

Licensing Panel AGENDA

DATE: Monday 5 September 2016

TIME: 7.30 pm or at the rising of the Licensing Panel which starts at 6.30 pm

VENUE: Committee Rooms 1 & 2,
Harrow Civic Centre

* THERE WILL BE A BRIEFING FOR MEMBERS AT 6.00 PM IN COMMITTEE ROOM 1&2

MEMBERSHIP (Quorum 3)

Chair: (To be appointed)

Councillors:

Kairul Kareema Marikar Ramji Chauhan
Adam Swersky

Reserve Members:

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

Contact: Miriam Wearing, Senior Democratic Services Officer
Tel: 020 8424 1542 E-mail: miriam.wearing@harrow.gov.uk

AGENDA - PART I

1. APPOINTMENT OF CHAIR

To appoint a Chair for the purposes of this meeting.

2. DECLARATIONS OF INTEREST

To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Panel;
- (b) all other Members present.

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 Chair 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 Chair 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.

Questions will be asked in the order notice of them was received and there be a time limit of 15 minutes.

[The deadline for receipt of public questions is 3.00 pm, Wednesday 31 August 2016 Questions should be sent to publicquestions@harrow.gov.uk

No person may submit more than one question].

[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 5 - 6)

Procedure to be followed at an oral hearing.

6. APPLICATION FOR A VARIATION TO THE PREMISES LICENCE FOR TIGRIS, 77-79 BURNT OAK BROADWAY, EDGWARE, MIDDLESEX, HA8 5EP (Pages 7 - 42)

Report of the Corporate Director Community Directorate

7. ANY OTHER URGENT BUSINESS

Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

*** DATA PROTECTION ACT NOTICE**

The Council will audio record item 4 (Public Questions) and will place the audio recording on the Council's website, which will be accessible to all.

[**Note:** The questions and answers will not be reproduced in the minutes.]

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Licensing Panel – Licensing Act 2003

Procedure A - Oral Hearing in Public

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

*Please note that the **Applicant** is the party who has requested the Hearing*

- i. **Introductions** by the Chair of the Panel:
 - Members
 - Officers and Officers of Responsible Authorities
 - Applicants and Objector(s)
 - the Procedure for the hearing
- ii. **Presentation** of the report (**agenda item 6**) by Officers of the Relevant Authority.
- iii. **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.
- iv. **Questioning** of the **applicant** by:
 - the objector(s)
 - the Panel
- v. **Presentation** by the **objector(s)**, 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.
- vi. **Questioning** of the **objector(s)** by:
 - the applicant
 - the Panel
- vii. **Concluding statement(s)** by the objector(s).
- viii. **Concluding statement** by the applicant.
- ix. The Panel together with its 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.
- x. 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.

Agenda Item 5

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*

REPORT FOR: LICENSING PANEL

Date:	05 Sept 2016
Subject:	Application for a variation to the premises licence for Tigris, 77-79 Burnt Oak Broadway, Edgware, Middlesex, HA8 5EP
Responsible Officer:	Tom McCourt - Corporate Director – Community Directorate
Exempt:	No
Enclosures:	Current Premises Licence including plan (appendix 1) Location (GIS) Map (appendix 2) Representations (appendix 3)

Section 1 – Summary

An application has been received to vary the premises licence for Tigris, 77-79 Burnt Oak Broadway, Edgware, Middlesex, HA8 5EP to allow the sale of alcohol at the premises for twenty four hours a day seven days a week. Representations have been received from one responsible authority and two other persons.

Representations received

From	Relevant Representations details
The Planning Authority	No representations received
Health & Safety	No representations received
Environmental Health Authority (Pollution and environmental enforcement)	No representations received
Trading Standards	No representations received
Area Child Protection Service	No representations received
London Fire Brigade	No representations received
Metropolitan Police	No representations received
Licensing authority	Representation received on the grounds of all four licensing objectives

Representations from other persons

From	Relevant Representations details
Other persons	No representations received
A body representing persons living in the vicinity of the premises	Yes - Representations received on grounds of all four licensing objectives

Section 2 – Report

2.1 The premises licence holder, Mr Tarlacik, has applied to vary the premises licence in respect of Tigris, 77-79 Burnt Oak Broadway, Edgware, Middlesex, HA8 5EP

2.2 Licensable activities

The table below sets out the current licensable activities and the variations being sought:

Day	Current licence			Variation applied for		
	Hours open to public	Alcohol sales (on and off-premises)		Hours open to public	Alcohol sales (on and off-premises)	
Mon	0600 – 0230	0600 – 0230		0000 - 2359	0000 - 2359	
Tues	0600 – 0230	0600 – 0230		0000 - 2359	0000 - 2359	
Weds	0600 – 0230	0600 – 0230		0000 - 2359	0000 - 2359	
Thur	0600 – 0230	0600 – 0230		0000 - 2359	0000 - 2359	
Fri	0600 – 0230	0600 – 0230		0000 - 2359	0000 - 2359	
Sat	0600 – 0230	0600 – 0230		0000 - 2359	0000 - 2359	
Sun	0600 – 0230	0600 – 0230		0000 - 2359	0000 - 2359	

Notes:

(1) Hours showing past midnight are going into the following day.

2.3 Description of premises

The premises are described on the application form as a supermarket and grocery store

2.4 The premises are located on the A5 Burnt Oak Broadway. The premises are located on the ground floor of a busy shopping parade with retail uses either side; residential accommodation is above those premises and directly across the road.

2.5 Licensing history

The premises has been licensed since December 2006. The original application was granted for the hours open to public and sale of retail alcohol from 06:00 – 23:00 Monday – Sunday. In October 2009, the applicant applied to vary the licence to increase these hours so the premises could operate from 06:00 – 02:30 Monday to Sunday. This application was granted.

- 2.6 Designated premises supervisor
Mr Ibrahim Tarlacik since 26 December 2006
- 2.7 Details of application
Received: 08 July 2016
Newspaper advertisement: 15 July 2016
Closing date for representations: 05 August 2016
- 2.8 Representations
Representations set out at appendix 4 have been received from the licensing authority, and two bodies representing persons living within the vicinity of the premises (Councillors)
- 2.9 The representation from the Councillors sets out in detail the possible effect that the grant of this application would have on persons that live and work within the vicinity of the premises
- 2.10 The representation from the licensing authority sets out the proposed conditions that would be applied to the licence. It also requests that the applicant should submit a local area risk assessment to explain what effect a licensed premises that operates such long hours would have on the community that exists within the vicinity of the premises.
- 2.11 Officers' observations
Under section 16 of the application, the applicant has not offered any additional conditions to further uphold the licensing objectives, although it is stated by the applicant that he is willing to consider any further conditions any authority would propose.
- 2.12 The applicant has not responded to the representation made by the licensing authority acting as a responsible authority which suggests re-worded conditions and additional conditions which could be applied to the licence.
- 2.13 The licensing authority should ensure that the prevention of public nuisance objective is not undermined. This has a lower threshold than that required to prove statutory nuisance, and the Panel should bear in mind the following paragraphs of the statutory guidance to the Act:

2.15 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.

2.16 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 15). 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.

2.17 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.

2.18 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.

- 2.14 These above comments are to assist the Panel in its decision making process based on the evidence before it and the legislative requirements.
- 2.15 Conditions
Members will be aware that an operating schedule forms part of the licensing process. This document outlines what activities are proposed, the opening hours, and how the activities will be managed particularly in respect of the licensing objectives.
- 2.21 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 translated as conditions on the licence.
- 2.22 Applicants should give consideration to the local area and reflect this in their application. It should demonstrate an awareness of the local community, local crime and disorder issues, and the local environment.
- 2.23 The premises licence at appendix 1 sets out the current conditions.
- 2.24 The Panel has the discretion to add to or modify these conditions where it is appropriate to do so to promote the licensing objectives.
- 2.25 Licensing policy
There are no implications in relation to the statement of licensing policy arising from this application.
- 2.26 Legal implications
The Licensing Panel is required to hold a hearing to consider any relevant representations made in relation to the premises licence application unless all parties agree that a hearing is unnecessary. The hearing must be held in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

2.27 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 appropriate to promote the four licensing objectives.

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

The steps are—

- (a) to modify the conditions of the licence;
- (b) to reject the whole or part of the application;

For the purposes of 2.28(a) above, the conditions of the licence are modified if any of them are altered or omitted or any new conditions added.

2.29 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

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

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

2.31 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).

2.32 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.'

Financial Implications

2.33 There are no financial implications.

Appeals

- 2.34 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 within 21 days from notification of the decision.

Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 12 August 2016		
Name: Andrew Lucas	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 15 August 2016		

Section 4 - Contact Details and Background Papers

Contact: Jeffrey Leib, Principal Licensing Officer extension 7667

Background Papers: Application, Plan of the premises, Representations, Location (GIS) Map, Statutory Guidance.

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/000001000/2009/2

Part 1 – Premises details

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

Tigris Supermarket, 79 Burnt Oak Broadway, Edgware, Middlesex, HA8 5EP

Telephone Number:0208 952 5498

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

SALUS POPULI SUPREMA LEX EST

**Licensable area
Hours open to public**

Sunday	00:00 - 02:30	06:00 - 00:00
Monday	00:00 - 02:30	06:00 - 00:00
Tuesday	00:00 - 02:30	06:00 - 00:00
Wednesday	00:00 - 02:30	06:00 - 00:00
Thursday	00:00 - 02:30	06:00 - 00:00
Friday	00:00 - 02:30	06:00 - 00:00
Saturday	00:00 - 02:30	06:00 - 00:00

The times the licence authorises the carrying out of licensable activities

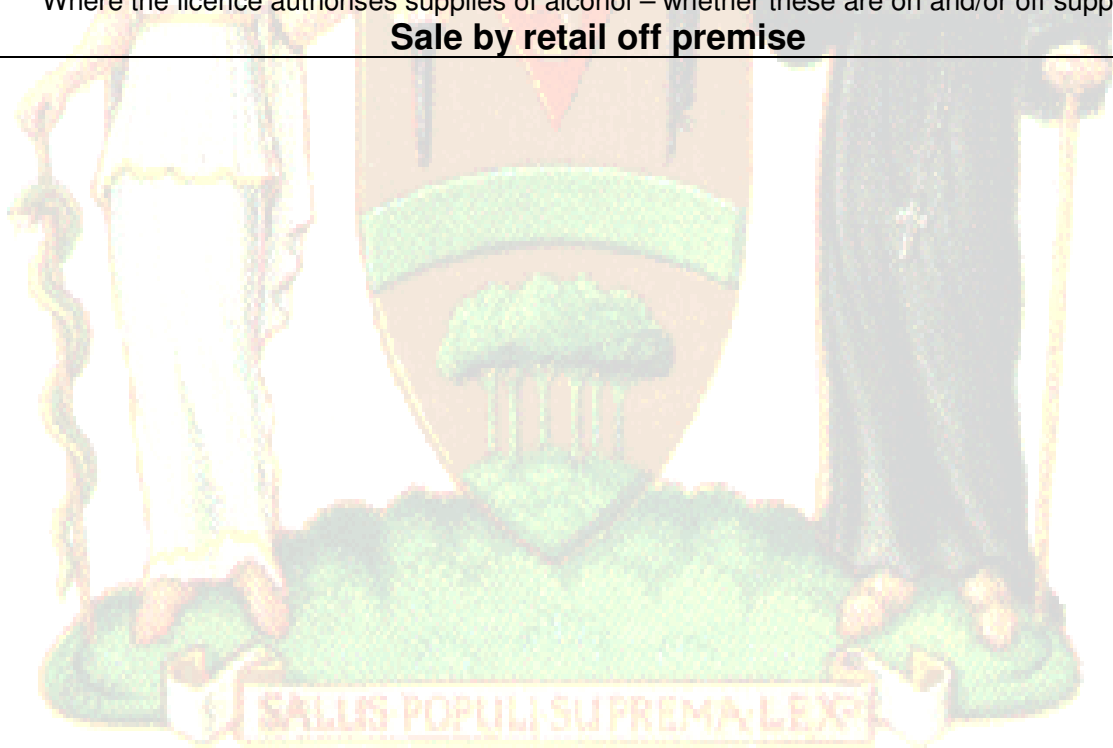
Location: Licensable area

Sale of retail alcohol

Sunday	00:00 - 02:30	06:00 - 00:00
Monday	00:00 - 02:30	06:00 - 00:00
Tuesday	00:00 - 02:30	06:00 - 00:00
Wednesday	00:00 - 02:30	06:00 - 00:00
Thursday	00:00 - 02:30	06:00 - 00:00
Friday	00:00 - 02:30	06:00 - 00:00
Saturday	00:00 - 02:30	06:00 - 00:00

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 Ibrahim Tarlacik

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:

Ibrahim Tarlacik

Personal licence number and issuing authority of personal licence held by designated premises supervisor – where the premises licence authorises for the supply of alcohol:
ISLINGTON - 110424

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:

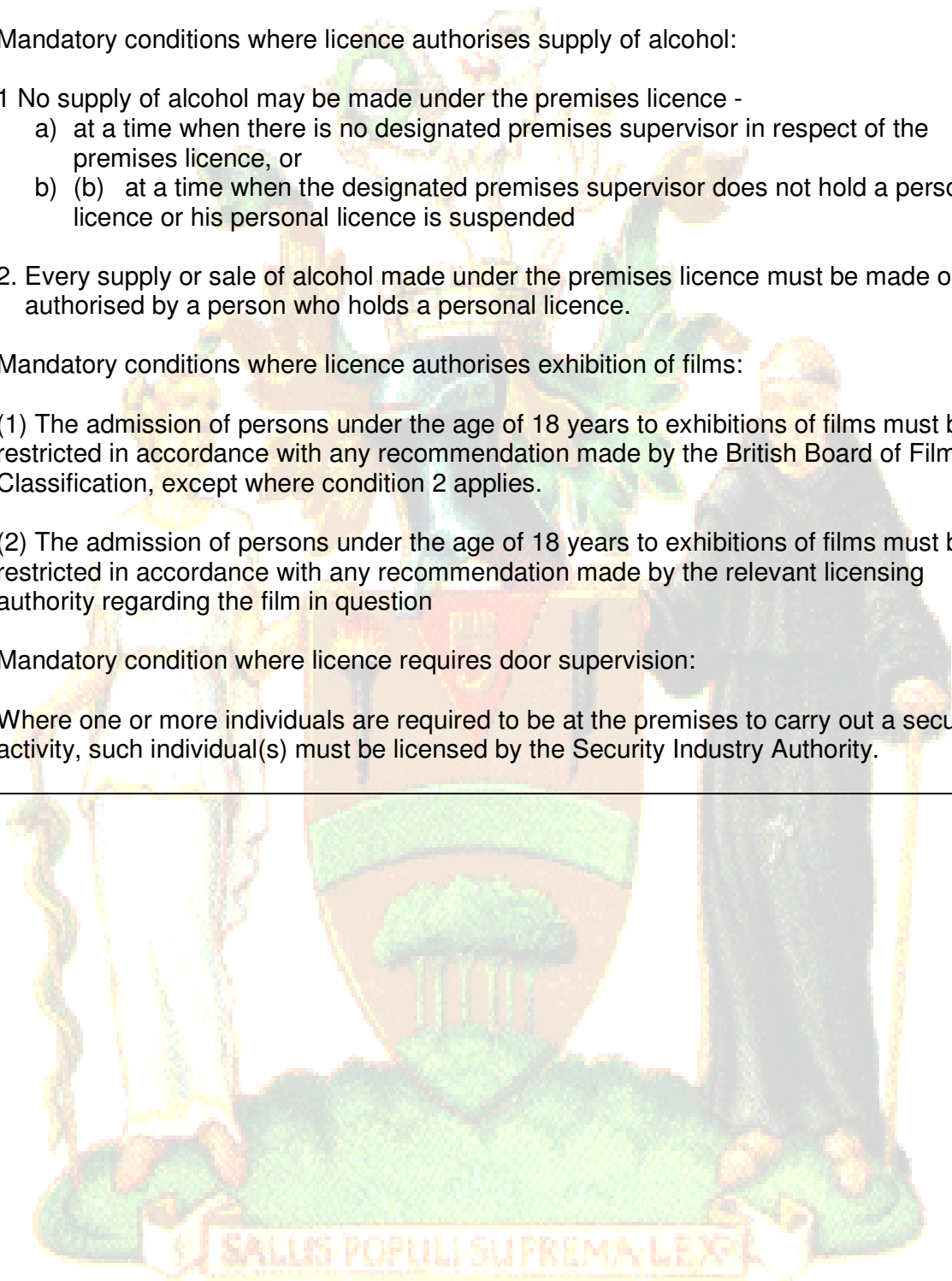
- 1 No supply of alcohol may be made under the premises licence -
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every 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: THE MONITORED SECURITY SYSTEM MUST BE EQUIPPED WITH A SIGNAL TERMINATING AT A RECOGNISED ALARM RECEIVING CENTRE (ARC) AND MUST COMPLY WITH CURRENT VERSION OF THE EN50131-1 STANDARD AND BE ELIGIBLE FOR A POLICE RESPONSE AS DEFINED BY THE ACPO POLICY ON POLICE RESPONSE TO SECURITY SYSTEMS, LEVEL 1 STATUS.

CONDITION 4: CLEAR SIGNAGE AT ALL EXITS REQUESTING PATRONS TO RESPECT THE NEIGHBOURING RESIDENTS AND TO LEAVE QUIETLY.

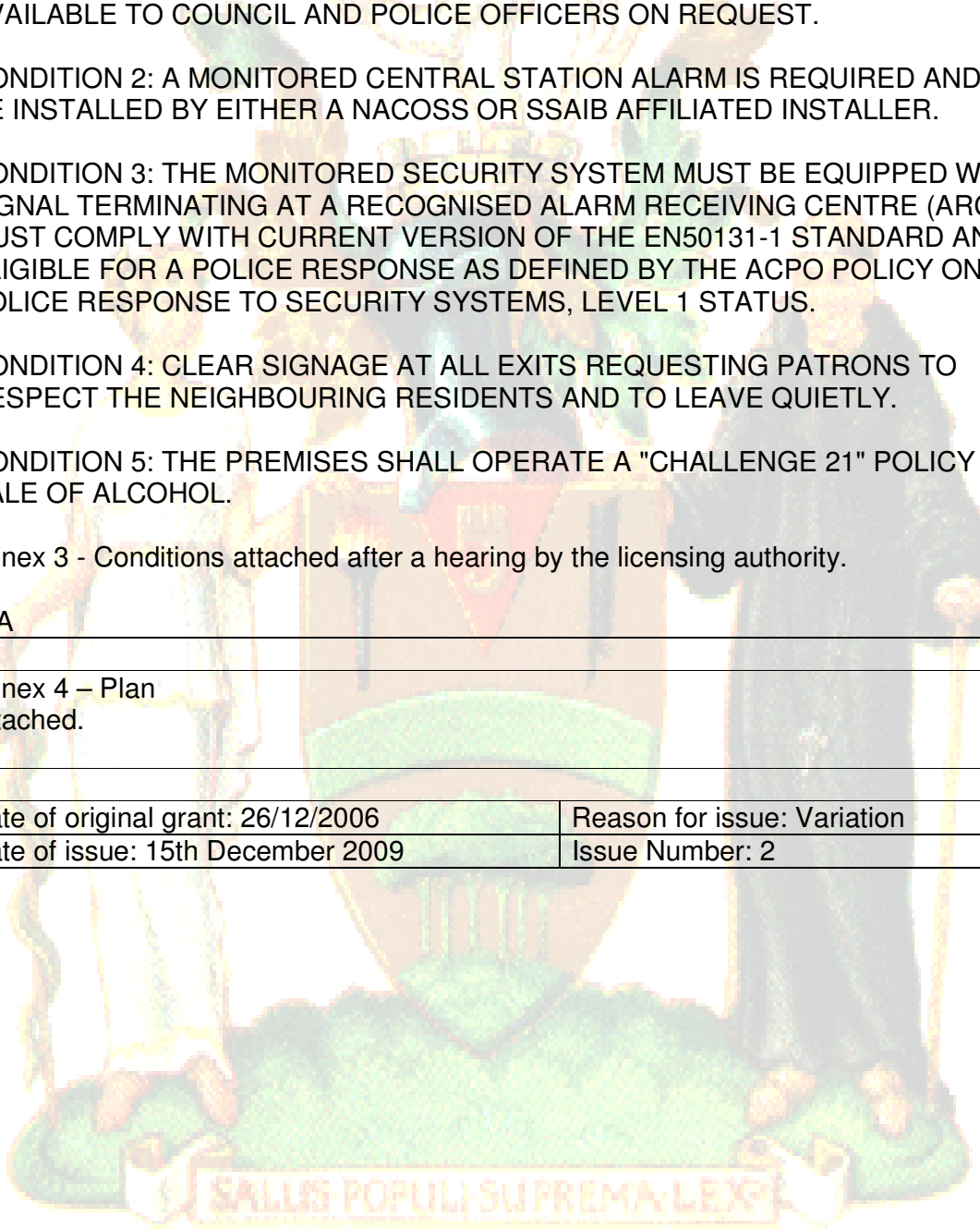
CONDITION 5: THE PREMISES SHALL OPERATE A "CHALLENGE 21" POLICY FOR SALE OF ALCOHOL.

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

N/A

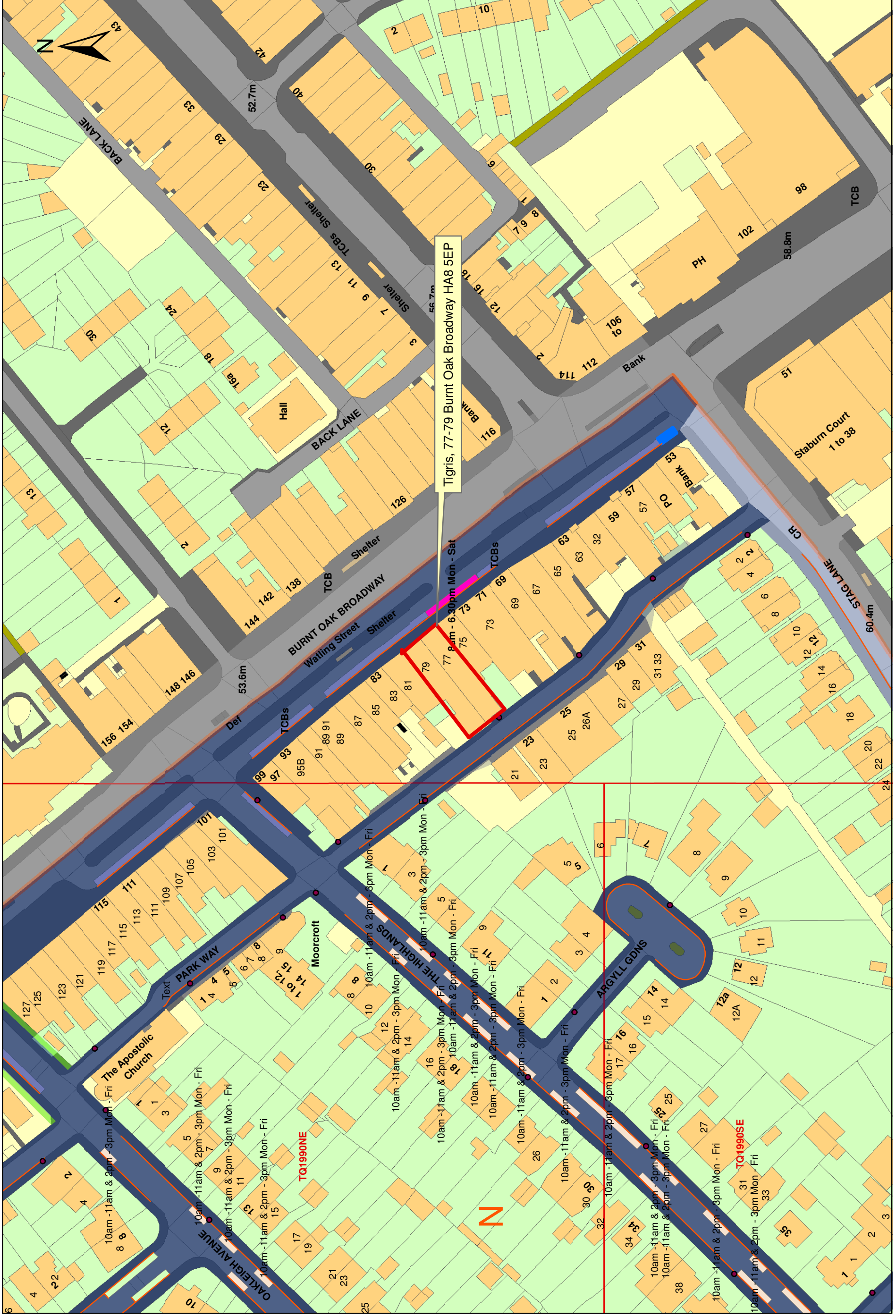
Annex 4 – Plan Attached.

Date of original grant: 26/12/2006	Reason for issue: Variation
Date of issue: 15th December 2009	Issue Number: 2



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Tigris, 77-79 Burnt Oak Broadway HA8 5EP



Tigris, 77-79 Burnt Oak Broadway HA8 5EP

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Ash Waghela

From: Barry Kendler
Sent: 02 August 2016 18:16
To: license
Subject: RE: Licensing Act 2003 - Tigris Supermarket 2 - HA8 5EP

Can my comments apply to both applications please. They are relevant to both.

From: license
Sent: 02 August 2016 16:02
To: Barry Kendler
Subject: RE: Licensing Act 2003 - Tigris Supermarket 2 - HA8 5EP

Dear Councillor,

Thank you for your email and representation in respect of Tigris 2.

You may also be aware that Mr Tarlacik has also applied for a variation for his current premises – Tigris, 77-79 Burnt Oak Broadway, HA8 5EP. The variation proposes to increase the times for hours open to public and sale of alcohol hours from the current hours granted to 24 hours a day 7 days a week.

I have attached a copy of the application for your information.

Please note that the end of consult on this application is 5 August 2016.

Regards

Ash Waghela
Licensing Officer
Public Protection, Community Directorate
Harrow Council
Tel: 020 8736 6257

From: Barry Kendler
Sent: 02 August 2016 15:20
To: license; Chika Amadi; Nitin Parekh
Cc: Andre Bothma
Subject: Licensing Act 2003 - Tigris Supermarket 2 - HA8 5EP

Dear Licensing

This is my objections to the extension of the Tigris Licence to sell alcohol 7/24.

CLlr Barry H Kendler
Edgware Ward Councillor

From: license
Sent: 13 July 2016 16:40
To: Barry Kendler; Chika Amadi; Nitin Parekh
Subject: Licensing Act 2003 - Tigris Supermarket 2 - HA8 5EP

Dear Councillor,

Application Notification - Licensing Act 2003

I am writing to inform you that the Licensing Section has received a new premises licence application for the following premises:

Tigris Supermarket 2, 97-99 Burnt Oak Broadway, Edgware, Middlesex, HA8 5EP.

Date Accepted: 11 July 2016

End of Consultation Date: 8 August 2016

Type of Application: New Premises Licence

Ward: Edgware

A copy of the application can also be viewed at the Council Offices or on the Harrow web site. www.harrow.gov.uk/licensing

You may receive enquiries from members of the public wishing to make representations in relation to the application.

Please find enclosed a sheet that can be used by residents to assist them in making a representation and also a leaflet giving guidance to members.

I hope that the above information is useful, should you have any questions please do not hesitate to contact us.

Regards

Andre Bothma

Technical Support Team Leader

Technical Services

Community Directorate



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 ...Barry H Kendler.....make this representation under
(Insert name of applicant)
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 Tigris Supermarket 2, 97-99 Burnt Oak Broadway	
Post town Edgware	Post code (if known) HA8 5EP

Name of premises licence holder or club holding club premises certificate (if known) Ibrahim Talarcik
Number of premises licence or club premises certificate (if known) 10045172

Part 2 - Applicant details

I am	Please tick ✓ yes
1) an interested party (please complete (A) or (B) below)	<input type="checkbox"/>
a) a person living in the vicinity of the premises	<input type="checkbox"/>
b) a body representing persons living in the vicinity of the premises	<input checked="" type="checkbox"/>
c) a person involved in business in the vicinity of the premises	<input type="checkbox"/>
d) a body representing persons involved in business in the vicinity of the premises	<input type="checkbox"/>

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 Councillor
(for example, Rev)

Surname Kendler

First names Barry Henry

I am 18 years old or over

Please tick yes
 x

Current address

London Borough of Harrow
Civic Centre
PO Box 2
Station Road

Post Town Harrow

Post Code HA1 2UH

Daytime contact telephone number

Email address

(optional)

[Redacted telephone number and email address]

(B) DETAILS OF OTHER APPLICANT

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
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 form harm | <input type="checkbox"/> |

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

I oppose the granting of this licence as I believe, if the licence is granted there is a likelihood of an increase in crime and disorder; there is a risk to public safety and there will b an increase in public nuisance.

Since I was elected in May 2014 I attend the regular meetings of the Edgware safer Neighbourhood Ward Panel. This is where community activists, elected Councillors and the local Metropolitan Police meet to look at crime and community safety in the Edgware Ward.

From these meetings the attendees learn from the Police where the crime hotspots are and I and my colleagues have learnt that Burnt Oak Broadway has become a crime hotspot.

The type of crimes occurring around Burnt Oak Broadway are street robbery; drunk and disorderly, prostitution, noise nuisance urination/defection in public areas.

This increase in crime and growth in public disorder has causal links to the growth in Edgware Ward of a migratory population that includes a high percentage of single young men. The men, largely from Romania, are living, on their own, in other words with no family support, and work very long hours.

When not working they get very lonely and feel isolated in a foreign country where they know few people and have limited language skills in English. Therefore, at weekends in particular, they seek solace from drink and sex. In other words, cheap alcohol and prostitution.

There are a lot of stores along Burnt Oak Broadway, between Columbia Avenue and Stag Lane that sell alcohol and much of it is very cheap. Some of it is illegal. I witnessed an HMRC/Trading Standards raid on a store not far from Tigris where £10,000 worth of beer was seized as it was stolen and was being sold very cheaply.

The impact of the current supply of alcohol has led to a growth of nuisance along residential roads like The Highlands. The Highlands meets Burnt Oak Broadway near Tigris Supermarket and the type of problem residents now experience is drunken young men walking down The Highlands late at night, drunk, rowdy, intimidating and urinating in public in the street.

If the Tigris Supermarket were to be allowed to sell alcohol 7/24 the store would be a magnet for the young men I have referred to and this could lead to a growth in alcohol abuse, prostitution and public nuisance.

The growth of alcohol abuse on the streets of the Edgware Ward is a driver of crime, and is a primary cause as to the settled community moving away from the area. This is having a deleterious impact on the community. I lived in the area, first as a child, from June 1957 through to November 1975, when I got married.

The area was always a stable community made up, until the early-1970's, of skilled white working class and a small number of Jewish families. In the early 1970's a large migration of Gujerati speaking Indians moved in who had been exiled from their African home by Jomo Kenyatta and Idi Amin (Kenya and Uganda).

The Gujerati and a smaller South Indian community have formed the backbone of Edgware Ward with the families being small-scale entrepreneurs and their children, educated locally, going into professional roles.

Thus, the area became diverse but stable. Other migrations have occurred over the last 40 years but the community was stable and prosperous. Since the end of the last decade a large number of EU residents have moved in. I and my 2 Councillor colleagues estimate they form 15% of the Edgware community and growing. 95% of that community are Romanian. It is principally the Romanian community who are living in rented units and often as single men and I believe it is this community that Tigris want to target with longer opening hours.

With the limits imposed by central government on public expenditure Council' are less likely to do community relations work with the Romanian community so the Council is unable to assist the community to assimilate and settle. It is also unable to engage on health protection where many Romanian men at weekends get so drunk they are legless (witnessed by me). This is having a serious impact on their health and well-being and is another reason to object to the granting of the licence.

I am prepared to attend the Licensing Panel as a witness and I have photographic evidence of the problems caused by alcohol abuse.

Cllr Barry H Kendler
Edgware Ward Councillor

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

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

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If you have made representations before relating to this premises please state what they were and when you made them

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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.....2nd August 2016.....

CapacityWard Councillor.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5) Cllr Barry H Kendler Labour Group Office PO Box 2 Harrow Civic Centre Station Road	
Post town HARROW	Post code HA1 2UH
	
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.

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 ...Nitin Parekh.....make this representation under
(Insert name of applicant)
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 Tigris Supermarket, 77-79 Burnt Oak Broadway Edgware	
Post town Edgware	Post code (if known)

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

Part 2 - Applicant details

- I am
- | | Please tick ✓ yes |
|---|-------------------------------------|
| 1) an interested party (please complete (A) or (B) below) | <input type="checkbox"/> |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input checked="" type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

2

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
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 form harm | <input checked="" type="checkbox"/> |

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

I object to increase in the Licencing hours on following grounds:

I oppose the granting of this licence as I believe, if the licence is granted there is a likelihood of an increase in crime and disorder; there is a risk to public safety and there will be an increase in public nuisance. Burnt Oak Broadway has become a crime hot spot.

It not uncommon to find a lot of empty beer cans and alcohol bottles all around the area. Drunken and disorderly behaviour is very common. We have had many complaints of persons urinating from the surrounding areas mainly around The Highlands. Residents have often found young drunken men walking in the area.

This kind of behaviour has direct link to public safety and residents feel threatened and unsafe to walk particularly young girls and women on their own.

There are already many shops selling alcohol in the area and allowing more shops will only add to the suffering of the residents.

This being the main shopping area for residents, even though there are no schools in the immediate vicinity of the shop, young persons and children use the Broadway regularly and adding one more shop selling alcohol will only add ricks to young persons and children.

Cllr Nitin Parekh
Edgware Ward Councillor

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

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

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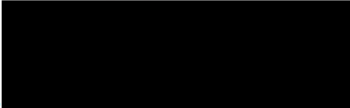
If you have made representations before relating to this premises please state what they were and when you made them


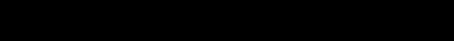
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IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [AMOUNT], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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.....5th August 2016.....
 CapacityWard Councillor.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5) Cllr Nitin Parekh Labour Group Office PO Box 2 Harrow Civic Centre Station Road	
Post town HARROW	Post code HA1 2UH
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.

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 Ash Waghela..... make this representation under
(Insert name of applicant)
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 Tigris 77-79 Burnt Oak Broadway Edgware Middlesex HA8 5EP	
Post town Edgware	Post code (if known) HA8 5EP

Name of premises licence holder or club holding club premises certificate (if known) Mr Ibrahim Tarlacik
Number of premises licence or club premises certificate (if known) LN/000001000/2009/2

Part 2 - Applicant details

I am	Please tick <input checked="" type="checkbox"/> yes
1) an interested party (please complete (A) or (B) below)	<input type="checkbox"/>
a) a person living in the vicinity of the premises	<input type="checkbox"/>
b) a body representing persons living in the vicinity of the premises	<input type="checkbox"/>
c) a person involved in business in the vicinity of	<input type="checkbox"/>

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)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Ash Waghela Licensing Officer Licensing Department Harrow Council PO Box 18 Civic Centre Harrow HA1 2UT
Telephone number (if any) 020 8736 6257
E-mail (optional) licensing@harrow.gov.uk

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)

I make this representation on behalf of the Licensing Authority.

In your application under Section 18, it is noted that you have not offered any additional conditions or offered to amend any conditions but are willing to further conditions.

Clear stipulations are used when establishing licensing conditions (please see section 1.16 of the statutory guidance).

The following proposal is made:

All current conditions that appear under annex 2 of the premises licence be removed replaced with the following:

1. The CCTV system to be maintained and operated in good order and to the satisfaction of the Metropolitan Police's reasonable requests. The medium upon which the images are recorded will be clearly identifiable, stored securely and retained for a period of not less than 31 days and will be made available to Licensing Officers of the local authority and Police immediately upon request.
2. Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which the footage is transferred must be provided by the premises.
3. A member of staff who is trained to operate the system and supply the footage must be present at the premises at all times when licensable activities are taking place.
4. The Designated Premises Supervisor or authorised person by him must ensure that the CCTV system is checked at least once every week by a suitably trained

member of staff. This check must include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time and date.

5. Prominent, clear and legible notices shall be displayed at the entrance/exit requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
6. A record of age related refusals of sale will be kept and will be made available to Licensing Officers of the local authority and the police upon request.
7. A written authority from the DPS will be kept at the premises where he authorises any member of staff to sell alcohol on his behalf. This authority will be produced immediately upon the request of an officer of the police or the licensing authority.
8. A record of any incident that takes place at the premises which would undermine one or more of the four licensing objectives to be kept at the premises. The record will be made available to officers of the Metropolitan Police and the Licensing Officers of the local authority immediately upon request.
9. All staff shall receive regular training at least twice a year in regards to their responsibilities under the Licensing Act 2003 and in particular, about age restricted products. Records of the training will be kept and made available to authorised officers of the local authority and police immediately upon request.
10. At least two members of staff to be present on the premises between the hours of 23:00 and 05:00 each day.
11. The premises will have an intruder alarm incorporating panic buttons installed. The alarm system will be monitored by a central station and be maintained and regularly tested and staff trained in its use
12. The age verification policy shall apply to persons who appear to be under the age of 25 years old ("Challenge 25 policy"). A record of age related refusals of sale will be kept and will be made available to officers of the Metropolitan Police and Licensing Authority immediately upon request.

I believe that the above conditions are necessary to promote the four licensing objectives.

In addition to the above and following my email dated 26 July 2016, to which I have not had a response please can you supply a local area risk assessment. This should explain what, if any, effect that a licensed premises authorised for the sale of alcohol for such long hours would have on the community that exists within the vicinity of the premises and how this effect would promote the licensing objectives.

The request is made as the guidance issued under the Licensing Act 2004, Sections 8.33 – 8.39 refers.

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

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

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If you have made representations before relating to this premises please state what they were and when you made them

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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 Ash Waghela

.....
Date...4 August 2016

.....
Capacity 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

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