

Licensing Panel AGENDA

DATE: Tuesday 8 February 2011

TIME: 7.30 pm *

VENUE: Committee Room 5,
Harrow Civic Centre

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

MEMBERSHIP (Quorum 3)

Chairman: (To be appointed)

Councillors:

Krishna James
Krishna Suresh

Husain Akhtar

Reserve Members:

Note: There are no Reserve Members currently appointed to this Panel.

Contact: Mark Doherty, Acting Democratic Services Officer
Tel: 020 8416 8050 E-mail: mark.doherty@harrow.gov.uk

AGENDA - PART I

1. APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the purposes of this meeting.

2. DECLARATIONS OF INTEREST

To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Committee, Sub Committee, Panel or Forum;
- (b) all other Members present in any part of the room or chamber.

3. MINUTES

[Note: Licensing Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chairman for that meeting;
- (2) not submitted to the next panel meeting for approval.

Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chairman and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].

4. PUBLIC QUESTIONS, PETITIONS AND DEPUTATIONS

To receive any questions, petitions or deputations (if any), under the provisions of Committee Procedure Rules 17, 15 and 16 (Part 4B) of the Constitution respectively.

[Note: These items are qualified by the requirements of the licensing legislation and will not be applicable to applications on the current agenda.]

5. LICENSING PROCEDURES (Pages 1 - 2)

Procedure to be followed at an oral hearing.

6. APPLICATION TO VARY THE PREMISES LICENCE HELD IN RESPECT OF 'ARYA SUPERMARKET', 385 NORTHOLT ROAD, SOUTH HARROW, HA2 8JD (Pages 3 - 38)

Report of the Corporate Director Community & Environment.

7. ANY OTHER URGENT BUSINESS

Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

This document provides a summary of the Panel's usual procedure for the conduct of an oral hearing in public.

1. Introduction by chair of:
 - Members
 - Officers and Officers of Responsible Authorities
 - Applicants and Objectors
 - the procedure for the hearing.

2. Presentation of the report by Officers of the Relevant Authority.

3. Presentation by the applicant of their statement. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.

4. Questioning of applicant by:
 - each of the objectors
 - the Panel

5. Presentation by the objectors, or their representative of their statements. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.

6. Questioning of each objector by:
 - the applicant
 - the Panel

7. Concluding statement(s) by objectors.

8. Concluding statement by applicant.

9. The Panel together with their legal advisor and committee clerk withdraw to consider of the application. Should the Panel wish to clarify any point with any particular party, all sides are recalled for the questions to be asked.

10. The hearing is reconvened for the Panel to announce their decision. Should the application be refused or conditions be placed on the licence the Panel must give reasons for this action.

NOTES

WITNESSES: *Either side may call witnesses to support their case. Witnesses should have submitted written statements before the hearing which they present and on which they may be questioned. Witnesses introduced at short notice may speak with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.*

ADJOURNMENT: *The Panel may at any time adjourn to a later date for the further consideration of an application. The date and time should be agreed with all parties as far as possible*

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REPORT FOR: LICENSING PANEL

Date of Meeting: 8 February 2011

Subject: Application to vary the premises licence held in respect of 'Arya Supermarket', 385 Northolt Road, South Harrow, HA2 8JD

Responsible Officer: Brendon Hills – Corporate Director, Community & Environment

Exempt: No

Enclosures: Premises Licence
Variation Application
Premises Plan
Location Map
Representation

Section 1 – Summary

An application to vary the premises licence issued under the Licensing Act 2003 in respect of "Arya Supermarket", 385 Northolt Road, South Harrow, HA2 8JD has attracted one representation from the Metropolitan Police, on the grounds of prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm.

Representations received

From	Relevant Representations details
The Planning Authority	No representations received
Health & Safety	No representations received
Environmental Health Authority	No representations received
Trading Standards	No representations received
The Area Child Protection Service	No representations received
LFEPA	No representations received
Metropolitan Police	Representation received

Representations from interested parties

From	Relevant Representations details
Interested Parties	No representations received

Section 2 – Report

Current situation

- 2.1 There is currently a premises licence in force at “Arya Supermarket”, 385 Northolt Road, South Harrow, HA2 8JD. Briefly, the premises licence authorises the following licensable activities during the timings specified:

Sale of Alcohol (for consumption off the premises):

Monday to Saturday	08.00am – 11.00pm
Sunday	10.00am – 10.30pm

Hours Open to Public:

Monday to Saturday	08.00am – 11.00pm
Sunday	10.00am – 10.30pm

- 2.2 The current premises licence holders, Mr Jamshid Oryakhel and Mrs Resu Angdembe, have applied to vary the premises licence so as to permit the following licensable activities during the timings specified:

Sale of Alcohol (for consumption off the premises):

Monday to Saturday	08.00am – 02.00am(following morning)
Sunday	09.00am – 01.00am(following morning)

Hours Open to the Public:

Monday to Sunday	24 hours a day
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- 2.3 The premises is situated at 385 Northolt Road, South Harrow, in a small parade of commercial premises, adjacent to residential properties. A map of the area is attached to this report.

Representations

- 2.4 The Metropolitan Police through Sergeant Davis, have submitted a representation. A copy of this representation is attached to this report.

Consultation

- 2.5 The application was advertised in accordance with the Regulations under the Licensing Act 2003.

Licensing Implications

- 2.6 In relation to the Council's Licensing policy at paragraphs 8.3 and 8.8, the applicant has addressed how they intend to promote the licensing objectives

Legal Implications

- 2.7 The Licensing Panel is required to hold a hearing to consider the variation application and any relevant representations unless all parties agree that a hearing is unnecessary. The hearing must be held in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

- 2.8 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 Licensing Act 2003, the Council's statement of licensing policy and the steps that are necessary to promote the four licensing objectives.

- 2.9 Having considered those relevant matters, the Licensing Panel is required to take such of following steps (if any) as it considers necessary for the promotion of the four licensing objectives –

- a. To modify the conditions of the licence
- b. To reject the whole or part of the application

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new conditions added.

- 2.10 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 Licensing Act 2003.

- 2.11 In addition to determining the application in accordance with the legislation, Members must have regard to –

- The common law rules of natural justice;
- The provisions of the Human Rights Act 1998;
- The considerations in section 17 of the Crime and Disorder Act 1998.

- 2.12 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 and Freedoms. 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).

Community Safety

2.13 In relation to section 17 of the Crime and Disorder Act 1998, this states:

‘Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.’

2.14 The Borough Commander, through Sergeant Davis, has made a representation against this application.

Financial Implications

2.15 There are no financial implications.

Risk Management Implications

2.16 If any party is aggrieved with the decision of the licensing panel on one of the grounds set out in Schedule 5 to the Licensing Act 2003, they can appeal to a Magistrates’ Court. Such appeals are by way of re-hearing. The Appeal period is 21 days from notification of the decision.

Section 3 - Statutory Officer Clearance

Name: Kanta Hirani	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 20 th January 2011		
Name: Paresh Mehta	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 20 th January 2011		

Section 4 - Contact Details and Background Papers

Contact: P Sivashankar, Head of Licensing Services, 020 8736 6237

Background Papers:

- Premises Licence
- Variation Application
- Premises Plan
- Location Map
- Representation

LICENSING ACT 2003

Premises Licence

Schedule 12
Part A (Regulation 33,34)
HARROW COUNCIL, P O BOX 18, STATION ROAD, HARROW

Premises Licence Number: LN/000000612/2009/3

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description:

Arya Supermarket, 385 Northolt Road, South Harrow, Middlesex, HA2 8JD

Telephone Number:0208 864 7613

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Sale of retail alcohol

Signed by Finlay Flett
Head of Community Safety Services



**Licensable area
Hours open to public**

Sunday	10:00 - 22:30	-
Monday	08:00 - 23:00	-
Tuesday	08:00 - 23:00	-
Wednesday	08:00 - 23:00	-
Thursday	08:00 - 23:00	-
Friday	08:00 - 23:00	-
Saturday	08:00 - 23:00	-

The times the licence authorises the carrying out of licensable activities

Location: Licensable area

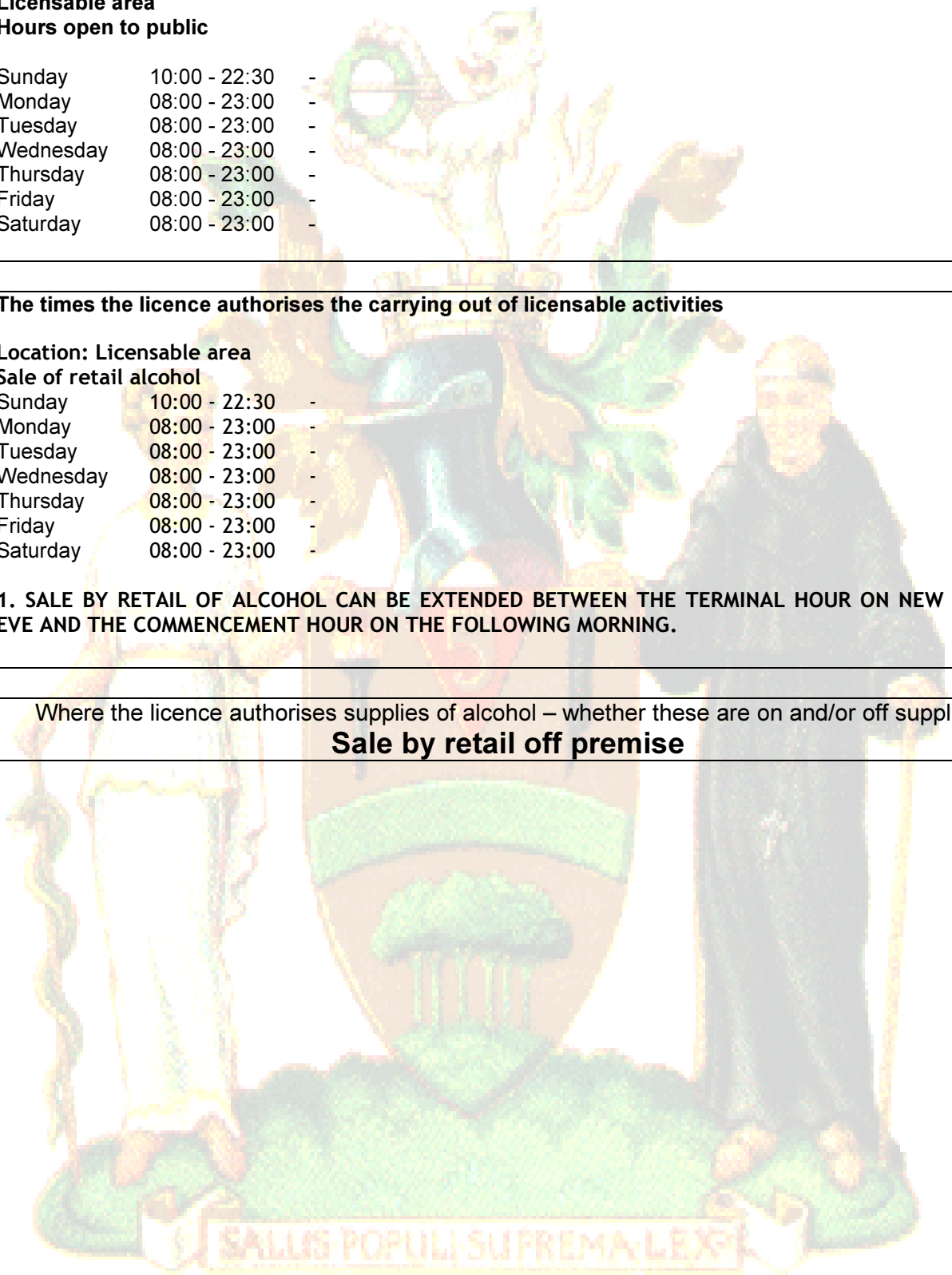
Sale of retail alcohol

Sunday	10:00 - 22:30	-
Monday	08:00 - 23:00	-
Tuesday	08:00 - 23:00	-
Wednesday	08:00 - 23:00	-
Thursday	08:00 - 23:00	-
Friday	08:00 - 23:00	-
Saturday	08:00 - 23:00	-

1. SALE BY RETAIL OF ALCOHOL CAN BE EXTENDED BETWEEN THE TERMINAL HOUR ON NEW YEAR'S EVE AND THE COMMENCEMENT HOUR ON THE FOLLOWING MORNING.

Where the licence authorises supplies of alcohol – whether these are on and/or off supplies

Sale by retail off premise



Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mr Jamshid Oryakhel
401 Northolt Road
South Harrow
Middlesex
HA2 8JE

Mrs Resu Angdembe
28 Abbots Drive
Harrow
Middlesex
HA2 0RE

Telephone:
Email:

Telephone:
Email:

Registered number of holder, for example company number, charity number (where applicable):

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Mr Jamshid Oryakhel
401 Northolt Road
South Harrow
Middlesex
HA2 8JE

Telephone:

Personal licence number and issuing authority of personal licence held by designated premises supervisor – where the premises licence authorises for the supply of alcohol:

HARROW LN/000002194/2009/1

State whether access to the premises by children is restricted or prohibited: **N/A**

Annex 1 – Mandatory Conditions

Mandatory conditions where licence authorises supply of alcohol:

- 1 No supply of alcohol may be made under the premises licence -
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply or sale of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory conditions where licence authorises exhibition of films:

- (1) The admission of persons under the age of 18 years to exhibitions of films must be restricted in accordance with any recommendation made by the British Board of Film Classification, except where condition 2 applies.
- (2) The admission of persons under the age of 18 years to exhibitions of films must be restricted in accordance with any recommendation made by the relevant licensing authority regarding the film in question

Mandatory condition where licence requires door supervision:

Where one or more individuals are required to be at the premises to carry out a security activity, such individual(s) must be licensed by the Security Industry Authority.

Annex 2 - Conditions consistent with the operating Schedule

CONDITION 1: The CCTV system to be maintained and operated in good order and to the satisfaction of Met Police Crime Prevention Officer's reasonable requests. The medium upon which the images are recorded will be clearly identifiable, stored securely, retained for a period of not less than 31 days, and it will be made available to Council and Police Officers on request.

CONDITION 2: A monitored central station alarm is required and must be installed by either a NACOSS or SSAIB affiliated installer.

CONDITION 3: No cash to be left on the premises overnight.

CONDITION 4: Tills must be regularly skimmed off, to reduce the impact should a robbery occur.

CONDITION 5: A till guard is required to prevent easy access to cash in the till.

Annex 3 - Conditions attached after a hearing by the licensing authority.

N/A

Annex 4 – Plan
Attached.

Date of original grant: 12/10/2006

Reason for issue: Variation Of DPS

Date of issue: 17th December 2009

Issue Number: 3



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#328304115

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

Jamshid Oryakhd and Reshmaya Angdembe
I/Webeing the premises licence holder, apply to vary a
(Insert name(s) of applicant)
premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

LN00000612/2009/3

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference, or description

385 Northolt Road
South Harrow

Post town

Post code

HA2 8JD

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 2379.17

Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

385 Northolt Road, South Harrow

Post Town

Postcode

HA2 8JD

RECEIVED AT
LICENSING OFFICE

25 NOV 2010

TIME.

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible?

Please tick Yes

If not do you want the variation to take effect from

Day	Month	Year

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

n/a

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

we would like to open the ~~off~~ vary
opening time of the supermarket so
that it open 24 HRS A DAY

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Please tick ✓ yes

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)	
Day	Start	Finish		
Mon				
Tue				State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed				
Thur				Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)	
Thur					
Fri				Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat					

Sun			
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E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					

Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed				State any seasonal variations for the performance of dance (please read guidance note 4)	
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor	
Mon					Outdoor
				Both	

Tue			Please give further details here (please read guidance note 3)
Wed			
Thur			
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sun			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)		
Day	Start	Finish	Indoors		
			Outdoors		
			Both		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed					
Thur			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Fri					
Sat					
Sun			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor	
				Outdoor	
Mon				Both	

Tue			Please give further details here (please read guidance note 3)
Wed			
Thur			
Fri			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)
Sat			
Sun			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
				Off the premises	X
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	8am	1am			
Tue	8am	2am			
Wed	8am	2am			
Thur	8am	2am			
Fri	8am	2am			
Sat	8am	2am			
Sun	9am	01am	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	02:00	
	08	24 hrs	
Tue	08:00	02:00	
		24 hrs	

None

Day	Start Time	End Time	Notes
Wed	08:00	02:00	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
		24 hrs	
Thur	08:00	02:00	
		24 hrs	
Fri	08:00	02:00	
		24 hrs	
Sat	08:00	02:00	
		24 hrs	
Sun	09:00	02:00	
		24 hrs	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Not aware

I have enclosed the premises licence

Please tick ✓ yes

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

NONE

b) The prevention of crime and disorder

① STORE EXCESS STOCK AWAY FROM CUSTOMER ACCESS.
② INSTALL CCTV ON PREMISES.
(INTERNALLY ONLY).
ALLOW FOR RECORDING FACILITY.

c) Public safety

① PREMISES COMPLY WITH STATUTORY FIRE SAFETY REQUIREMENTS.

d) The prevention of public nuisance

① PLACE NOTICES AT ENTRANCES TO REMIND CUSTOMERS TO LEAVE QUIETLY.

e) The protection of children from harm

① DO NOT SERVE ALCOHOL TO MINORS, OR
② ANY ONE KNOWN TO HAVE ASSOCIATION WITH DRUG DEALING OR TAKING.
③ PROOF OF AGE REQUIRED FROM CHILDREN E.G.

↑
CHALLENGE 21 Policy.

⑬

1. DRIVERS LICENCE
2. PASSPORT.

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 20/09/10

Capacity JAMSHED ORYAKHEL (C)

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 20/10/10


Capacity RESH MAYAANGDEMBE (C Staff)

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

385 NORTHOLT Road HARROW

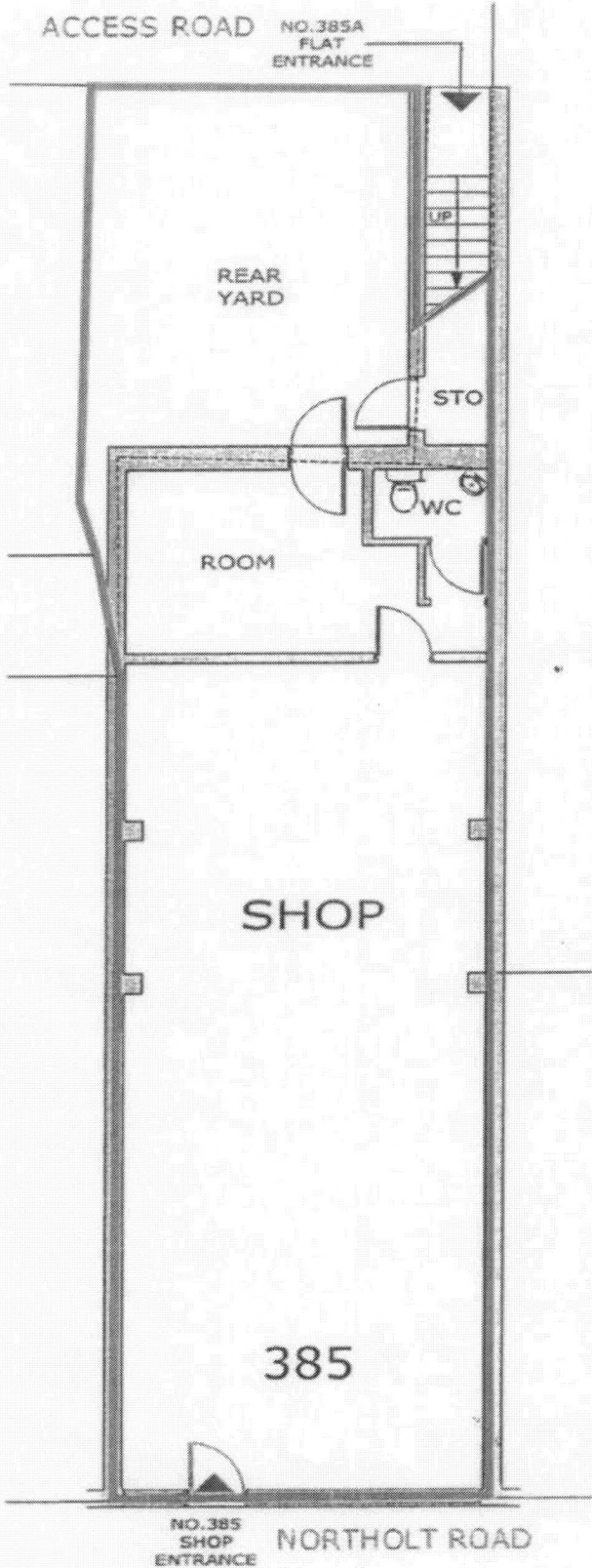
Post town SOUTH HARROW

Post code HA2 8YD

Telephone number (if any) 

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

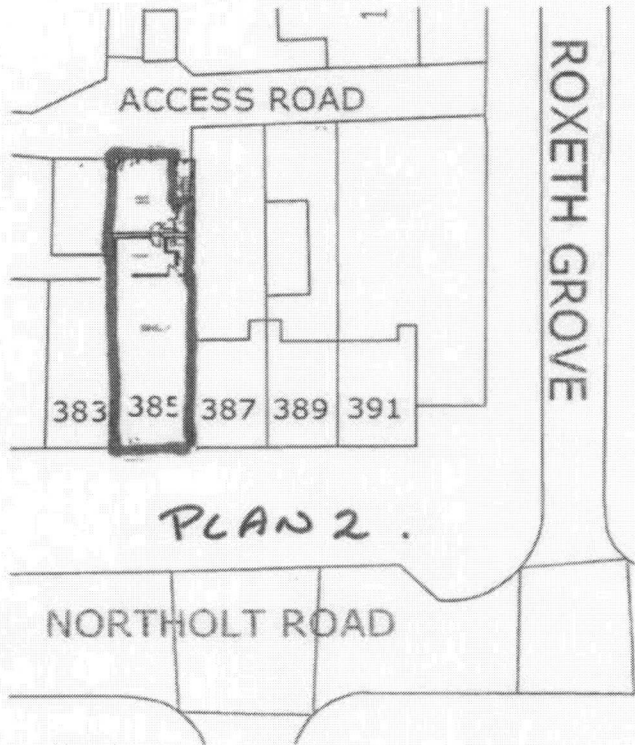
PLAN 1



GROUND FLOOR PLAN
SCALE 1:100



LOCATION PLAN
SCALE 1:1250



BLOCK PLAN
SCALE 1:500

PLAN 2

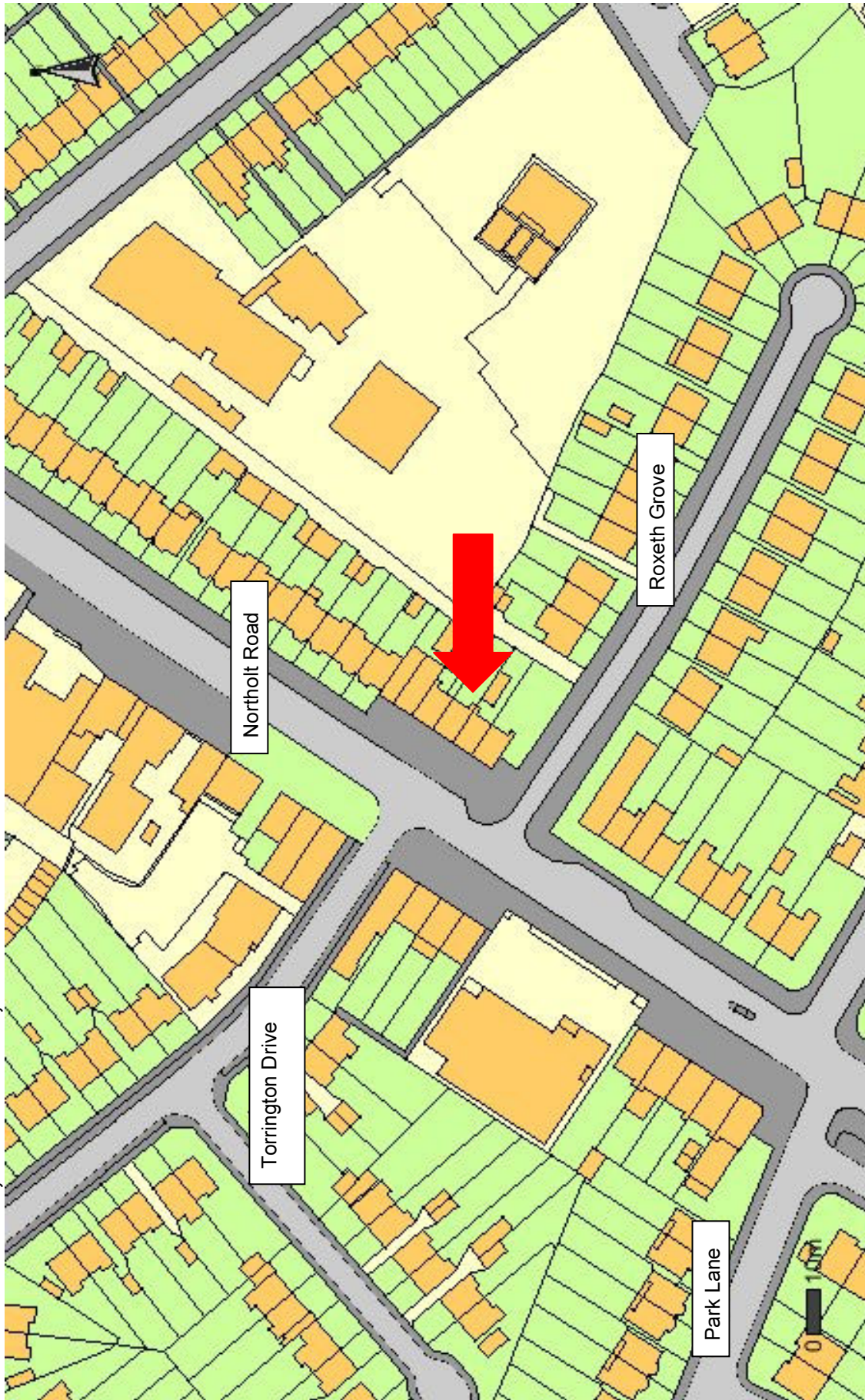
PLEASE NOTE - A4 PLANS TO BE PRINTED "AS IN DOCUMENT" NOT ENLARGED OR SHRUNK TO FIT PAGE

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client	address 385 NORTHOLT ROAD SOUTH HARROW LONDON HA2 9TD	location GROUND FLOOR LEASE PLAN	date 20-APR-2010	scale 1:100	sheet A4	 Boham Consult Limited 24 Brook Grove London E11 4TG Tel: 02080523714 Fax: 02082228860 email: info@bohamconsult.co.uk www.bohamconsult.co.uk
			drawing no. BC497-01	revision		

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385 Northolt Road, South Harrow, HA2 8JD



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Harrow Council, Licensing Section, P O Box 18, Station Road, Harrow.

Making a Representation against an Application (New or variation) for a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I, Police Sergeant Carl Davis, make this representation under

the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description	
Arya Supermarket , 385 Northolt Road	
Post town Harrow	Post code HA2 8JD

Name of premises licence holder or club holding club premises certificate (if known)
Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

1) an interested party (please complete (A) or (B) below)

Please tick ✓ yes

a) a person living in the vicinity of the premises

b) a body representing persons living in the vicinity of the premises

c) a person involved in business in the vicinity of the premises

d) a body representing persons involved in business in the vicinity of the premises

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current address

Post Town

Post Code

Daytime contact telephone number

Email address

(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail (optional)

2

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Metropolitan Police South Harrow Police Station 74 Northolt Road South Harrow HA2 ODN
Telephone number (if any) 0208 733 3415
E-mail (optional)

This representation relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note1)

Police oppose this application in entirety.

It is currently licensed to open and sell alcohol from 0800 to 2300 hrs on Monday to Saturday and from 1000 to 2230 hrs on a Sunday.

On 9/12/2009 it was visited by LBH Licensing enforcement alongside the local (Roxeth) Police Safer Neighbourhood Team. PS Myers (Roxeth SNT) entered a report that as a result of there being no DPS present (no person acting as DPS at all) he was informed that on 10/12/2009 Harrow Council Enforcement officers visited the shop and ordered the manager to remove all alcohol from display.

Consequently the applicant made simultaneous application to Transfer onto the licence and to become the DPS on 14/12/2009 .

He has been the Licence Holder and DPS since 17/12/2009 as I did not oppose these applications.

On 19/01/2010 PC Pailles, when investigating crime at the premises, recorded that:

“Two suspects entered Arya 385 Northolt Rd, Harrow at approx 2230 near closing time. One created a distraction with the assistant. Both suspects remained loitering in the shop as it was being closed. Suddenly one of the suspects stood near the counter grabbed two bottles of vodka and three bottles of whiskey and ran.

Both suspects were white; one was approx 25-30, the other 30-35.

Management from shop state they are consistently suffering from incidences of shoplifting.”

On 29/06/2010 Paul Haywood of LBH Trading Standards reported to me that on 15/06/2010 as part of the Roxeth (Northolt Road) week of action and alongside the Roxeth Police SNT an inspection at the premises revealed Shisha tobacco incorrectly labeled, no health warning thereon and no duty paid. 6.05 KG was seized by HM Revenue and Customs officers.

On 7/12/2010 I received this application to vary the license.
The application, as it stands , is for 24 hr opening and alcohol sales until 0200hrs Monday to Saturday and 0100hrs on a Sunday .

I noted that there were no new measures suggested to promote the licensing objectives

I set up a meeting at South Harrow Police Station with the applicant Mr Jamshid Oryakhel.

This meeting was on 09/12/2010

I pointed out that, taking all the prior incidents and matters specific to that premises in mind, police are opposed to 24 hr trading at the shop because of the risk of crime and disorder and public nuisance/disturbance to local residents and certainly because there were insufficient steps proposed in the operating schedule to promote the licensing objectives properly.

Mr Oryakhel agreed and verbally offered to change his hours and to add conditions.

I pointed out that written confirmation is required by the Licensing Authority of the above and that I would need copy of that missive.

I have not had any such confirmation to date and have no confidence that Mr Oryakhel has grasped what is required.

I consequently am not happy that ANY change to the existing Premises License could take place and urge the panel to adopt the same view.

Please provide as much information as possible to support the application (please read guidance note 2)

**Please tick
yes**

Have you made a representation relating to this premises before

YES

If yes please state the date of that representation, Day Month Year

0	9	1	0	2	0	0	6
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If you have made representations before relating to this premises please state what they were and when you made them

Representation dated 9/10/2006 - on file with Authority and given to applicant at that time .

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [AMOUNT], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date 7th January 2011

.....
 Capacity Police Licensing Officer

.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you using an email address your e mail address (optional)	

Notes for Guidance

1. The ground(s) for representation must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems, which are included in the grounds for representation if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address, which we shall use to correspond with you about this representation.

Relevant Representations means;

- a) are about the likely effect of the grant of the premises licence or club premises certificate on the promotion of the licensing objectives,
- b) that the representation were made by an interested party or responsible authority within the period prescribed, 28 days from the application was advertised.
- c) in the case of representations made by an interested party (who is not also a responsible authority) that they are not, in the opinion of the relevant Licensing Authority, frivolous or vexatious.

Further restrictions apply relating to Police Representations on DPS’s and representations on provisional statements. Please check with the Licensing Section.

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