions, restrictions, etc. but again offers no guidance as to the type of condition that may be imposed. It is clear that any additional conditions would have to be practical, enforceable and meet the rules of natural justice.

8.3 Options available to the Panel:

a. To grant the application as it stands for a full 12 months. Any licence granted would be subject to the Council's Rules of Management.

b. To grant the Licence and, in light of the evidence presented at the hearing, from both the objectors and the applicant, to place additional conditions upon the licence. Licence conditions may relate to the management of the premises or technical provisions at the premises. In circumstances that appear appropriate the Panel may grant the licence for a period less than 12 months.

c. To refuse to renew the licence.

8.4 It should be noted with options (b) and (c) in paragraphs 8.3 that;

i. if the Panel refuse to renew the licence, or if amendments to conditions are imposed, then clear reasons would have to be given to the applicant, and

ii. the applicant would have the right of appeal to a Magistrates Court.

## 9. **Consultation**

9.1 The application was advertised in accordance with the Council's rules governing applications.

**10. Finance Observations**

10.1 There are no financial implications for the Council relating to the consideration of this application by the Panel.

**11. Legal Observations**

11.1 In addition to determining the application in accordance with the legislation, Members must also have regard to the provisions of the Human Rights Act 1998.

**12. Background Papers**

12.1 File for the Time, 314 Station Road, Harrow.

12.2 London Borough of Harrow, Rules of Management and Technical Regulations for Places of Public Entertainment.

**13. Author**

13.1 Shankar P Sivashankar 020 8420 9605

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**LONDON BOROUGH OF HARROW**

<b>Meeting:</b>	<b>LICENSING PANEL</b>
<b>Date:</b>	<b>28<sup>th</sup> AUGUST 2003</b>
<b>Subject:</b>	<b>APPLICATION FOR THE GRANT OF A PERMIT FOR AN AMUSEMENT MACHINE WITH PRIZES IN RESPECT OF THE EASYBITE CAFÉ AT 48 SOUTH PARADE, MOLLISON WAY, EDGWARE, MIDDLESEX HA8 5QL</b>
<b>Responsible Chief Officer:</b>	<b>BOROUGH SOLICITOR</b>
<b>Relevant Portfolio Holder:</b>	<b>COUNCILLOR PHIL O'DELL</b>
<b>Status:</b>	<b>PART 1 (PUBLIC)</b>
<b>Ward:</b>	<b>EDGWARE</b>
<b>Enclosures:</b>	<b>APPLICATION, PREVIOUS PERMIT, CORRESPONDENCE WITH THE APPLICANT AND CORRESPONDENCE WITH THE METROPOLITAN POLICE.</b>

**1. SUMMARY**

1.1 This report gives details of an application for the grant of a permit for the use of a machine for gaming by way of amusement with prizes "(AWP)" under Section 34 of the Gaming Act 1968. The report gives guidance to assist the Licensing Panel in reaching a decision. The application is referred to the Panel for the reasons set out in 1.2 below.

**1.2 THE RELEVANT LEGISLATION**

1.2 The premises is described by the applicant as a working man's café providing traditional English breakfast. It contains an amusement with prizes machine for the amusement of customers while their breakfast is being cooked.

1.3 Powers are available to the Council within Schedule 9 of the Gaming Act 1968 to introduce a general policy of not licensing certain classes of premises for the grant or renewal of permits for the establishment and use of machines for amusement with prizes.

1.4 Some time prior to 1990 the Council's General Public Services Committee identified those classes of premises where unaccompanied children were likely to be frequent visitors as a potential class of premises within any such Resolution. Once such a policy is adopted the Council assumes the duty to refuse all applications under Section 34 in respect of those classes of premises without exception. Classes of premises not specified would remain outside the policy prohibition and applications would continue to be considered on their merits in respect of them.

1.5 On 18<sup>th</sup> October 1990 the Council adopted a resolution made pursuant to Schedule 9 paragraph 3(b) of the Gaming Act 1968 in the following terms:

That the Council adopt a policy that it would not grant new permits or renew current permits under Section 34 of the Act for the licensed use of machines for amusement with prizes in respect of any or all of the following classes of premises within the London Borough of Harrow :-

Garages and/or petrol filling station forecourts; car wash stations; bus stations; railway stations; retail shops; cafes, restaurants and take-away food premises; launderettes; hairdressers; school premises; showrooms; places of entertainment; hotels; guest houses and hostels; and areas to which the public have access in offices or other work places, including waiting rooms or reception areas.

1.6 On 16<sup>th</sup> June 1994, the Council's Environmental Services Committee amended the Resolution to add "sports complex" as a class of premises which is ineligible for the grant or renewal of a permit under Section 34 of the Act for the licensed use of machines for amusements with prizes.

1.7 Notwithstanding the fact that the Council has adopted the above mentioned Resolution, it is still permissible under the terms of the Act for the holder of a permit to apply to the Council for that permit to be renewed. Similarly an application for the grant of a permit can be made.

1.8 Further, by virtue of Schedule 9 paragraph 7 of the Act, the Council is under a duty to refuse to grant a permit if:

- i) the premises to which the application relates falls within one of the classes of premises stated in the above mentioned Resolution; and
- ii) the permit could not be renewed without contravening the Resolution.

1.9 Given that the premises in question is a cafe there is a possibility that the grant of this application would contravene the above mentioned Resolution. In order to assist members of the Panel in determining the application, the applicant has been invited to appear before the Panel

in order to make representations, as is his right, where there is a risk of the application being refused.

- 1.10 Members of the Panel will be aware from recent officer briefings that the Government is actively considering changes to Gaming Legislation. Although detailed consultation on the proposed new role for local authorities is expected in the autumn, it is clear from the information released so far that all such gaming machines will (except perhaps those in casino premises) come under the control of the Local Authority. Local Authorities are also likely to issue a premises licence for those premises (including any casinos) where gaming/gambling takes place in the Borough. It is expected that the proposals will be modelled on the Licensing Act 2003, and the level of individual discretion by authorities will be limited. The future status of the earlier resolutions by this Authority cannot at this stage be determined. Officers will keep members abreast of developments.
- 1.11 Currently, gaming machines in premises licensed for the sale of alcohol are issued with permits by the local Licensing Justices. The Licensing Act 2003 amends the Gaming Act 1968, abolishing this role of the Justices and from the date of the full implementation of the Act (expected January 2005), this will become the responsibility of the Local Authority. It was only by virtue of close reading of the text of the published Act that this unreported new duty was revealed.
- 1.12 The application is also referred to the Panel for a decision because of the background to this matter as set out at 6 below.

<b>2. RECOMMENDATIONS (for decision by the Panel)</b>
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<b>2.1 Members are asked to determine the application in accordance with the guidance in section 9 below.</b>
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### **3. CONSULTATION WITH WARD COUNCILLORS**

- 3.1 Councillors Davine, Burchell and Lent will be sent a copy of the Agenda five days before the meeting.

### **4. POLICY CONTEXT AND RELEVANT PREVIOUS DECISIONS**

- 4.1 Resolution of the General Public Services Committee on 13<sup>th</sup> September 1990 and adopted by Council on 18<sup>th</sup> October 1990.
- 4.2 Resolution of the Public Entertainment's Licensing and Safety Panel on 24<sup>th</sup> March 1994.
- 4.3 Resolution of the Public Entertainments Licensing and Safety Panel on 27<sup>th</sup> September 1995.

## **5. RELEVANCE TO CORPORATE PRIORITIES**

- 5.1 Whilst this report is in response to a request for a permit, the public safety and environmental control aspects of licensing address corporate issues. In particular, the quality of the environment, promotion of leisure pursuits, a reduction of crime and disorder and a prosperous local economy.

## **6. BACKGROUND INFORMATION AND OPTIONS CONSIDERED**

- 6.11 A permit in respect of the premises was granted by the London Borough of Brent on 2<sup>nd</sup> September 1992. The permit was due to expire on 1<sup>st</sup> September 1995. On 1<sup>st</sup> April 1994 the Borough boundary changed to incorporate areas which had previously been administered by the London Borough of Brent. These premises were one of a number of commercial and residential premises which transferred from the London Borough of Brent to the London Borough of Harrow.
- 6.12 On 27<sup>th</sup> September 1995 The Council's Public Entertainment's Licensing and Safety Panel considered an application for a renewal of the permit by the then existing permit holder Mr Pandya.
- 6.13 The Panel, in determining its decision, referred to the reasons outlined in the recommendation to the Council on 13<sup>th</sup> September 1990 that formed the basis for the policy adopted in October 1990. This policy was influenced by growing concern about the general availability of amusement machines with prizes in premises that were habitually frequented by unsupervised children and young persons. It was believed that easy access to such machines could afford unsupervised children and young persons the opportunity to acquire a habit for gambling.
- 6.13.1 At the meeting, the applicant reported that the café was predominantly frequented by workmen and was closed before the end of the school day. Further it was noted that the nearest school was some 20 to 15 minutes away and that no unsupervised children entered the premises.
- 6.14 The applicant gave an undertaking at the meeting to ensure that the gaming machine was not used by young people under 16. He also agreed to display a sign in a prominent place informing customers that unaccompanied children would not be admitted into the café. Members therefore believed that it was unlikely that unaccompanied children would frequent the café and therefore that granting the permit would not contravene the Resolution.

- 6.15 It was also reported at that meeting that neither the Head of Environmental Health Services nor the Metropolitan Police objected to the application. As a result, the Panel resolved to renew the permit as the Panel believed that the premises fell outside the scope of the Resolution as it was unlikely that the premises would be habitually frequented by unaccompanied children and young people. However, the Panel imposed a condition that a sign should be displayed in a prominent place in the premises informing customers that unaccompanied children and young persons would not be admitted. The Panel also made the applicant's undertaking referred to above a condition of the renewal.
- 6.16 On 27<sup>th</sup> September 1998 the permit held by Mr Pandya expired.
- 6.16.1 In December 1998 the current applicant Mr Sam Yadav, on behalf of Easybite Limited, took over the running of the business on the premises. He has stated in correspondence that neither the previous owner nor his solicitor told him about the renewal date and he did not realise the significance of the renewal of the permit. He therefore did not apply to renew the permit until 16<sup>th</sup> October 2002.

## **7 ADDITIONAL INFORMATION**

- 7.11 An officer from the Council's Environmental Health Services Department visited the premises on 19<sup>th</sup> May 2003. He reports that the premises is situated at the corner of Mollison Way, Edgware and Laurence Crescent. It is a glazed shop front with a single entry/exit door in the middle of the frontage.
- 7.12 The café has 36 covers and the main and only trade is as a builder's café in the mornings providing traditional English breakfast. The café opens at 7 am and closes at 2.45 pm except on Sundays when it is closed all day.
- 7.13 The amusement with prizes machine is placed next to the door directly opposite the till area. This is in direct line of sight from the till area which is always manned according to the applicant. The café employs two additional staff for cooking and cleaning when it is open.
- 7.14 There are notices on display in the premises stating that "no under 18's to use the AWP". There is also a notice saying that the machine is emptied every afternoon before the shop is closed. The cash bins from the machine are also removed from the machine and placed on the tables at close of business.
- 7.15 The Environmental Health Services Officer was informed by the applicant during his visit that the type of food served at the café does not attract youngsters and that he has never had any complaints regarding the misuse of the AWP in the last 4 years.

## **8 OBJECTIONS TO THE APPLICATION**

- 8.11 There have been no objections as such. However, the views of the Metropolitan Police have been sought and a copy of the relevant correspondence is attached at Appendix A.
- 8.12 The Council's Environmental Health Department have not received any complaints about the premises.

## **9 DETERMINATION OF THE APPLICATION**

- 9.11 In respect of the application the Panel has the following options open to it:-
- a) If the Panel considers that the permit could not be granted without contravening the resolution passed by the Council in 1990 the Panel is required by the legislation to refuse to grant the permit.
  - b) If the Panel decides that the permit could be granted without contravening that resolution Paragraph 8(2) of Schedule 9 to the Act says that the grant of the permit shall be at the discretion of the Panel; and in particular, and without prejudice to the generality of that discretion, the Panel may refuse to grant the permit on the grounds that, by reason of the purposes for which, or the persons by whom, or any circumstances in which, the premises are or are to be used, it is undesirable that machines to which Part III of the Act applies should be used for providing amusements on those premises.
  - c) Paragraph 10 of Schedule 9 to the Act provides that on granting a permit in respect of any premises the Panel may grant it subject to a condition limiting the number of AWP machines which may be available for gaming on the premises to such number as the Panel may determine.
  - d) It follows from what is stated at c) above that the Panel are not entitled under the legislation to attach any other condition to the permit. The Panel is advised to bear this point in mind when considering the representations made by the Metropolitan Police. The Panel is advised that an appropriate way of proceeding may be to seek undertakings from the applicant although the Panel should bear in mind that there will be no immediate remedy open to the Council if such undertakings are not honoured by the applicant. Any breach of undertaking by the applicant could, however, be taken into account by the Panel on any subsequent application for a grant of a new permit or renewal of the existing permit by the applicant.



9.12 It should be noted with the options above that:

- a) Clear reasons for either the refusal to grant the permit or requesting undertakings from the applicant would have to be given to the applicant.
- b) If the Panel decide to refuse to grant the permit the applicant will have the right to appeal to the Crown Court unless the Panel refused to grant the permit because it decided that the premises falls within those classes of premises within the 1990 resolution.
- c) If the Panel decide to grant the permit the permit will last for the minimum period of three years as laid down by the Gaming Act 1968. Whilst it is not open to the Panel to grant the Permit for a lesser trial period the permit can be granted for such longer period as the Panel may determine.

## **10 FINANCE OBSERVATIONS**

10.1 There are no financial implications for the Council relating to the consideration of this application by the Panel.

## **11 LEGAL OBSERVATIONS**

11.1 In addition to determining the application in accordance with the legislation, Members of the Panel must also have regard to the provisions of the Human Rights Act 1998.

## **12 BACKGROUND PAPERS**

12.1 File for Easybite Café trading as the Corner Café, 48 South Parade, Mollison Way, Edgware, Middlesex HA8 5QL.

## **13 AUTHOR**

13.1 Adrian George, telephone no. 020 8424 1979.

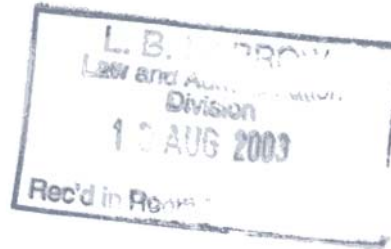
# APPENDIX A

**APPENDIX A**  
**Letter from the Owner of the Corner Café**  
**Mr Sam Yadav**

SAM YADAV T/A THE CORNER CAFE  
48 SOUTH PARADE. MOLLISON WAY. EDGWARE. MIDDLESEX HA8 5QL

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MS. MICHELLE FERNANDES  
COMMITTEE ADMINISTRATOR  
LONDON BOROUGH OF HARROW  
CHIEF EXECUTIVE'S DEPARTMENT  
P.O. BOX 2, CIVIC CENTRE  
HARROW  
MIDDX. HA1 2UH  
~~4th~~ August 2003  
13<sup>th</sup>



Dear Ms. Fernandes

Thank you for your letter dated 14th July 2003 inviting me to attend a Licensing Panel hearing on Thursday 28th August 2003.

The gaming machine which I took over when I bought the Cafe, is situated in one corner, right in front of the Counter where the till is. As I operate the till, I can and I do keep an eye on the machine. There is also a notice on the machine that only over 18 are allowed to play the machine. If in any doubt, I do ask for an identity card but as all the players are my regulars, there is no problem. It is only used as a fun game, not for serious gambling that may be the case in a big establishment.

I open the Cafe early in the morning, at 6:45am and close it at 2:30pm and I am out by 3pm. It is not open in the evening or at night or on Sundays. So there is no question of disturbing the neighbours or my fellow shop-keepers on the parade.

Moreover my customers, who are mostly old age pensioners and some office workers, are all regulars and more like friends than customers. So far I did not have any disturbance or altercation with any of my customers nor I had to call police on any occasion.

When I close the premises for the day, I put a big sign that the gaming machine is emptied every day before the Cafe is closed, so there is no temptation for any one to break in for the gambling money. I do indeed empty the machine as per notice.

My Cafe is a small business and I do need the income generated by the gaming machine to make the business viable, although machine generates some £70 per week only.

hope my application will meet with the panel's approval.

Yours sincerely

SAM YADAV ( THE CORNER CAFE )

See page Two Also

13th Aug 03

The economic climate for small business like ours is tough indeed and it is a question of survival. There are so many empty shops in the parade and the tenant turnover is also high. The income from an amusement machine helps me pay the bills and keeps me afloat. It is a lifeline for a small business like mine.

Your Honorary Officer Mr P S ADHANKER made a visit to my Cafe on the 19th May 03. He had a first hand impression of the site of the machine in the Cafe. After detailed discussions, questions and answers he was very happy with the situation and said he would recommend that the present order to be granted.

The Cafe is run by myself, and two girls in the kitchen. I take the orders in the front and pass them down. The meal is cooked and one of the ladies brings it out to the table. I work on the counter in the front with the till. I take the cash, clear the tables and make tea and coffee. I am always in the front with the customers.

### ABOUT THE FRUIT MACHINE

- 1) Sign on the machine reads NO ONE UNDER 18 YEARS OLD ALLOWED TO PLAY
  - 2) Sign the machine reads FRUIT MACHINE EMPTIED DAILY INCLUDING THE FLOAT TUBES
  - 3) At close of business daily the machine is left in the open position with the lid tilted up and out and the Cash drawers (2) are emptied and left on the table visible to all from outside.
- I hope this additional information helps my application.

Yours Sincerely

*S. Yadav*

S. YADAV

**APPENDIX B**  
**Letter from Metropolitan Police**

cc Adnan George  
Andy Appleby .

APPENDIX B

**\*Your Reference:**

**Our Reference:** 21/124/03/QA

**Date:** 7<sup>th</sup> May 2003



Ms Michelle Fernandes  
P.O. Box 2  
Civic Centre  
Harrow  
Middx  
HA2 ODN

**METROPOLITAN POLICE**  
**Harrow Station**  
**74 Northolt Road**  
**South Harrow**  
**Middlesex HA2 ODN**  
**Telephone 020 8423 1212.**  
**Direct Line 020 8733 3415.**

Dear Ms Fernandes

Re : Easybite Café – Application for a S.34 Permit

Further to you letter of 2<sup>nd</sup> May 2003 I would like to make the following observations.

This Borough and other outer London Boroughs have for a number of years been suffering from a rash of burglaries of public houses where the A.W. P. machines have been the targets.

These professional gangs are believed to use high performance vehicles, research the targets well in advance and allow themselves no more than 2 minutes inside the premises.

I have attached a very recent article from a local newspaper, which gives some detail. As you can see they do not let the fact that staff live on the premises get in their way.

As a means of trying to combat these crimes I am asking the Liquor licencing Magistrates at each Licensing sessions at the Magistrates Court to refuse the renewal of S.34 permits unless the Licensee makes a number of undertakings on oath.

These include

- 1) police approved alarm system
- 2) CCTV – on machines as well as general
- 3) removal of takings every night or
- 4) fitting of approved security device ( Police Crime reduction officer can supply examples )

If the premises is subsequently burgled and any of the above has not been complied with then the applicant would thus be in breach of the licence and we will ask it be revoked.

It goes without saying that licensed premises should be one of the more robust premises and that in order to combat crime we would not wish A.W.P.'s to be found in premises that does not at least match their level of security.

Police are also concerned as to the siting of the these machines and cigarette vending machines. We are aware that some premises do not site their machines in positions able to be viewed by staff and know of a number of occasions where children have entered premises and used machines.

I hope these observations are of some assistance. Please do not hesitate to contact me should you have any further enquiries.

Yours sincerely



Carl Davis  
Police Sergeant 12QA  
Licensing Department



Pubs and clubs warned of fruit machine gang

# Bandits snatch cash Opposite police station

BY WILL HURST

POLICE are warning pubs and clubs to be on alert for a gang of criminals who target fruit machines and have even burgled a pub opposite a police station.

The gang has raided at least six establishments in the last two months and is suspected of mingling with drinkers to find out which are the most popular machines before breaking in at a later date to steal cash from them.

In the latest raid in the early hours of April 2, the gang burgled The Timber Carriage pub in Northolt Road, South Harrow, which is almost directly opposite South Harrow Police Station.

Landlord Steve Slocombe was sleeping upstairs at the time and revealed the burglars, who stole about £80, were too quick for him to catch.

He said: "I was in bed and heard the banging and the alarm going off, but by the time I got down they were gone.

They had smashed the back panel of the door and made their way to the far machine. They took the cash out and were gone within about two minutes -- it was very professional.

"In my experience these gangs usually go for rural areas. To go for somewhere outside a police station is taking a bit of a chance."

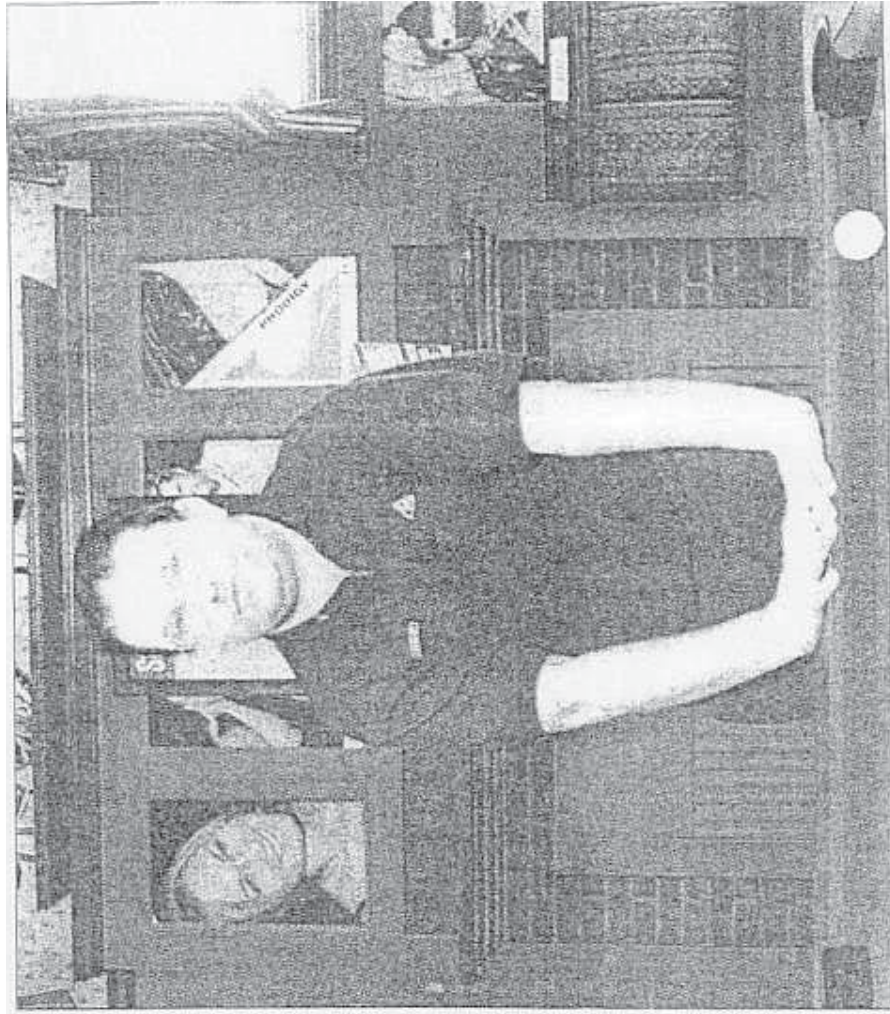
Mr Slocombe added he has improved security at the pub to ensure it is not burgled again.

In recent weeks, a range of pubs and clubs have fallen victim to the gang including The Moon & Sixpence in Hatch End, The Late Bar in Edgware and Bessborough Cricket Club in Pinner View, Pinner.

Rory O'Brien, of Harrow police, called on individuals and businesses to be vigilant.

He said: "There's been a spate of these break-ins. About twice a year we get hit by a team who are very good at what they do."

Anyone who has any information about these crimes should call Crimestoppers anonymously on 0800 555 111.



Landlord Steve Slocombe at The Timber Carriage in South Harrow where a fruit machine was stolen while he was asleep upstairs. Picture by Stuart Emmerson

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