

# Licensing Panel AGENDA

**DATE:** Monday 26 February 2018

**TIME:** 7.30 pm \*

**VENUE:** Committee Room 5, Harrow Civic Centre, Station Road, Harrow, HA1 2XY

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

## **MEMBERSHIP** (Quorum 3)

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**Chair:** (To be appointed)

**Councillors:**

Ramji Chauhan  
Manjibhai Kara  
Stephen Wright

## **Reserve Members:**

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

**Contact:** Daksha Ghelani, Senior Democratic Services Officer  
Tel: 020 8424 1881 E-mail: [daksha.ghelani@harrow.gov.uk](mailto:daksha.ghelani@harrow.gov.uk)

# Useful Information

## Meeting details:

This meeting is open to the press and public.

Directions to the Civic Centre can be found at:  
<http://www.harrow.gov.uk/site/scripts/location.php>.

## Filming / recording of meetings

The Council will audio record Public and Councillor Questions. The audio recording will be placed on the Council's website.

Please note that proceedings at this meeting may be photographed, recorded or filmed. If you choose to attend, you will be deemed to have consented to being photographed, recorded and/or filmed.

When present in the meeting room, silent mode should be enabled for all mobile devices.

## Meeting access / special requirements.

The Civic Centre is accessible to people with special needs. There are accessible toilets and lifts to meeting rooms. If you have special requirements, please contact the officer listed on the front page of this agenda.

An induction loop system for people with hearing difficulties is available. Please ask at the Security Desk on the Middlesex Floor.

**Agenda publication date: Friday 16 February 2018**

## **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. LICENSING PROCEDURES (Pages 5 - 6)**

Procedure to be followed at an oral hearing.

### **5. APPLICATION FOR REVIEW OF THE PREMISES LICENCE FOR CLUB KTM, 32 RAILWAY APPROACH, WEALDSTONE, MIDDLESEX HA3 5AA (Pages 7 - 34)**

Report of Corporate Director of Community.

### **6. ANY OTHER URGENT BUSINESS**

Which cannot otherwise be dealt with.

## **AGENDA - PART II - Nil**

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## Licensing Panel – Licensing Act 2003

### Procedure For A Review Hearing - Oral Hearing in Public

*This document provides a summary of the Panel's procedure for the conduct of this oral hearing in public. This procedure is followed during a **REVIEW** procedure.*

*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. **Introduction** by the **objector(s)** 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 **objector(s)** by:
  - the applicant
  - the Panel
- v. **Presentation** by the **applicant**, 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 **applicant** by:
  - the objector
  - the Panel
- vii. **Concluding statement** by the applicant.
- viii. **Concluding statement** by objector(s).
- 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.

## Agenda Item 4

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.*

**REPORT FOR: LICENSING PANEL**

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**Date:** 26 February 2018

**Subject:** Application for review of the premises licence for Club KTM, 32 Railway Approach, Wealdstone, Middlesex HA3 5AA

**Responsible Officer:** Paul Walker - Corporate Director of Community

**Exempt:** No

**Enclosures:** Application for review (appendix 1)  
location map and image (appendix 2 and 2a)  
Current premises licence and plan (appendix 3)  
Plan (appendix 4)  
Licence review guidelines (appendix 5)

**Section 1 – Summary**

An application has been received from the Metropolitan Police Service to review the premises licence for Club KTM, 32 Railway Approach, Wealdstone, Middlesex HA3 5AA, on the grounds of the prevention of crime and disorder, public safety, and prevention of public nuisance.

## Representations received

From	Representations details
The Planning Authority	No representations received
Health & Safety	No representations received
Environmental Health	No representations
Trading Standards	No representations
Area Child Protection Service	No representations received
London Fire Brigade	No representations received
Metropolitan Police	Application made
Licensing authority	No representations made

## Representations from other persons

None

## Section 2 – Report

- 2.1 An application has been received on behalf of the Metropolitan Police Service to review the premises licence of Club KTM, 32 Railway Approach, Wealdstone, Middlesex HA3 5AA on the grounds of preventing crime and disorder, public nuisance and protecting public safety (appendix 1).
- 2.2 Description of premises  
The premises are located on Railway Approach A409, on the main thoroughfare between Wealdstone and Harrow and opposite the Civic Centre site. The premises comprise of, primarily, a ground floor dance floor with a reception area, stage, bar, cloakroom, and dance floor; and a second floor restaurant/function area.
- 2.3 An image of the premises and a location map are provided at appendix 2.
- 2.4 Licensing history  
A premises licence was first granted on 3 November 2010. The premises licence was transferred to the premises licence holder in May 2017.
- 2.5 The current premises licence and plan is attached at appendix 3. It was varied by the Licensing Panel on 9 October 2017 to extend the hours for licensable activities between Sundays and Wednesdays until 0200 hours the following day; on Thursdays, Fridays and Saturdays until 0400 hours the following day.
- 2.6 This variation was granted subject to additional conditions, including condition 3(5) in annex 3 concerning noise mitigation measures. At the time of writing an expert acoustic report was still being evaluated by the Environmental Health Officer, and so the premises are not currently able to utilise the additional hours above.



- 2.7 Officers inspected the premises on 15 December 2017 whilst the club was not open for licensable activities. No breaches of the licence were found although the previous version rather than the current version of the licence was on display, and the menu had not listed the correct alcohol measures.
- 2.8 Details of the application  
Received: 04/01/2018  
Application advertised: 05/01/2018 – 04/02/2018
- 2.9 Representations  
None
- 2.10 Additional information  
The police licensing officer and licensing authority officers met the premises licence holder and Designated Premises Supervisor on 18 January 2018, following service of the review application. The licensing authority has decided not to submit a representation, and the police have not submitted any additional information, as a result of that meeting.
- 2.11 Statutory guidance  
The following passages and paragraphs of the statutory guidance issued by the Secretary of State in April 2017 are relevant to this application.
- 2.12 Paragraph 11.10 of the guidance refers to good practise for responsible authorities to engage with premises to resolve concerns at an early stage without the need for formal action such as a review.
- 2.13 The Panel's attention is also drawn to paragraph 11.20 which refers to the need for licensing authorities to ensure remedial action should be addressed to the causes identified in the application or representations, and that decisions must be appropriate and proportionate to those concerns.
- 2.14 Licensing policy  
The Panel will bear in mind appendix 1 to the statement of licensing policy, attached to this report at appendix 4. The Panel has discretion to depart from the guidelines, which are designed with consistency and transparency of decision-making in mind.
- 2.15 Legal implications  
The Licensing Authority is required to hold a hearing to consider the review application and any relevant representations made. The hearing must be held in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.
- 2.16 The Licensing Panel is required to give appropriate weight to the review application, 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 (if any) that are appropriate to promote the four licensing objectives.
- 2.17 Having considered those relevant matters, the Licensing Panel can take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives –

1. to modify the conditions of the licence;
2. to exclude any of the licensable activities from the scope of the licence;
3. to remove the designated premises supervisor;
4. to suspend the licence for a period not exceeding 3 months;
5. to revoke the licence

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

2.18 If the Panel takes a step mentioned in 1 or 2 of paragraph 2.13 above, it can specify that the modification or exclusion is to have effect for a period up to three months if it considers this to be appropriate.

2.19 It should be noted that –

- clear reasons must be given for the decision;
- any additional or modified conditions should be practicable and enforceable;
- the applicant for the review, the premises licence holder 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.

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

- common law rules of natural justice (i.e. ensuring a fair and unbiased hearing etc);
- provisions of the Human Rights Act 1998;
- considerations in section 17 of the Crime and Disorder Act 1998.

2.21 The Panel must also act appropriately with regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms implemented under the Human Rights Act 1998, particularly articles 6 (relating to the right to a fair trial); article 8 (protection of private and family life); and article 1 of the First Protocol (protection of property).

2.22 The Panel, when exercising its powers, must consider section 17 of the Crime and Disorder Act 1998 which 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**

2.23 There are no financial implications.

## Appeals

- 2.24 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: 8 February 2018		
Name: Harinder Dhaliwal	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 12 February 2018		

### Section 4 - Contact Details and Background Papers

**Contact:** Jeffrey Leib, Principal Licensing Officer  
Tel: 02 8424 7667 (Int Ext 7667)

**Background Papers:** Statutory Guidance

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## PROTECTIVE MARKING

**METROPOLITAN  
POLICE****TOTAL POLICING**

Form 691

**Application for the Review of 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 **Patrick Moran 662QA**

apply for the review of a premises licence under Section 51 of the Licensing Act 2003  
for the premises described in Part 1 below

**Part 1 – Premises or club premises details**

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

Club KTM 32 Railway Approach, Wealdstone, Harrow, Middlesex,

Post town:

HARROW

Post code:  
(if known)

HA3 5AA

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

Prakash PRADHAN

Number of premises licence or club premises certificate (if known):

LN/000003641/2017/5

**Part 2 – Applicant details**

I am:

Please tick Yes

1	<b>an individual, body or business which is not a responsible authority</b> (please read guidance note 1 and complete (A) or (B) below)	<input type="checkbox"/>
2	<b>a responsible authority (please complete (C) below)</b>	<input checked="" type="checkbox"/>
3	<b>a member of the club to which this application relates (please complete section (A) below)</b>	<input type="checkbox"/>

**PROTECTIVE MARKING**

<b>(A) DETAILS OF INDIVIDUAL APPLICANT</b> (fill in as applicable)										
<b>Mr</b>	<input type="checkbox"/>	<b>Mrs</b>	<input type="checkbox"/>	<b>Miss</b>	<input type="checkbox"/>	<b>Ms</b>	<input type="checkbox"/>	<b>Any other title</b> (e.g. Rev.)	<input type="checkbox"/>	
<b>Surname:</b>						<b>First Names:</b>				
I am 18 years old or over				<input type="checkbox"/>						
<b>Current postal address if different from premises address:</b>										
<b>Post town:</b>				<b>Post code:</b>						
<b>Daytime Tel. No.:</b>				<b>Email:</b> (optional)						

<b>(B) DETAILS OF OTHER APPLICANT</b> (fill in as applicable)	
<b>Name and Address:</b>	
<b>Telephone Number (if any):</b>	
<b>Email address:</b> (optional)	

<b>(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT</b> (fill in as applicable)	
<b>Name and Address:</b>	
Patrick Moran Harrow Police Station 74 Northolt Road HARROW HA2 0DN	
<b>Telephone Number (if any):</b>	07825 272536
<b>Email address:</b> (optional)	Patrick.A.Moran@met.pnn.police .uk

<b>This application to review relates to the following licensing objective(s)</b>		
Please tick one or more boxes		
<b>1</b>	<b>The prevention of crime and disorder</b>	<input checked="" type="checkbox"/>
<b>2</b>	<b>Public safety</b>	<input checked="" type="checkbox"/>
<b>3</b>	<b>The prevention of public nuisance</b>	<input checked="" type="checkbox"/>
<b>4</b>	<b>The protection of children from harm</b>	<input type="checkbox"/>
<b>Please state the ground(s) for review:</b> (please read guidance note 2)		
There was an incident 01/01/2018 At Club KTM Crime report CR 2000008/18 Classification ABH between the hours 04:00-04:30am.		
CRIS 2000008/18 Mon 1st January 2018		
Victim reported to police he was attending the venue and was near the dance floor. He witnessed a fight between two males on the dance floor in front of him. He waited a while and decided he had to intervene to break up the fight. He recalls feeling like a sharp pain to the rear of his thigh. He originally thought it was a punch. He looked around and saw a male behind him. There wasn't any other person behind him at the time. He did not challenge the male as he believed he was caught in the crossfire in his own words. Shortly afterwards he feels a warmth behind his thigh and releases he has been cut by an implement. When he became aware that he has a cut he called the ambulance for treatment. Victim was informed the by ambulance staff to report incident to police. The injury has been reported to police as being about 1 inch in length and a shallow wound. Victim reports he did not see a knife. He reports the music was loud and chaotic. When he became aware that he has a cut he called the ambulance for treatment.		

## PROTECTIVE MARKING

CR 2012821/17 15th October 2017 03.17 hours. Grievously Bodily Harm (GBH)

Victim had been inside the Club KTM during the evening and when he left the venue with his friend. He and his friend were agitated. This information was given to police by doorman who was outside at the time. A vehicle has driven by and the victim, victim made some remark towards the driver. The driver turned his vehicle around and drove towards victim striking him with the vehicle. A loud bang could be heard. The victim is known to police for various offences. Victim would not engage with police or ambulance staff who attended him outside Club KTM. He discharged himself from the ambulance staff at the scene.

CRIS 200052/18 Affray Outside Club KTM at 03.01 Hours

With reference to the incident on 15th October and numerous CCTV cameras were being scanned by police to identify the vehicle involved. CCTV from Club KTM captures a male throwing a bottle at the door of the venue Two males can be seen having some form of disagreement. Suspect chase victim, throws bottle at him near the entrance to Club KTM. The Brent police GANGS unit identified the suspect for this incident, the crime report is being investigated at the current time. Arrest procedures have been in place to arrest suspect for Affray.

Function advertised on the Tuesday December 26th 2017 from 10.00pm - 04.00am on Wednesday 27th December 2017 on web site called SHOBS.

The premises licence holder has breached his conditions by staying open and operating beyond his licensed opening hours. The premises has a licence to open from 1200-0000 from 0000-0230 hours. During this period the premises can carry out licensing activities. These activities must stop 30 minutes prior to closing. There is evidence that the event on the 26th December 2017 breached his licence conditions. I have attached promotion advert taken from SHOBS Web Site Exhibit PAM/01.

The event on the 1st January 2018 also was outside the premises licensable activities at the premises condition Monday 1200-0000 Tuesday 000-0230am hours for licensing activities, stopping 30 minutes before closing time. This was a further breach of conditions.

Harrow Police and Harrow Licensing Authority have had meetings with Mr Prakash PRADHAN (Premise Licence Holder) to discuss the activities within the premises. Police and Harrow licensing have given the Premises licence holder advice on how to reduce crime and disorder. The premises have taken some of the advice on board and implemented steps to reduce the risk of harm to persons attending the venue. The venue agreed to use metal detectors to scan all people entering to ensure illegal weapons were not brought inside the venue. But clearly the incident on the 1st January 2018 where a victim was slashed with a knife inside the premises has shown there was a failing with the process adopted on the night.

Police had pointed out to Mr Pradhan at the meeting that his venue was in an area known for gang culture, drugs and he would have to be quite robust on how the premise operate. Police would not tolerate serious crime emitting from the premises at any time.

Police have also been made aware of reports made by resident that noise emitted from the venue is causing problems for them and the noise of cars etc. is not acceptable.

**Please provide as much information as possible to support the application:** (please read guidance note 3)

## PROTECTIVE MARKING

I would be looking for the opening hours for the venue to be reduced, hopefully this will reduce reduction in reported crime. The licence holdre has breached his licence conditions when the opening and closing times are very clear on the premises licence that was issued to him.

With this venue being situated in an area where there has been high level of serious assaults and area with gang and drug culture. I do not wish to see this premises contributing to further deaths where knives have been used to kill victims. Where only in the last four days the Metropolitan Police have reported four deaths caused by sharp implements namely knives.

The premise licence holder Mr Prakash PRADHAN has not made any contact with me concerning the incident on the 1<sup>st</sup> january 2018.

Have you made an application for review relating to this premises before?

(Please tick yes)



**PROTECTIVE MARKING**

	Day	Month	Year
<b>If yes, please state the date of that application:</b>	0		

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

**PROTECTIVE MARKING**

Please tick Yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.	<input checked="" type="checkbox"/>
I understand that if I do not comply with the above requirements my application will be rejected.	<input type="checkbox"/>

**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 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

<b>Signature:</b>		<b>Date:</b>	03/01/2018
<b>Capacity:</b>	Harrow Police Licensing Officer		

**Contact name** (where not previously given) **and postal address for correspondence associated with this application:** (please read guidance note 6)

<b>Post town:</b>		<b>Post code:</b>	
<b>Telephone Number (if any):</b>			
<b>If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional):</b>			

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Retention Period: 7 years  
MP 321/12



Appendix 2 - location map



19

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Appendix 2a

Google Maps A409



Image capture: Oct 2016 © 2017 Google United Kingdom

Harrow, England

Google, Inc.

Street View - Oct 2016



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# 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/000003641/2017/5

Part 1 – Premises details

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

Club KTM, 32 Railway Approach, Wealdstone, Harrow, Middlesex, HA3 5AA

Telephone Number:

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Live music (e) Recorded music (f) Performance of dances (g)  
Late night refreshment  
Sale of retail alcohol

Signed by Richard LeBrun  
Environmental Services Manager (Public Protection)

**Licensable Area**  
**Hours open to public**

Sunday	00:00 - 04:30	12:00 - 00:00
Monday	00:00 - 04:30	12:00 - 00:00
Tuesday	00:00 - 02:30	12:00 - 00:00
Wednesday	00:00 - 02:30	12:00 - 00:00
Thursday	00:00 - 02:30	12:00 - 00:00
Friday	00:00 - 04:30	12:00 - 00:00
Saturday	00:00 - 04:30	12:00 - 00:00

**On commencement of British Summer Time one hour should be added to the finish time. Opening hours will be 12:00-04:30 on the following days; Valentines Day, Nepalese Republic Day, Dussehra, Diwali, Christmas Eve, Boxing Day, New Year's Eve, New Year's Day and all public bank holidays**

**The times the licence authorises the carrying out of licensable activities**

**Location: Licensable Area**

**Live music (e) Recorded music (f) Performance of dances (g)**

Sunday	00:00 - 04:00	12:00 - 00:00
Monday	00:00 - 02:00	12:00 - 00:00
Tuesday	00:00 - 02:00	12:00 - 00:00
Wednesday	00:00 - 02:00	12:00 - 00:00
Thursday	00:00 - 02:00	12:00 - 00:00
Friday	00:00 - 04:00	12:00 - 00:00
Saturday	00:00 - 04:00	12:00 - 00:00

**On commencement of British Summer Time one hour should be added to the finish time. Licensing activity hours will be 12:00-04:00 on the following days; Valentines Day, Nepalese Republic Day, Dussehra, Diwali, Christmas Eve, Boxing Day, New Year's Eve, New Year's Day and all public bank holidays**

**Location: Licensable Area**

**Late night refreshment**

Sunday	00:00 - 04:00	23:00 - 00:00
Monday	00:00 - 02:00	23:00 - 00:00
Tuesday	00:00 - 02:00	23:00 - 00:00
Wednesday	00:00 - 02:00	23:00 - 00:00
Thursday	00:00 - 02:00	23:00 - 00:00
Friday	00:00 - 04:00	23:00 - 00:00
Saturday	00:00 - 04:00	23:00 - 00:00

**On commencement of British Summer Time one hour should be added to the finish time. Licensing activity hours will be 23:00-04:00 on the following days; Valentines Day, Nepalese Republic Day, Dussehra, Diwali, Christmas Eve, Boxing Day, New Year's Eve, New Year's Day and all public bank holidays**

**Location: Licensable Area**

**Sale of retail alcohol**

Sunday	00:00 - 04:00	12:00 - 00:00
Monday	00:00 - 02:00	12:00 - 00:00
Tuesday	00:00 - 02:00	12:00 - 00:00
Wednesday	00:00 - 02:00	12:00 - 00:00
Thursday	00:00 - 02:00	12:00 - 00:00
Friday	00:00 - 04:00	12:00 - 00:00
Saturday	00:00 - 04:00	12:00 - 00:00



**On commencement of British Summer Time one hour should be added to the finish time. Licensing activity hours will be 12:00-04:00 on the following days; Valentines Day, Nepalese Republic Day, Dussehra, Diwali, Christmas Eve, Boxing Day, New Year's Eve, New Year's Day and all public bank holidays**

Where the licence authorises supplies of alcohol – whether these are on and/or off supplies  
**Sale by retail on premises**

## Part 2

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

Prakash Pradhan

Telephone:

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

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

**Prakash Pradhan**

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

**HILLINGDON - LBHIL2816**

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 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.

#### The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises

before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

#### **Mandatory Condition order 2014**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and



(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**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

**Annex 2 - Conditions consistent with the operating Schedule**

None

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

**PREVENTION OF CRIME AND DISORDER**

1 CCTV

(1) The Premises Licence Holder or Designated Premises Supervisor shall install and maintain a comprehensive CCTV system to the satisfaction of the Metropolitan Police. All entry and exit points must be covered enabling frontal identification of every person entering.

(2) The Designated Premises Licence Holder shall ensure that the CCTV system shall continually record whilst the Premises is open for licensable activities and during all times when customers remain on the Premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping.

(3) Recordings shall be made available immediately upon the request of the Police or authorised officer of the Licensing Authority providing such requests are in connection with the prevention or detection of crime. Recordings are to be supplied in the form of digital download burned onto a flash drive, DVD or CD disc.

(4) A staff member from the Premises who is conversant with the operation of the CCTV system shall be on the Premises at all times when the Premises is open to the public. This staff member shall be able to show Police or an authorised officer to the licensing authority recent data or footage with the minimum delay when so requested.

(5) All faults/defects in the CCTV system must be reported to the Metropolitan Police immediately the fault is discovered. The notification must be made to the Metropolitan Police non-emergency telephone number 101 and a log number obtained from the Police and recorded in the incident book. The Harrow Police Licensing Unit must also be notified as soon as reasonably practicable.

(6) All faults with the CCTV system shall be repaired as soon as possible and in any case within two working days after which time, if the system is still inoperative, no licensable activities shall take place without the agreement of Harrow Police Licensing Officer and/or Licensing Authority until the fault is rectified.

(7) A monitor on which CCTV pictures can be displayed will be installed in the reception area.

## 2 DOOR SUPERVISORS

(1) The premises licence holder shall employ at least two door supervisors from 2300 hours until at least thirty minutes after the terminal hour for the premises to be closed to the public.

(2) This condition may be waived or varied from time to time with the agreement of the licensing authority and/or the police licensing officer for Harrow.

(3) The Designated Premises Supervisor shall maintain a register/log of licensed door supervisors indicating the number of licensed door supervisors on duty, their identity, contact details including addresses and phone numbers and the times they were on duty. A copy should be available immediately upon request to officers of the Metropolitan Police or the Licensing Authority.

## 3 ENTRY CONTROL

(1) Notices will be displayed at each public entrance to the premises, which clearly state the premises policy on admission and searching.

(2) The premises licence holder shall ensure any customer who behaves inappropriately will be barred from the premises and their details passed to the Harrow Pubwatch scheme.

(3) A portable metal detector shall be kept, maintained and used on the premises to detect and deter the possibility of illegal weapons being brought into the premises.

(4) Any queue to enter the premises which forms outside the premises is orderly and supervised by licensed door supervisors so as to ensure that there is no public nuisance or obstruction to the public highway.

## 4 STAFF TRAINING

(1) The premises licence holder shall maintain records of the training given to each member of staff in respect of promoting the licensing objectives, including the implementation of licensing conditions; health and safety; first aid; alcohol and drug awareness; and, conflict management.

(2) The premises licence holder shall provide the training records to officers of the licensing authority when reasonably requested.

## 5 RECORD KEEPING

(1) The Designated Premises Supervisor shall be responsible for maintaining a record for at least 12 months of "Significant Incidents" that occurs on the premises whilst licensable activities are being provided.

(2) "Significant Incidents" to be recorded include (but are not limited to):

- (a) failures of or faults with the electronic identification system
- (b) failures of or faults with the CCTV system
- (c) refusals of alcohol sales
- (d) calls to the police arising from illegal drugs on the Premises
- (e) other matters that may affect the licensing objectives
- (f) assaults or other injuries whether or not police or medical assistance is required
- (g) CCTV and electronic identification system records supplied to Police and Licensing Authority officers
- (h) seizures of false identification
- (i) records of reasonable requests from authorised officers

## 6 MISUSE OF DRUGS

(1) Whilst licensable activities are taking place, the toilets at the Premises must be checked at least every two hours for illegal drug use or supply. A written log of all checks must be kept at the Premises for at least 31 days and made available for immediate inspection on the request of an authorised officer of the Metropolitan Police or the Licensing Authority.



(2) On finding or being notified about any unlawful drugs or suspected drugs (including paraphernalia) the Designated Premises Supervisor shall immediately ensure the items are kept securely from unauthorised access, and shall contact the police non-emergency telephone number for advice as to safe and lawful disposal.

(3) A monitored central station alarm and security system shall be maintained and operated in good order and to the satisfaction of the Metropolitan Police.

(4) There shall be a policy agreed with the Metropolitan Police and approved by an authorised officer of the Licensing Authority for the premises relating to illegal drugs found on persons visiting the premises or on the premises.

(5) The Licensee shall comply with all reasonable crime prevention and/or public safety and/or public nuisance prevention measures that may be required by the Licensing Authority and/or the Environmental Health Officer and/or the Metropolitan Police and which are consistent with the premises operating schedule providing such requirements do not incur unreasonable or disproportionate expenditure.

## 7 NOTICE TO POLICE

(1) The Metropolitan Police Service (MPS) must be given at least 14 days notice of all forthcoming events organized by an external promoter and have received a completed MPS Promotion / Event Risk Assessment (form 696) 14 days in advance of any such event. A copy of the form 696 is also to be provided to the Licensing Office at South Harrow Police Station. The Metropolitan Police Service must have received a completed MPS Debrief Promotion/Event Risk Assessment (form 696a) three days after any risk assessed event.

## PREVENTION OF PUBLIC NUISANCE

### 1 EXTERNAL AREAS AND AREAS FOR SMOKING

(1) The premises licence holder shall make arrangements to ensure so far as is reasonably practicable that no customers shall be permitted to remove from the Premises any open bottles, glasses or foodstuff for consumption or disposal outside the Premises.

(2) No more than four customers are permitted in the outside smoking area at any one time.

(3) Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

### 2 CUSTOMER DISPERSAL

(1) The premises licence holder shall arrange for information about local public transport and local taxi firms to be clearly displayed to customers within the premises.

(2) Signage must be displayed in the customer area and at the exits requesting customers to leave the premises quietly and not to disturb neighbouring residents.

(3) There shall be a dispersal policy for the premises agreed with an authorised officer of the Licensing Authority.

### 3 NOISE MANAGEMENT

(1) All windows and external doors shall be kept closed between 21:00 hours and 08:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

(2) No pre-arranged deliveries or unloading of goods may be made to the premises between 1900 hours and 0700 hours.

(3) (i) Loudspeakers shall not be located in the entrance lobby or outside the premises building.  
(ii) Loudspeakers and other sound amplification equipment must not be directed outwards towards any street or installed externally to the premises.

(4) A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open and to be made available to residents in the vicinity.

(5) The recommendations of an independent acoustic expert and approved by an Environmental Health Officer shall be implemented before any live or amplified music may be provided after 0200 hours on Saturday and Sunday or midnight on any other day.

(6) Only speakers permanently installed at the premises and connected to a sound limiter may be used. Customers, guests, performers or anyone else visiting the premises are not permitted to use their own speakers at the premises.

#### PUBLIC SAFETY

(1) The maximum number of persons accommodated on the premises at any one time should not exceed 280 (excluding staff).

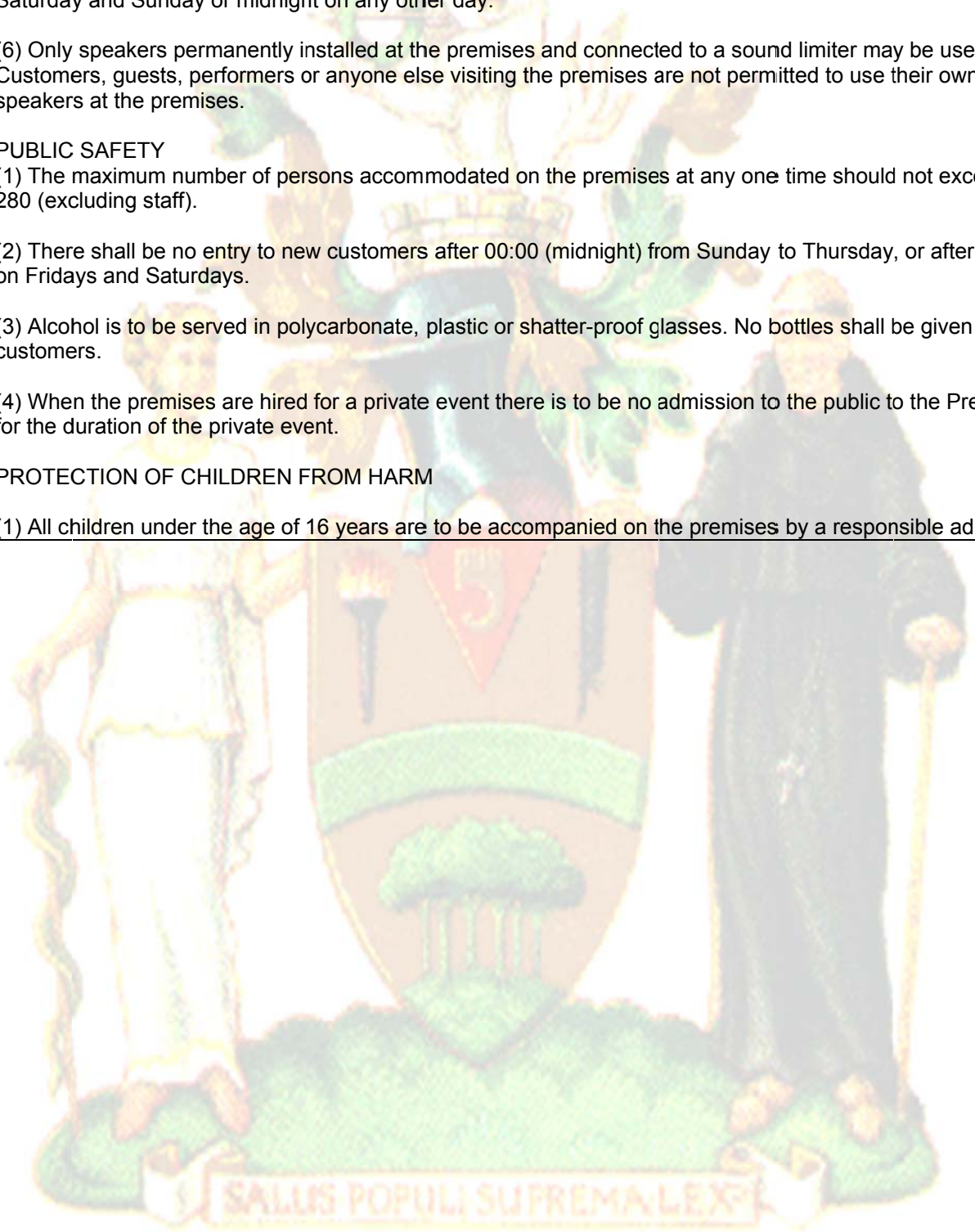
(2) There shall be no entry to new customers after 00:00 (midnight) from Sunday to Thursday, or after 01:00 on Fridays and Saturdays.

(3) Alcohol is to be served in polycarbonate, plastic or shatter-proof glasses. No bottles shall be given to customers.

(4) When the premises are hired for a private event there is to be no admission to the public to the Premises for the duration of the private event.

#### PROTECTION OF CHILDREN FROM HARM

(1) All children under the age of 16 years are to be accompanied on the premises by a responsible adult.



Annex 4 – Plan

**32 RAILWAY APPROACH  
HARROW  
MIDDLESEX**

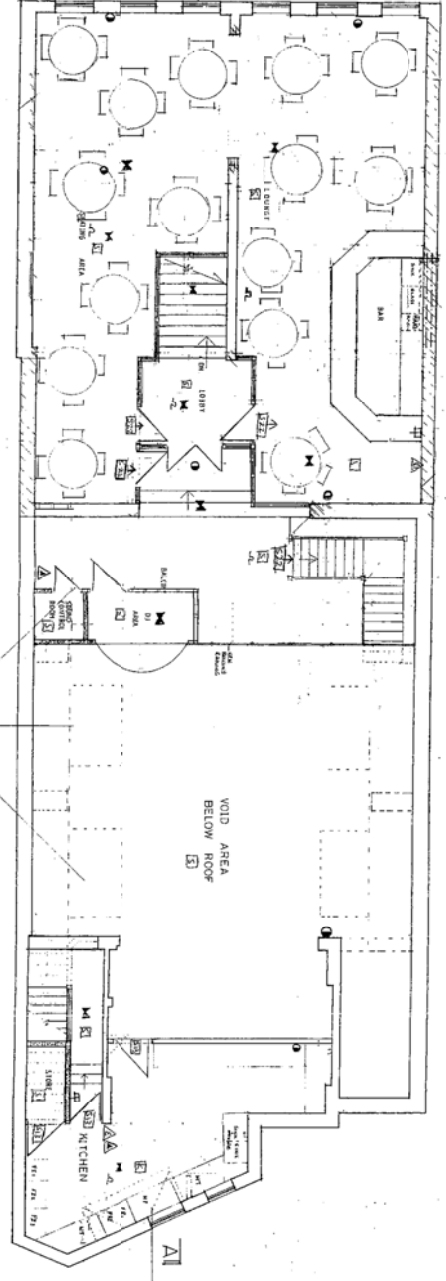
**PROPOSED FLOOR PLAN**

Scale: 1:100 Date: Jan 2009

Dwg No- KS/10/03

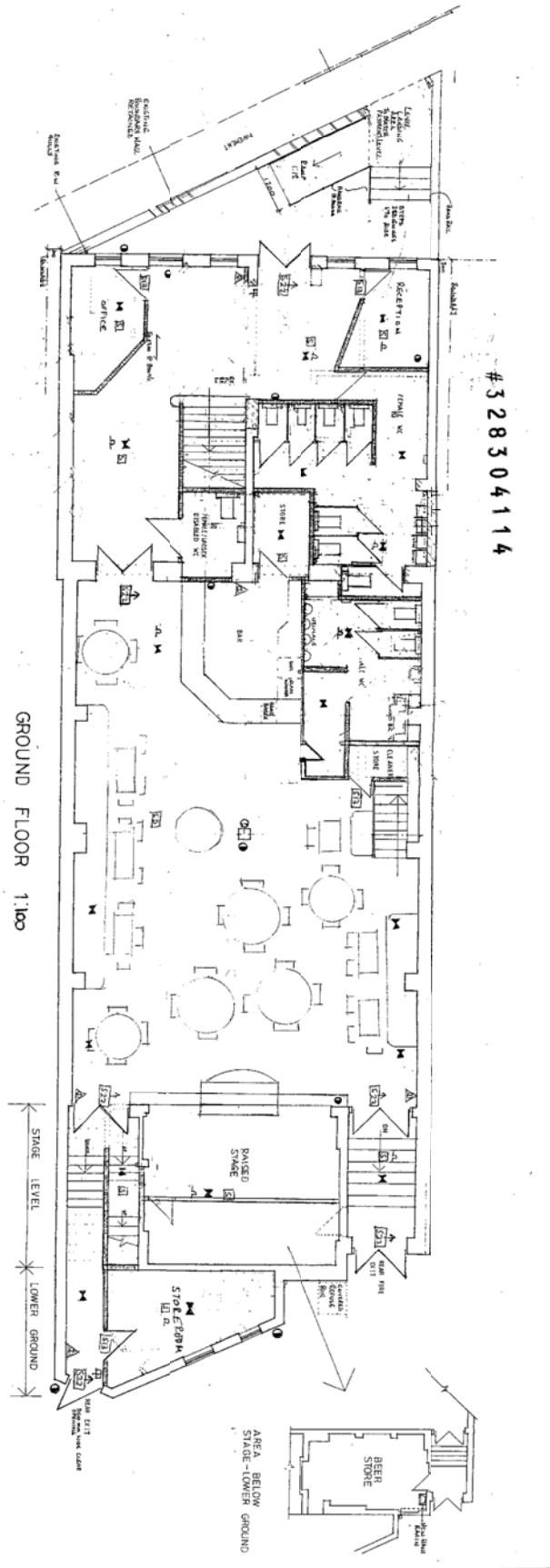
- M Emergency Lighting To BS 5246
- S Smoke Detector
- H Heat Detector
- CA Call Alarm (Fire Alarm To BS 5839)
- Fire Exit Sign With Glazing Symbols And Direction Arrows
- Fire Exit 'KEEP CLEAR'
- 801 802 Sought
- Also Altimeter In Corridor
- Fire Structure (Walls)
- Carbide Dioxide or Halon extinguishers
- CCTV Camera

FIRST FLOOR 1:100



- CONCRETE: 200mm
- WALLS: 200mm
- CEILING: 150mm
- FLOOR: 100mm
- ROOF: 200mm
- STAIRS: 150mm
- DOORS: 200mm
- WINDOWS: 200mm
- KEY TO SYMBOLS
- 101 - 102 - 103 - 104 - 105 - 106 - 107 - 108 - 109 - 110 - 111 - 112 - 113 - 114 - 115 - 116 - 117 - 118 - 119 - 120 - 121 - 122 - 123 - 124 - 125 - 126 - 127 - 128 - 129 - 130 - 131 - 132 - 133 - 134 - 135 - 136 - 137 - 138 - 139 - 140 - 141 - 142 - 143 - 144 - 145 - 146 - 147 - 148 - 149 - 150 - 151 - 152 - 153 - 154 - 155 - 156 - 157 - 158 - 159 - 160 - 161 - 162 - 163 - 164 - 165 - 166 - 167 - 168 - 169 - 170 - 171 - 172 - 173 - 174 - 175 - 176 - 177 - 178 - 179 - 180 - 181 - 182 - 183 - 184 - 185 - 186 - 187 - 188 - 189 - 190 - 191 - 192 - 193 - 194 - 195 - 196 - 197 - 198 - 199 - 200

GROUND FLOOR 1:100



#328304114

Date of original grant: 03/11/2010	Reason for issue: Variation
Date of issue: 9th October 2017	Issue Number: 5



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APPENDIX 5

Licence review guidelines

	<b>Aggravating factors</b>	<b>Mitigating factors</b>
<b>Prevention of crime and disorder</b>	<ul style="list-style-type: none"> <li>• Failure to heed police or licensing authority advice</li> <li>• Encouraging or inciting criminal behaviour associated with licensed premises</li> <li>• Serious injury results from poor management</li> <li>• Previous track record</li> <li>• Deliberate or direct involvement in criminality</li> </ul>	<ul style="list-style-type: none"> <li>• Minor breach of condition not justifying a prosecution</li> <li>• Confidence in management ability to rectify defects</li> <li>• Previous track record</li> <li>• Voluntary proposal/acceptance of additional conditions</li> </ul>
<b>Prevention of public nuisance</b>	<ul style="list-style-type: none"> <li>• Noise late at night in breach of condition or statutory abatement notice</li> <li>• Previous warnings ignored</li> <li>• Long and prolonged disturbances</li> <li>• Excessive noise during unsocial hours (relating to locality and activity concerned)</li> </ul>	<ul style="list-style-type: none"> <li>• Noise limiting device installed</li> <li>• Licence-holder apologised to those disturbed by nuisance</li> <li>• Hotline complaints telephone available</li> <li>• Undertaking/commitment not to repeat activity leading to disturbance</li> <li>• Willingness to attend mediation</li> <li>• Voluntary proposal/acceptance of additional conditions</li> </ul>
<b>Public safety</b>	<ul style="list-style-type: none"> <li>• Death or serious injury occurred</li> <li>• Substantial risk in view of a responsible authority to public safety involved</li> <li>• Previous warnings ignored</li> <li>• Review arose out of wilful/deliberate disregard of licence conditions</li> </ul>	<ul style="list-style-type: none"> <li>• Minor or technical breach of licence condition</li> <li>• Confidence in management to rectify defects</li> <li>• Confidence in management to avoid repetition of incident</li> <li>• Voluntary acceptance/proposal of additional condition</li> </ul>
<b>Protection of children from harm</b>	<ul style="list-style-type: none"> <li>• Age of children</li> <li>• Previous warnings ignored</li> <li>• Children exposed to physical harm/danger as opposed to other threats</li> <li>• Activity arose during normal school hours</li> <li>• Deliberate or wilful exploitation of children</li> <li>• Large number of children affected/involved</li> <li>• Children not allowed on premises as part of operating schedule/conditions</li> </ul>	<ul style="list-style-type: none"> <li>• Conduct occurred with lawful consent of persons with parental responsibility for child</li> <li>• Short duration of event</li> <li>• No physical harm</li> <li>• Short-term disturbance</li> <li>• Undertaking/commitment not to repeat activity</li> <li>• Children permitted on the premises as part of operating schedule</li> <li>• Not involving under-age exposure to alcohol</li> </ul>

	<b>Aggravating factors</b>	<b>Mitigating factors</b>
<b>Application for review after other enforcement action taken by responsible authorities</b>	<ul style="list-style-type: none"> <li>• Penalty imposed by court</li> <li>• Previous warnings ignored</li> <li>• Previous review hearing held resulting in any corrective action</li> <li>• Premises licence holder previously convicted or cautioned for same or similar offences/contraventions</li> <li>• Offences over prolonged period of time</li> <li>• Offences resulted in significant danger or nuisance</li> <li>• Offences as a result of deliberate actions or reckless disregard for licensing requirements</li> <li>• Offence likely to be repeated</li> </ul>	<ul style="list-style-type: none"> <li>• Compensation paid by offender or agreement towards mediation</li> <li>• Voluntary acceptance/proposal of additional conditions</li> <li>• Offence disposed of by way of simple caution or fixed penalty notice</li> <li>• First offence or warning</li> <li>• First review hearing</li> <li>• Single offence/breach</li> <li>• No danger to the public or nuisance</li> <li>• Offences merely administrative in nature</li> <li>• Offence unlikely to be repeated</li> </ul>
<b>Range of likely responses available to the Licensing Panel</b>	<ul style="list-style-type: none"> <li>• To take no action</li> <li>• To issue a written warning</li> <li>• To remove the designated premises supervisor (or require a designated premises supervisor in community premises without one)</li> <li>• Modify the conditions of a premises licence or club premises certificate, including adding new conditions or deleting old conditions</li> <li>• To exclude a licensable activity or qualifying club activity from the scope of the premises licence or club premises certificate</li> <li>• To suspend the licence for a period not exceeding three months</li> <li>• To revoke the premises licence or withdraw the club premises certificate</li> </ul>	