

Licensing Panel Agenda

Date: Tuesday 17 November 2020

Time: 6.30 pm *

Venue: Virtual Meeting - Online

* There will be a Virtual Briefing for Members at 6.00pm.

Membership (Quorum 3)

Chair: To be appointed

Labour Councillors: Maxine Henson
Angella Murphy-Strachan

Conservative Councillors: Richard Almond

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

Contact: Daksha Ghelani/Mwimanji Chellah, Senior Democratic Services Officers
Tel: 020 8424 1881 E-mail: daksha.ghelani@harrow.gov.uk / 020 8416 9269 E-mail:
mwimanji.chellah@harrow.gov.uk

Scan this code for the electronic agenda:



Useful Information

Meeting details

This meeting is open to the press and public and can be viewed on www.harrow.gov.uk/virtualmeeting

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

The recording will be made available on the Council website following the meeting.

Agenda publication date: Monday 9 November 2020

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 vary the premises licence for The Case Is Altered Public House, Old Redding, Harrow Weald, Harrow, Middlesex, HA3 6SE (Pages 7 - 130)

Report of the 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 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 (either in person or by remote hearing).

Please note that the **Applicant** is the party who has applied for a premises licence or variation to a premises licence.

Please note that the **Objector(s)** is the party or parties who oppose the application that has been made.

- i. **Introductions:**
 - Chair of the Panel
 - Members (councillors)
 - Officer presenting the report
 - Officers of Responsible Authorities objecting
 - Applicant and Objector(s)
- ii. **Procedure** – Chair of the Panel to outline the procedure for the hearing (with variations where needed).
- iii. **Presentation** of the report (**agenda item 6**) by a Licensing Officer of the Relevant Authority.
- iv. **Presentation** by the **applicant** of their statement. Additional material may only be submitted at the hearing with the agreement of the Panel and the other party/parties, subject to advice by the Panel's legal advisor at the time.
- v. **Presentation** by **other persons** who have made representations **supporting the applicant's case**.
- vi. **Questioning** of the **applicant** and the **other persons** above by:
 - the objector(s)
 - the Panel
- vii. **Presentation** by the **objector(s)** (including Responsible Authorities) of their statements. Additional material may only be submitted at the hearing with the agreement of the Panel and the other party/parties, subject to advice by the Panel's legal advisor at the time.
- viii. **Questioning** of the **objector(s)** by:
 - the applicant
 - the Panel
- ix. **Concluding statement(s)** by the objector(s).

- x. **Concluding statement** by the applicant.
- xi. The Panel together with its legal advisor (and committee clerk if in attendance) withdraw to consider the application. Before withdrawing, the panel will confirm (if not already done) how the decision will be provided (see below). Should the Panel wish to clarify any point with any particular party, all sides are recalled for the questions to be asked.
- xii. **Decision:**
 - Option 1 - The hearing is reconvened for the Panel to announce their decision.
 - Option 2 - The Panel's written decision is sent to the parties within 5 working days.

The Panel will give reasons for its decision.

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/parties, subject to advice by the Panel'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 of Meeting:	17 November 2020
Subject:	Application vary the premises licence for The Case Is Altered Public House, Old Redding, Harrow Weald, Harrow, Middlesex, HA3 6SE.
Responsible Officer:	Paul Walker, Corporate Director – Community Directorate
Exempt:	No
Wards affected:	Harrow Weald
Enclosures:	Appendix 1 - Variation application and plans Appendix 2 - Premises licence and current plan Appendix 3 - Location map Appendix 4 - Representations Appendix 5 - Agreed conditions with police Appendix 6 - Proposed conditions – Responsible Authorities

Section 1 – Summary

An application has been received to vary the premises licence for The Case is Altered Public House, Old Redding, Harrow, HA3 6SE. Representations have been received from 2 responsible authorities and 47 other persons (members of the public and ward councillors) who express concerns about the possible undermining of one or more of the licensing objectives should the licence be varied as sought.

Representations received

From	Representations details
The Planning Authority	No representations received
Health & Safety	No representations received
Environmental Health	Representation received
Trading Standards	No representations received
Area Child Protection Service	No representations received
London Fire Brigade	No representations received
<i>Metropolitan Police</i>	No representations received
<i>Licensing Authority</i>	Representations received

Representations from other persons

1. 47 representations have been received from other persons. 44 from members of the public and three from the local ward Councillors.

Section 2 – Report

2. Mr Michael Vazanias has applied to vary the premises licence (appendix 1) for The Case is Altered Public House, Old Redding, Harrow, HA3 6SE. A location map and image of the premises is available in Appendix 3
3. The purpose of the variation is to extend the licensable area provided by the current premises licence into the rear decking area and beer garden. The application does not seek to extend times for hours open to public. The plans attached to the application have three main areas: a black lined area showing the perimeter of the premises, a green lined area showing where all licensable activities authorised by the licence can take place and a red lined area showing where the sale of alcohol can take place. The times stated on the application for hours open to public are:

	Hours open to public
Monday	10:00 – 23:30
Tuesday	10:00 – 23:30
Wednesday	10:00 – 23:30

Thursday	10:00 – 23:30
Friday	10:00 – 02:30*
Saturday	10:00 – 02:30*
Sunday	10:00 – 00:00

*Continues into the following day

There are no seasonal variations applied for although seasonal variations are on the existing licence.

1. The Premises Licence currently authorises the sale of retail alcohol for consumption on and off the premises. As a result, Exhibition of films, live music, recorded music, performance of dances are only licensable between 23:00 and 08:00 each day and the existing premises licence includes permission for the provision of late night refreshment and the exhibition of film beyond 23:00 every day, and for the performance of live music, recorded music and dance beyond 23:00 on Friday – Sunday as set out in the Licence shown in Appendix 2. .
4. Section 11 of this report gives more information about the prevention of public nuisance.
5. Description of the premises
6. The Case is Altered is situated on Old Redding. Before it was a pub, it was once a cottage. The pub originally catered for the rural population of brick workers. After this, it served day trippers and local walkers but more recently, serves the general public who visit the area throughout the day. This area also has a strong rural past and still consists of peaceful open spaces between buildings. The pub is also in a conservation area.
7. Details of application
8. Received: 28 September 2020
9. Closing date for representations: 27 October 2020
10. The application has been advertised in accordance with the prescribed regulations
11. Licensing Officer's observations
12. The premises licence was originally granted in August 2005. Mr Vazanias applied to transfer the licence to himself in June 2010. At the same time, he also applied to vary the Designated Premises Supervisor (DPS), The DPS history is as follows:
 - 10/6/2010 – 26/9/2011 – Mr Keval Patel
 - 26/9/2011 – 15/12/2015 – Mr Ashok Shah
 - 15/12/2015 – 30/11/2018 – Mr Michael Vazanias
 - 30/11/2018 – Present – Mr Chirag Chavda.

13. Forty seven representations have been received from other persons, which include the three local ward Councillors. Most representations indicate that if the application was granted as sought, then the public nuisance objective would be undermined. The majority of the representations are from local residents some of whom have already experienced a reduced level of the peaceful amenity of their premises which is alleged to have been caused by the actions of the pub.
14. Although the pub has no parking facilities, this is outside the control of the licensee. Parking on the highway should not be a licensing consideration.
15. The panels attention is drawn towards the statutory guidance regarding public nuisance:
- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
 - 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
 - 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are

valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night

16. The Licensing Authority Representation indicates that a retrospective planning application has been submitted to the Planning department. The reference number for this application is P/3029/20. The hours applied for planning consent are different to the ones applied for the variation under Licensing Act 2003. The following paragraphs from the statutory guidance may apply:

- 14.64 - The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa. However, as set out in chapter 9, licensing committees and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.
- 14.65 - There are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.

17. Environmental Health's representation concerns the further undermining of the public nuisance objective if the application is granted. Their representation indicates that residents who live in the vicinity of the Premises are already being disturbed by noise and other nuisance emanating from the Premises. They have proposed conditions to help reduce nuisance. As well as appearing on their representation, these conditions have also been extracted to Appendix 6.

18. With reference to the plans, the panel's attention is drawn to the green lined and red lined areas which indicate where the different licensable activities will be taking place at the Premises.

19. The Premises Licence currently authorises the sale of retail alcohol for consumption on and off the premises. As a result, Exhibition of films, live music, recorded music, performance of dances are only licensable between 23:00 and 08:00 each day. The existing premises licence, a copy of which is shown in Appendix 2, includes permission for the provision of late night refreshment and the exhibition of film beyond 23:00 every day, and for the performance of live music, recorded music and dance beyond 23:00 on Friday – Sunday.

20. Operating schedule and conditions

21. 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.

22. The Panel's attention is directed towards paragraphs 8.41 – 8.49 of the statutory guidance issued under the Act that sets out matters that ought to be considered by an applicant when drafting their operating schedule.
23. The most critical part of the operating schedule are the steps taken by the applicant to promote the licensing objectives. Applicants are always reminded to take careful consideration as to what is entered in this section as whatever is proposed will be transferred into conditions on the licence. The Panel's discretion is engaged in the light of relevant representations to impose conditions that are appropriate to promote the licensing objectives. Conditions should be tailored to the size, type, location, characteristics and activities at the premises, and the Panel should be aware of any indirect costs that may arise from the imposition of conditions.
24. When imposing conditions relating to CCTV the Panel should bear in mind the Information Commissioner's guidance that such conditions should only be imposed where it is justified to do so and in order to meet the licensing objectives.
25. The Panel has the discretion to add to or modify these conditions in light of the representations where it is appropriate to do so to promote the licensing objectives.

26. Licensing policy

27. Paragraph 6.3 of the licensing authority's statement of licensing policy sets out the matters that the Panel may take into account when considering representations (although the Panel is not limited to these matters):
- degree of confidence in the management of the premises
 - location of premises
 - gang-related activity in the area
 - management of waste particularly preventing fly-tipping
 - commitment to reporting all crimes and anti-social behaviour associated with premises
 - crime prevention audit conducted by police/professional security organisation
 - staff training
 - anti-theft provisions (eg time-locked safes, magnetic door locks, regular removal of cash from tills)
 - suitable and sufficient security plan
 - effective wind-down and dispersal policies
 - use of CCTV
 - noise mitigation measures associated with licensable activities, particularly near to residential properties
 - provision of litter bins and litter patrols
 - use of low-impact litter materials
 - noise from people arriving at or leaving from the premises and which is related to licensable activities
 - control of other nuisances relating to licensable activities such as light or odours

- measures to protect children from being exploited or coming to harm

28. Legal implications

29. 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.

30. 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.

31. 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;

32. 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.

33. 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

34. 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)

35. 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.'

36. Financial Implications

37. There are no financial implications.

38. Appeals

39. 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

Jessie Man

Signed on behalf of the Chief Financial Officer

Date: 4/11/2020

Baljeet Virdee

Signed on behalf of the Monitoring Officer

Date: 06/11/2020

Statutory Officer:

Michael Butler

Director of Environmental Services, Community Directorate.

Date: 5/11/2020

Mandatory Checks

Ward Councillors notified: YES as it impacts on all Wards

Section 4 - Contact Details and Background Papers

Contact: Contact: Richard Le-Brun, Head of Community and Public Protection, Ext. 6267 Richard.lebrun@harrow.gov.ukj

Background Papers: Revised Guidance issued under section 182 of the Licensing Act 2003.



Harrow
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@harrow.gov.uk
 Telephone: 020 8901 2600

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	LN/000000547/2018/14	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes
 No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	Michael
* Family name	Vazanias
* E-mail	
Main telephone number	
Other telephone number	

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

- * Building number or name
- * Street
- District
- * City or town
- County or administrative area
- * Postcode
- * Country



Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 18

VARIATION

Continued from previous page...

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

- Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

- Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Extension of the public house premises license to extend into the rear decking and beer garden.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

- Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

- Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Continued from previous page...

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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

N/A

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

Section 16 of 18

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Continued from previous page...

See Below

b) The prevention of crime and disorder

Door Supervisor / Floor Supervisor / CCTV / Age verification protocol / Use of radio pagers

c) Public safety

Follow our risk assessment protocols and operating schedules to demonstrate safety has been considered and addressed.

d) The prevention of public nuisance

Use of clear signage at all exits and follow our operating schedule. To liaise with local neighbors to resolve any reasonable concerns. To recognize the rights of local residence and to encourage customers to leave the premises quietly.

e) The protection of children from harm

Any children under 16 remain the responsibility of the accompanying adult when using the premises and all exterior areas. Staff are not allowed to be in sole supervision of children which remains the responsibility of the accompanying adults at all times.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

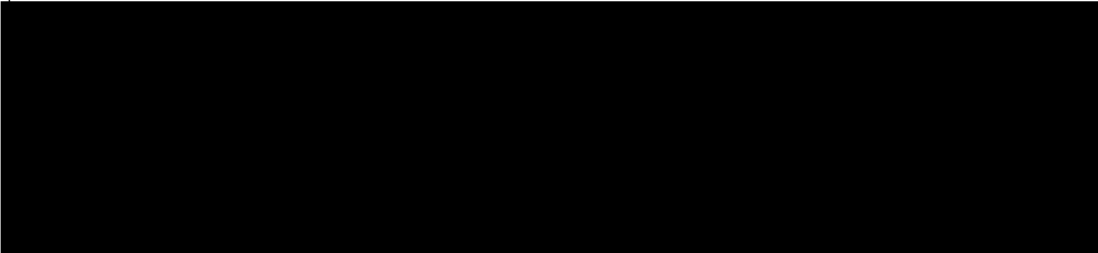
190.00

DECLARATION

I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"



Add another signatory

Once you're finished you need to do the following:

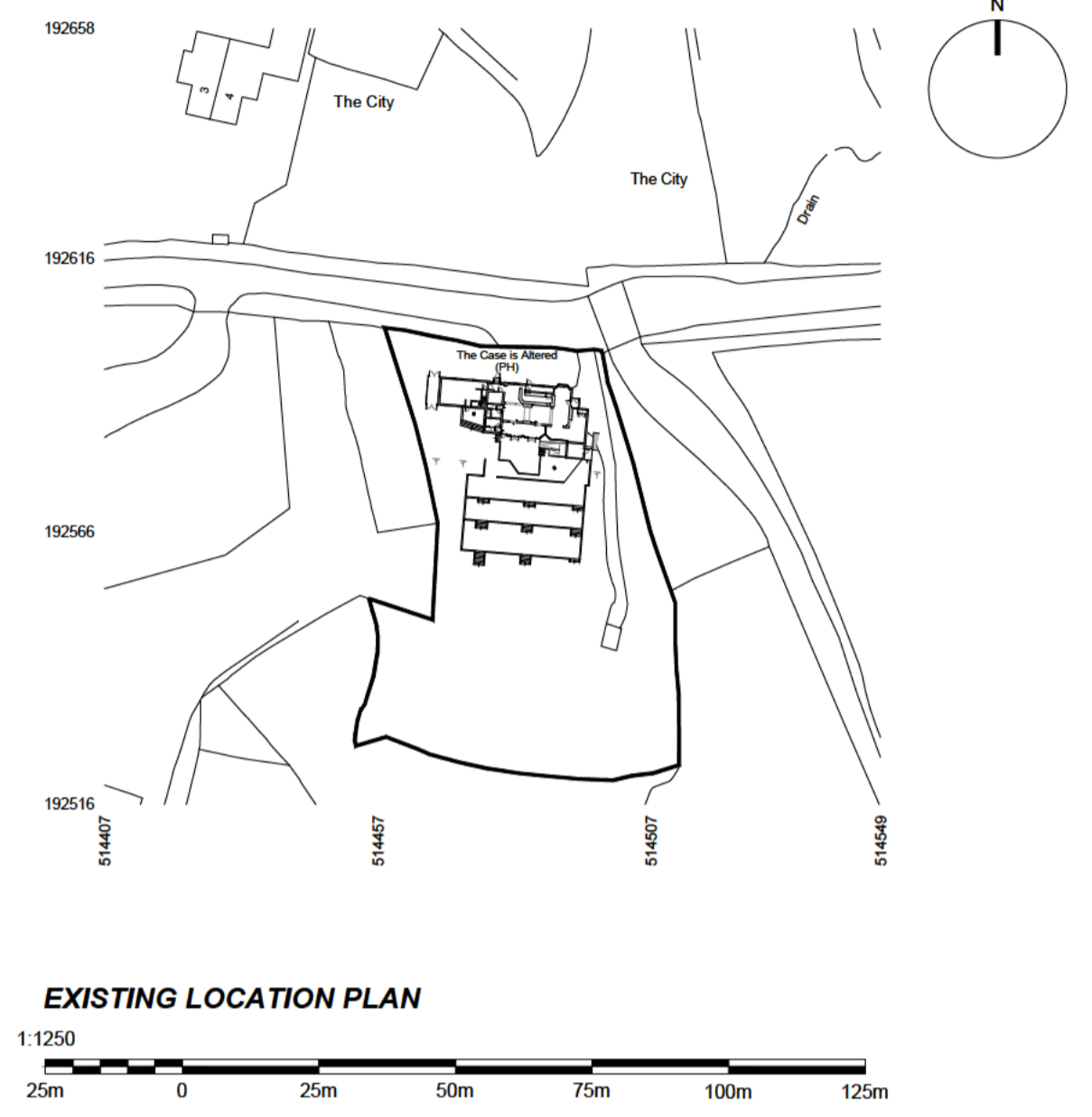
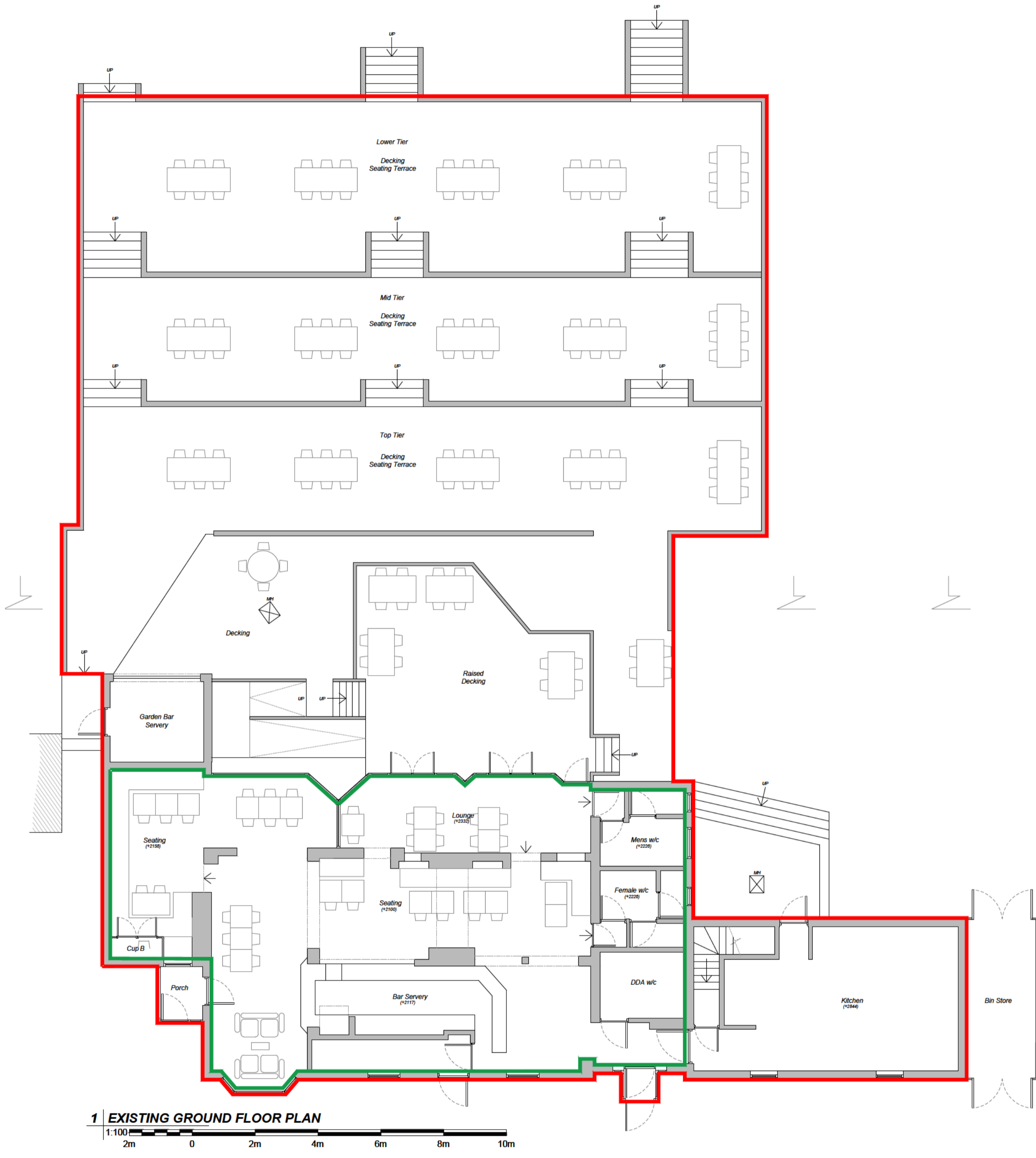
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/harrow/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

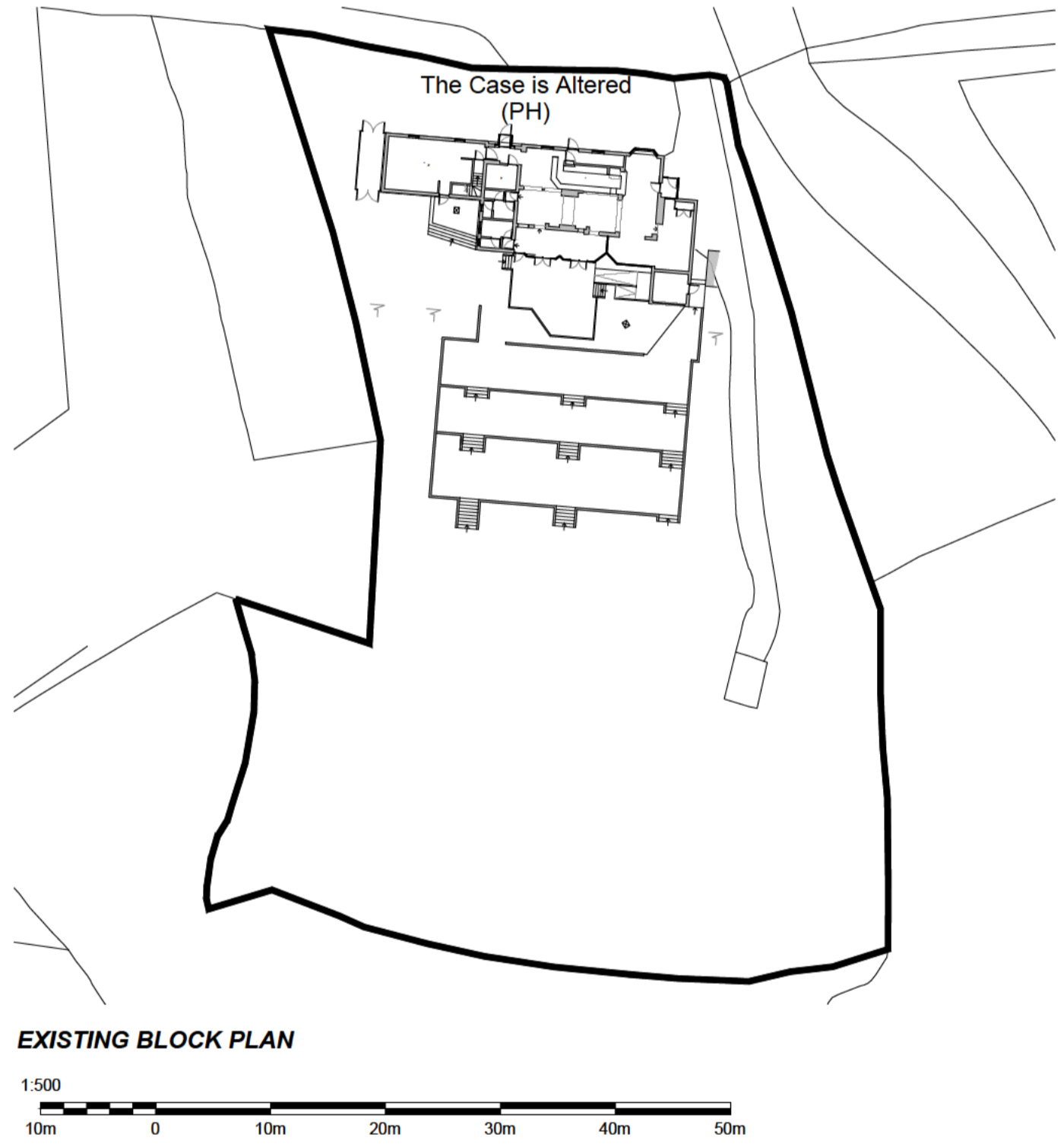
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="LN/000000547/2018/14"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>



- BOUNDARY BORDER
- LICENSED AREA FOR SALE OF RETAIL ALCOHOL
- LICENSABLE ACTIVITIES AS AUTHORISED BY THE PREMISES LICENCE



Client MR CHIRAG PATEL		
Project THE CASE IS ALTERED PUB OLD REDDING, HARROW, HA3 6SE		
Drawing Title LICENSING PLAN		
Drawing Title	PR20-83D	Rev.
Drawn By:	Scale: 1/100	Date: 27/09/2020

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LICENSING ACT 2003

Premises Licence

APPENDIX 2

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

Premises Licence Number:

LN/000000547/2018/14

Part 1 – Premises details

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

The Case is Altered (Bar), The Case Is Altered Public House, Old Redding, Harrow Weald,
Harrow, Middlesex, HA3 6SE

Telephone Number: 0208 954 1002

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Exhibition of films

Late night refreshment

Sale of retail alcohol

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

Signed by Richard LeBrun

Environmental Services Manager (Public Protection)

SALLIS POPULI SUPREMA LEX

Licensable area
Hours open to public

Sunday	10:00 - 00:00	-
Monday	10:00 - 23:30	-
Tuesday	10:00 - 23:30	-
Wednesday	10:00 - 23:30	-
Thursday	10:00 - 23:30	-
Friday	10:00 - 00:00	00:00 - 02:30
Saturday	10:00 - 00:00	00:00 - 02:30

The times the licence authorises the carrying out of licensable activities

Location: Licensable area

Exhibition of films

Sunday	10:00 - 00:00	00:00 - 02:30
Monday	10:00 - 23:30	-
Tuesday	10:00 - 23:30	-
Wednesday	10:00 - 23:30	-
Thursday	10:00 - 23:30	-
Friday	10:00 - 00:00	00:00 - 02:30
Saturday	10:00 - 00:00	00:00 - 02:30

1. LICENSABLE ACTIVITIES CAN BE EXTENDED FOR ONE HOUR (EXCLUDING DRINKING UP TIME) ON 1ST JANUARY, VALENTINE'S NIGHT, ST PATRICK'S DAY, GOOD FRIDAY, EASTER FRIDAY, EASTER SATURDAY, EASTER SUNDAY, ALL BANK HOLIDAY FRIDAYS (PRIOR); SATURDAYS (PRIOR) AND SUNDAY (PRIOR), BOXING DAY, 27TH DECEMBER, 28TH DECEMBER AND 30TH DECEMBER.

2. LICENSABLE ACTIVITIES CAN BE EXTENDED FOR TWO HOURS (EXCLUDING DRINKING UP TIME) ON CHRISTMAS EVE

Location: Licensable area

Late night refreshment

Sunday	00:00 - 02:30	23:00 - 00:00
Monday	23:00 - 23:30	-
Tuesday	23:00 - 23:30	-
Wednesday	23:00 - 23:30	-
Thursday	23:00 - 23:30	-
Friday	23:00 - 00:00	-
Saturday	00:00 - 02:30	23:00 - 00:00

1. LICENSABLE ACTIVITIES CAN BE EXTENDED FOR ONE HOUR (EXCLUDING DRINKING UP TIME) ON 1ST JANUARY, VALENTINE'S NIGHT, ST PATRICK'S DAY, GOOD FRIDAY, EASTER FRIDAY, EASTER SATURDAY, EASTER SUNDAY, ALL BANK HOLIDAY FRIDAYS (PRIOR); SATURDAYS (PRIOR) AND SUNDAY (PRIOR), BOXING DAY, 27TH DECEMBER, 28TH DECEMBER AND 30TH DECEMBER.

2. LICENSABLE ACTIVITIES CAN BE EXTENDED FOR TWO HOURS (EXCLUDING DRINKING UP TIME) ON CHRISTMAS EVE

Location: Licensable area

Sale of retail alcohol

Sunday	10:00 - 00:00	-
Monday	10:00 - 23:30	-
Tuesday	10:00 - 23:30	-
Wednesday	10:00 - 23:30	-
Thursday	10:00 - 23:30	-
Friday	10:00 - 00:00	00:00 - 02:00
Saturday	10:00 - 00:00	00:00 - 02:00

1. LICENSABLE ACTIVITIES CAN BE EXTENDED FOR ONE HOUR (EXCLUDING DRINKING UP TIME) ON 1ST JANUARY, VALENTINE'S NIGHT, ST PATRICK'S DAY, GOOD FRIDAY, EASTER FRIDAY, EASTER SATURDAY, EASTER SUNDAY, ALL BANK HOLIDAY FRIDAYS (PRIOR); SATURDAYS (PRIOR) AND SUNDAY (PRIOR), BOXING DAY, 27TH DECEMBER, 28TH DECEMBER AND 30TH DECEMBER.

2. LICENSABLE ACTIVITIES CAN BE EXTENDED FOR TWO HOURS (EXCLUDING DRINKING UP TIME) ON CHRISTMAS EVE

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

Location: Licensable Area

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

Sunday	10:00 - 00:00	-
Monday	-	-
Tuesday	-	-
Wednesday	-	-
Thursday	-	-
Friday	10:00 - 00:00	00:00 - 02:30
Saturday	10:00 - 00:00	00:00 - 02:30

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

Sale by retail on/off premises

Part 2

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

Michael Vazanias

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:

Chirag Chavda

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

HARROW - 06CC-00AQ-DBDE-QBD8

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) “value 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

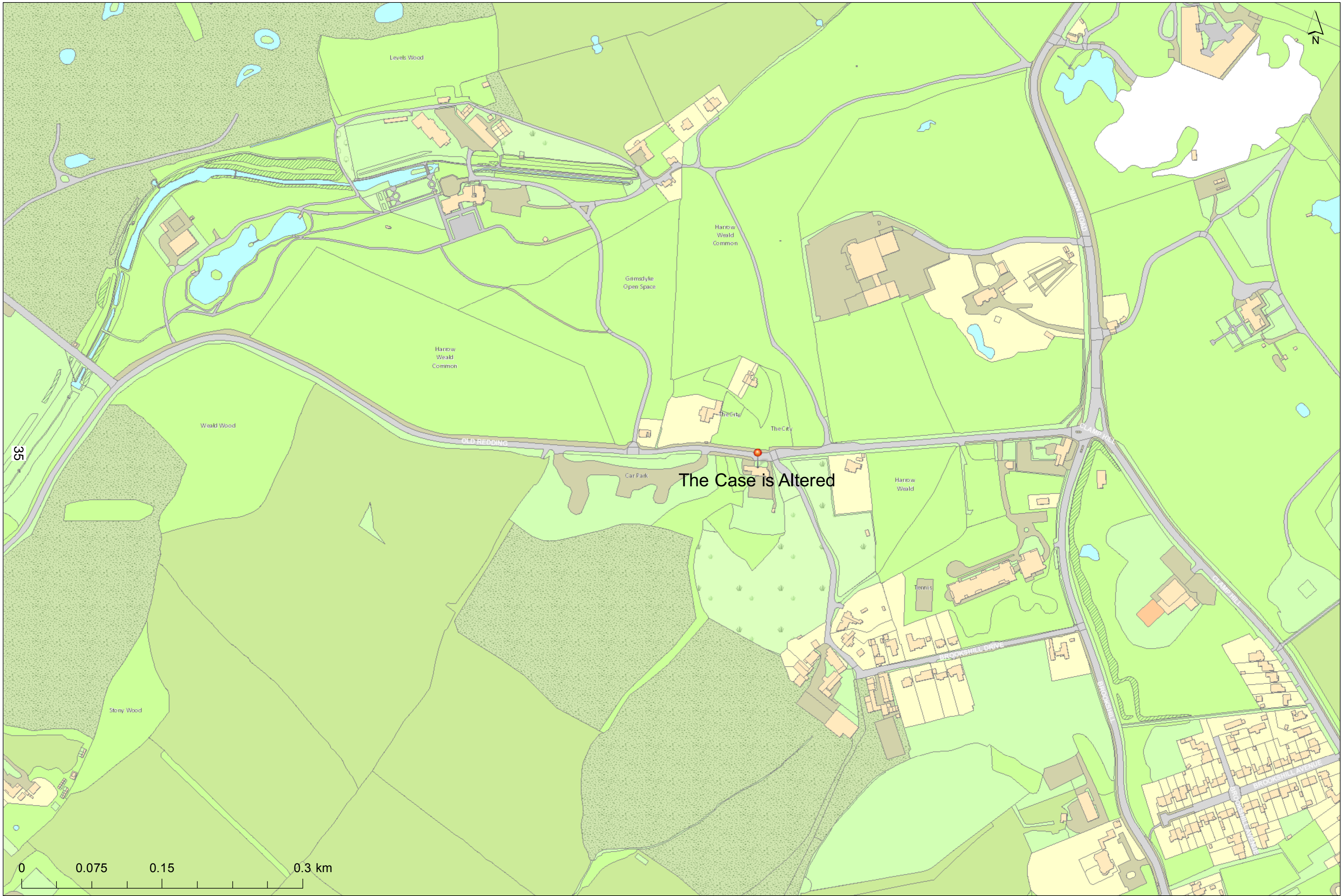
1. The pub manager is required to actively participate in and support the local Pubwatch scheme (where active).

2. Text and/or radio pagers, where already used will be used for any additional hours.

3. Reasonable steps are taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.

4. Managers are required to liaise with local neighbours as part of their duties and resolve any reasonable concerns.

5. No adult entertainment (paid for by the company of nude physical nature) is permitted at these premises.



36

The Cow is Altered



STATEMENT OF WITNESS

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

Statement of : (name of witness) **Alexander Lisowski**

Age : Over 21

Address : C/O The London Borough of Harrow

Occupation : Commercial Licensing Officer



1

2 I am acting as the Responsible Authority Officer for Harrow Council's Licensing Team. I
3 am making representations in connection with the application, for a variation to the
4 premises licence, for the Case is Altered public house, Old Redding, Harrow, Middlesex,
5 HA3 6SE (Henceforth referred to as the pub).

6 Customers of the pub park their cars outside in the road causing traffic problems. On
7 Saturday, 19th September, 2020, I did observations on the parking situation. The road
8 outside the pub, Old Redding, has 2 lanes, one in each direction. In the middle of the
9 road, outside the pub, is a "Ghost Island". This is a patch of white lines on the road.
10 Traffic is not meant to cross or straddle these lines. At 18.09pm I drove past the pub.
11 There were 11 cars parked outside the pub. I continued driving, past the entrance to the
12 nearby Grim's Dyke Hotel, and then found somewhere legal to park. I then walked back
13 towards the pub. As I did I saw 6 cars drive past the pub towards me. Because of the
14 cars parked outside the pub, the 6 cars had to straddle the white lines to get past. I
15 arrived outside the pub at 18.24pm. I walked down one side of the pub and saw that the
16 beer garden was in use. I then did observations on the parking outside the pub between
17 18.25pm and 18.36pm. At the start of the observations there were 14 cars parked outside
18 the pub. During this time I saw people come out of the pub and drive off in 3 cars. I saw a
19 car pull up and park outside the pub, and the 2 occupants got out and went into the pub. I
20 saw another car pull up, the passengers got out and went into the pub, then the driver
21 drove it away. There is pavement outside the pub. I saw people walk along the pavement

Signature



Date

STATEMENT OF WITNESS continued -

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

22 and into the pub, and I saw people come out of the pub and walk away along the
23 pavement. I also saw cars driving past in both directions. The cars that were using the
24 same lane as the cars were parked in had to straddle the white lines and, in the case of
25 large cars, one side of them was actually in the lane for traffic going the other way. After
26 doing these observations I went to the Grim's Dyke Hotel. There were plenty of vacant
27 spaces in their car park. This shows that the parking outside the pub is not related to the
28 Hotel. To encourage people not to drive their own cars to the pub, I request the following
29 condition is added to the premises licence:

30 THE TELEPHONE NUMBER OF A CAB FIRM, CHOSEN BY THE PUB
31 MANAGEMENT, WILL BE DISPLAYED INSIDE THE PUB. THE NUMBER WILL BE
32 ACCOMPANIED BY A NOTICE GIVING THE NAME OF THE CAB FIRM, AND
33 EXPLAINING THAT CUSTOMERS CAN CALL THE NUMBER TO HIRE A CAB.

34 THE MANAGEMENT WILL INFORM THE CAB FIRM OF THIS ARRANGEMENT, BY
35 LETTER OR E-MAIL, AND REQUEST THAT CAB DRIVERS ARE REMINDED
36 REGULARLY TO ARRIVE AT AND DEPART FROM THE PUB AS QUIETLY AS
37 POSSIBLE, INCLUDING NOT SOUNDING THE HORN OR SLAMMING DOORS. THEY
38 SHOULD ALSO BE REMINDED REGULARLY NOT TO DOUBLE PARK OUTSIDE THE
39 PUB.

40 THE PUB MANAGEMENT CAN CONDUCT THE RELATIONSHIP WITH THE CAB
41 FIRM ON A COMMERCIAL BASIS IF THEY WISH, AND CAN CHANGE THE CAB FIRM
42 AS THEY WISH.

43

Signature



Date

Page. 2

STATEMENT OF WITNESS continued -

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

44 PC Ally Darwood, a local Police Licensing Officer, has agreed conditions with the
45 applicant. With the exception of the beer garden closing at 23.30pm, the Licensing Team
46 supports all these conditions as being necessary for the proper running of the pub.

47
48 At present it is a condition of the pub's premises licence that the beer garden opens at
49 10.00am and closes at 23.30pm every day. This condition was set before the decking in
50 the beer garden was laid down. This decking was laid down without having planning
51 permission to do so. A retrospective planning application has now been submitted. If this
52 application is granted, the hours allowed under this application will take precedence over
53 the hours currently allowed by the premises licence for the beer garden..

54 The hours for the beer garden requested in the planning application are:

55 Monday to Friday, 12noon to 22.30pm – provision of alcohol and food. The provision of
56 food ends before 23.00pm, after which time it would have had to have been licensed as
57 late night refreshment.

58 Saturday, 12noon to 23.00pm, - the provision of alcohol.

59 12noon to 23.30pm – the provision of food. The period between 23.00pm
60 and 23.30pm would have to be licensed for the provision of late night refreshment.

61 Sunday, 12noon to 21.30pm, - the provision of alcohol.

62 12noon – 21.00pm – the provision of food. As with the times for Monday to
63 Friday, late light refreshment licensing does not come into play.

64 The Licensing Act application requests the following hours for the provision of alcohol
65 and food in the beer garden:

66 Monday to Thursday, 10.00am - 23.30pm.

67 Friday & Saturday, 10.00am – 02.30am the following morning.

Signature



Date

Page. 3

STATEMENT OF WITNESS continued -

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

68 Sunday, 10.00am to midnight.

69 These hours are the same as those for the current licensable area.

70 Planning and Licensing are two different regimes. It is possible for Planning to grant
71 one set of hours of operation to a premises, and for Licensing to grant a different set of
72 operational hours to a premises. However, where there is a conflict, the hours set by
73 Planning take precedence.

74 The applicant has asked to open the beer garden at 10.00am everyday, and agreed
75 with Police to close it at 23.30pm everyday. However, in the planning application the
76 opening times requested are 12noon everyday. Similarly, apart from providing late night
77 refreshment till 23.30pm on Saturdays, the finishing times requested are earlier than
78 23.30pm.

79 If the Licensing Sub-Committee grants longer hours than those requested in the
80 planning application, those hours would be shown on the premises licence. However, the
81 planning regime has precedence, and it would be a breach of planning law to operate
82 those hours. This situation presents the possibility of an unscrupulous premises licence
83 holder breaching the law and deceiving enforcement officers about this. Any enforcement
84 officer visiting the pub would look at the premises licence and see the operating hours
85 granted under the licensing regime. There would be nothing to indicate that the planning
86 regime has only allowed shorter hours. To prevent this happening, I request that the
87 Licensing Sub-Committee, if it grants the application, only allows those hours requested in
88 the planning application.

89 There is one particular exception to Planning trumping Licensing. Licensing can grant
90 shorter hours than Planning. In that very particular circumstance, Licensing trumps
91 Planning. In the planning application, the request is, on Saturdays, that the provision of

Signature



Date

Page 4

Legal20.DOT version 12/01

STATEMENT OF WITNESS continued -

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

92 alcohol in the beer garden ceases at 23.00pm, and the provision of food ceases at
93 23.30pm. There is potential for problems here. After 23.00pm drinkers will see that the
94 beer garden is still open, and may want to use the beer garden, even though it is beyond
95 the time they are allowed to do so. To prevent this possible problem, I request that the
96 Licensing Sub-Committee reduces the time for the provision of food, on Saturdays in the
97 beer garden, to 23.00pm. Because the licensable activity of the provision of late night
98 refreshment comes into operation at 23.00pm, the Sub-Committee is entitled to do this.

99 IN SUMMARY I REQUEST THAT THE HOURS OF OPERATION FOR THE BEER
100 GARDEN BE SET AS FOLLOWS:

101 MONDAY – FRIDAY, 12NOON TO 22.30PM

102 SATURDAY, 12NOON TO 23.00PM

103 SUNDAY, 12NOON TO 21.30PM.

104

105

106 The present licensable area for the pub is licensed for the playing of recorded music,
107 the performance of live music, the performance of dance, and the exhibition of films. The
108 application for the variation is not clear on whether or not those activities are to be
109 extended to the beer garden. Because of this I look to the situation to be clarified at the
110 hearing and, if the application is granted, for the premises licence to show clearly what the
111 situation is in regard to these activities.

112 Sections 5, 8,9 & 10 refer to the provision of these licensable activities. The sections
113 ask the following questions:

114 Will the schedule to provide films be subject to change if this application to vary is
115 successful?

Signature



Date

Page. 5

Legal20.DOT version 12/01

STATEMENT OF WITNESS continued -

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

116 Will the schedule to provide live music be subject to change if this application is
117 successful?

118 Will the schedule to provide recorded music be subject to change is this application is
119 successful?

120 Will the schedule to provide performances be subject to change if the application to vary
121 is successful?

122 The answer given to all these questions is "no".

123 I have taken this to mean that, if the application is granted, those licensable
124 entertainments can be performed in any part of the licensable area of the pub. It could
125 also be interpreted to mean that the licensable entertainments will not be extended to the
126 beer garden.

127 Clarification was sought from the applicant's solicitor about this matter. The solicitor's
128 original response was, "My client has confirmed that they do not require films/live
129 music/recorded music or dance performances in the beer garden." This was then
130 contradicted by a further response from the solicitor, "Please ignore my e-mail below, I
131 have taken further instructions, and my client has stated they have no intention of showing
132 films/live music/recorded music or dance performances in the beer garden. However, as
133 there are no neighbouring properties they do not think this should cause an issue of
134 nuisance to local residents, therefore please do not remove this from the licence
135 application." This exchange appears to indicate that the applicant wants licensable
136 entertainment extended to the beer garden. The relevant e-mails are included at the end
137 of my statement.

Signature



Date

Page. 6

Legal20.DOT version 12/01

STATEMENT OF WITNESS continued -

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

138 Because of this confusion I request that the Licensing Sub-Committee proceeds on the
139 basis that the applicant has applied to have the current authority to exhibit films, play
140 recorded music, provide live music and performances extended to the beer garden.

141 There is an expanse of open property behind the pub. It extends beyond the limits of
142 the beer garden. Further beyond this there are various residential properties. There are
143 no significant natural or manmade barriers that would block sound travelling from the beer
144 garden to the residential properties. The applicant has agreed the following condition with
145 Police:

146 "Noise should not emanate from the premises so as to cause a nuisance and regular
147 checks are to be made by members of staff on noise emanating from the premises."

148 However, prior to agreeing that condition, the applicant had not offered, as a condition of
149 the licence, any measures to block sound travelling from the beer garden to neighbouring
150 residences. No measures have been subsequently offered. The planning application
151 does not detail anything such as wooden barriers that would block sound from travelling
152 beyond the beer garden. Representations from neighbours of the pub show that in 2019
153 they were disturbed by the sound of music coming from the pub. Because neighbours
154 have previously been disturbed by noise from the pub, and the applicant has not offered
155 any physical measures to prevent noise from travelling beyond the beer garden, I request
156 that the following condition is added to the premises licence:

157 THE EXHIBITION OF FILMS, THE PLAYING OF RECORDED MUSIC, THE
158 PERFORMANCE OF LIVE MUSIC AND THE PERFORMANCE OF DANCE WILL ONLY
159 TAKE PLACE WITHIN THE BUILDINGS THAT EXIST AT THE PUB. THESE ACTIVITIES
160 WILL NOT TAKE PLACE WITHIN THE BEER GARDEN OR OTHER OPEN AREAS
161 WITHIN THE LICENSED AREA OF THE PUB. SPEAKERS, OR OTHER AUDIO

Signature



Date

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STATEMENT OF WITNESS continued -

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

162 EQUIPMENT, WILL NOT BE USED TO RELAY MUSIC, OR THE SOUNDTRACK OF
163 FILMS, FROM WITHIN THE PUB'S BUILDINGS TO OUTSIDE AREAS. NOR WILL
164 OTHER METHODS BE USED TO RELAY MUSIC, OR THE SOUNDTRACK OF FILMS,
165 TO OUTSIDE AREAS.

166

167 Section 16(1) of The Licensing Act, 2003, states:

168 The following persons may apply for a premises licence in respect of any premises –

169 (a) A person who carries on, or proposes to carry on, a business which involves the
170 use of the premises for the licensable activities to which the application applies.

171

172 Carrying on a business means have a financial interest in the business. This could be
173 in the form of a freehold, a leasehold, a tenancy or rental agreement or some other form of
174 financial arrangement. At present Mr Vazanias is the premises licence holder. Land
175 Registry records show that he owns the freehold for the pub. However, he does not
176 appear to be the one running the pub.

177 On 13th August, 2019, a private company called TCIA Limited incorporated at
178 Companies House. The public information provided by Companies House does not show
179 if TCIA is a name or an acronym. If TCIA is an acronym it could stand for The Case is
180 Altered. Companies House records show the nature of the business as public houses and
181 bars. The sole shareholders of the Company are Mr Chiras Chavda and Mr Sanjay
182 Gandecha. Mr Chavda became the designated premises supervisor on 16th October,
183 2018. Mr Gandecha appears to be the person running the pub.

184 The planning application, for the decking in the beer garden, was submitted by Mr
185 Gandecha. This is a retrospective application, as the decking and table and chairs were

Signature



Date

Page. 8

Legal20.DOT version 12/01

STATEMENT OF WITNESS continued -

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

186 installed without planning permission. As part of the application form, Mr Gandecha
187 signed an ownership certificate stating that he was the owner of the land. An applicant is
188 only entitled to do this if they are the freeholder of the land, or they have a lease for the
189 land of at least 7 years duration. A check of Land Registry records shows that Mr
190 Vazanias is the freeholder of the pub. No one else is mentioned. No one is shown as
191 having a lease for the property. The Council's Planning Department have been informed
192 of this. Planning have been in touch with Mr Gandecha's agent for the application to
193 confirm what the situation is. At the time of writing my representations I am still waiting for
194 the result of this enquiry.

195 A firm of solicitors have been appointed to deal with the Licensing application. When
196 they contacted the Council, they stated they were acting for Mr Gandecha and others. No
197 mention was made of Mr Vazanias. I had to get the solicitors to confirm they were acting
198 for Mr Vazanias.

199 The Police negotiated extra licence conditions for this application. They dealt with Mr
200 Gandecha, who stated he was acting on behalf of Mr Vazanias.

201 I pointed out to the solicitors the situation with the planning application, and asked for
202 details of Mr Gandecha's financial connection with the pub. Was he a freeholder, a
203 leaseholder or a tenant? The solicitors were not able to answer this themselves. They are
204 seeking confirmation from Mr Gandecha, and I am awaiting a reply.

205 Companies House records show that a confirmation statement is overdue for TCIA
206 Limited is overdue. A confirmation statement is an annual confirmation who the current
207 directors are and other information. The overdue statement should have referred to the
208 situation as at 12th August, 2020, and should have been submitted by 23rd September,
209 2020.

Signature



Date

Page 9

STATEMENT OF WITNESS continued -

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

210 Whilst Mr Gandecha and Mr Chavda have been involved with the pub, there have been
211 various complaints about loud music at the pub. The complaints have stopped, but the
212 absence of loud music appears to have coincided with the restrictions imposed by the
213 Government in connection with Covid 19. Local residents have made representations
214 about the music and the pub, and will be able to give first hand evidence of how it has
215 affected them. One of the residents provides copies of adverts for music events at the
216 pub.

217 Because Mr Chavda has been the designated premises supervisor during the period of
218 the complaints, yet has not curtailed the grounds for the complaints, I request that the Sub-
219 Committee direct that he is removed from the position of designated premises supervisor
220 on the grounds that he has not acted to uphold the Licensing Objectives whilst in that post.
221 Because of Mr Gandecha's failure in that sphere as well, I request that Mr Chavda is
222 replaced by someone who is not financially connected to Mr Gandecha. I request that the
223 following condition is added to the premises licence:

224 FOR AS LONG AS MR SANJAY GANDECHA HAS A FINANCIAL CONNECTION TO
225 THE PUB, BUT IS NOT THE PREMISE LICENCE HOLDER, NO ONE WHO HAS A
226 FINANCIAL CONNECTION WITH MR GANDECHA SHALL BE APPOINTED AS THE
227 DESIGNATED PREMISES SUPERVISOR.

228 Section 16 of The Licensing Act, 2003, details who can be a premises licence holder,
229 but doesn't provide any means of removing them from that position when they no longer
230 meet those qualifications. As detailed above, Mr Gandecha is not the designated premise
231 supervisor yet has a position at the pub which goes beyond being a manager. In the
232 planning application Mr Gandecha has put himself forward as the owner of the pub. This
233 would be as either a freeholder or a leaseholder. At the time of writing my representations

Signature



Date


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STATEMENT OF WITNESS continued -

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

234 I am still waiting to find out what his financial relationship to the pub is. If by the time of the
235 hearing no evidence has been produced to show Mr Gandecha's financial connection to
236 the pub, I request that Mr Gandecha is banned from having any involvement in the running
237 of the pub because he has failed to uphold the Licensing Objectives. I request that the
238 following condition is added to the licence:

239 MR SANJAY GANDECHA SHALL HAVE NO PART IN THE RUNNING OF THE PUB
240 UNLESS HE BECOMES THE PREMISES LICENCE HOLDER. 

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260

Signature 

Date

Page, 11

STATEMENT OF WITNESS continued -

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

261 This statement (consisting of 12 page(s) and signed by me) is true to the best of my knowledge and belief
262 and I make it knowing that, if it is tendered in evidence, I should be liable to prosecution if I have wilfully
263 stated in it anything I know to be false or do not believe to be true.

264

265

Signature



Date:

267

Signature

Date

Page. 12

1.

From: Lucky Sidhu : Aston Brooke Solicitors

Sent: 28 September 2020 17:23

To: 'Alex Lisowski'

Cc: Ash Waghela

Subject: RE: Premises licence variation for The Case is Altered : GAN003-0003 : GAN003-0003 : GAN003-0003

Dear Alex

My client has confirmed that they do not require films/live music/recorded music or dance performances in the beer garden.

I note your comments that there is a risk that the licensing authority may make representations against the application if the above are required, however as our client has stated that these are not- could you kindly update your file and ensure that it is noted that the variation is to sell alcohol only in the beer garden area.

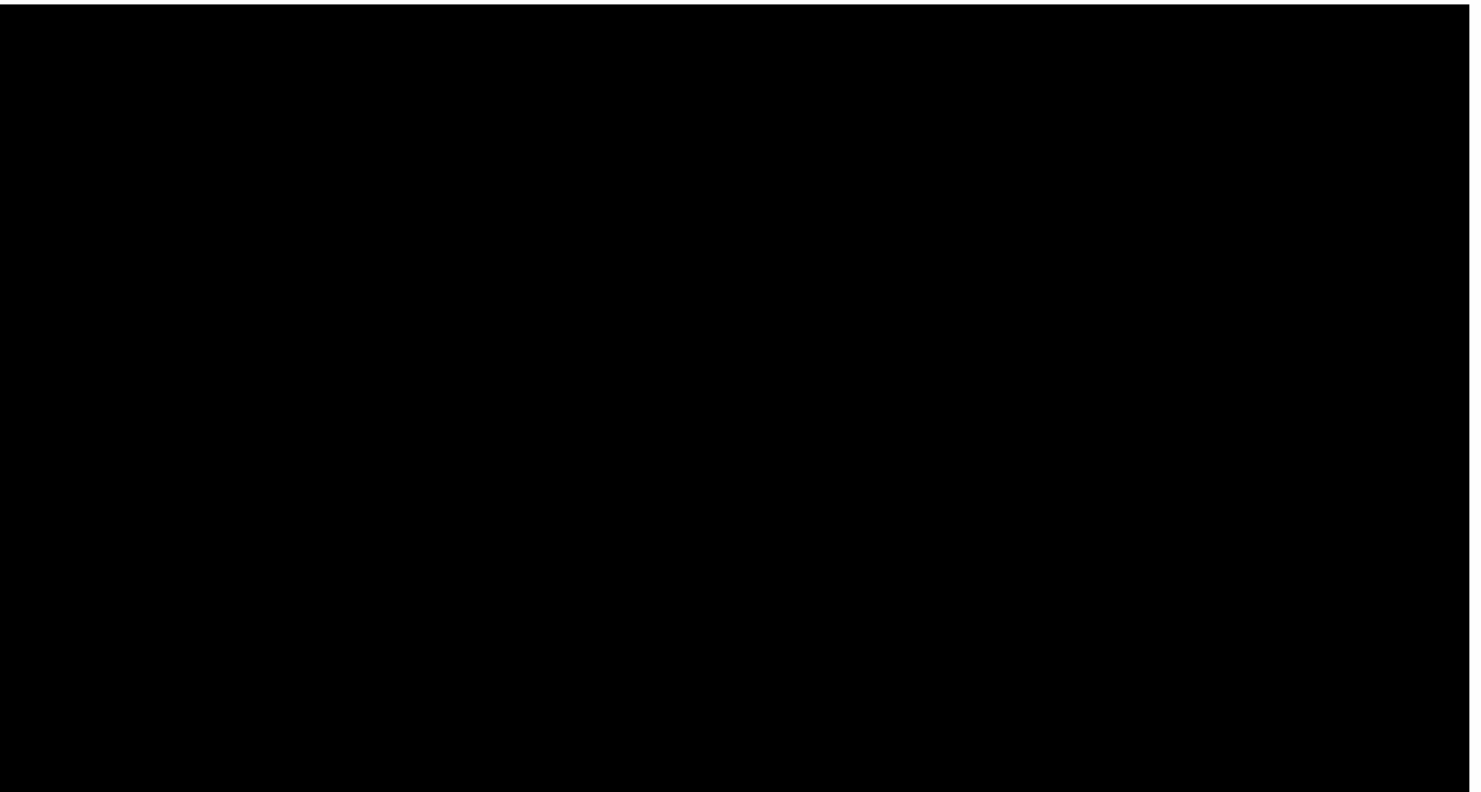
I look forward to hearing from you.

Regards

Miss Lucky Kaur Sidhu

Solicitor

Aston Brooke Solicitors



2.

Alex Lisowski

From: Lucky Sidhu : Aston Brooke Solicitors <lucky.sidhu [REDACTED]>
Sent: 28 September 2020 17:52
To: Alex Lisowski
Cc: Ash Waghela
Subject: FW: Premises licence variation for The Case is Altered : GAN003-0003 : GAN003-0003 : GAN003-0003

Dear Alex

Please ignore my email below, I have taken further instructions, and my client has stated that they have no intention of showing films/live music/recorded music or dance performances in the beer garden. However, as there are no neighbouring properties they do not think that this should cause an issue of nuisance to the local residents, therefore please do not remove this from the licence application.

In respect of the timing, my instructions are that these are normal licensing hours dictated by Government regulations.

Regards

Miss Lucky Kaur Sidhu

[REDACTED]

[REDACTED]

From: [Lois Smith](#)
To: [license](#)
Subject: The Case is Altered, Old Redding, Harrow
Date: 26 October 2020 23:57:52

Dear Sir / Madam

My representation for the above premise, in relation to their current representation to the Licensing Committee regarding the use of the outside garden is as follows:

Although the premise would appear at first viewing to have only a few residents nearby to cause a disturbance to; we in the Local Authority Environmental Health Team support all residents in Harrow. There are indeed a number of properties situated at the rear of the premise and, in addition, to the front across the road and also up the hill from the premise. Properties are approximately between 150 - 300 metres away. Environmental Health have received complaints regarding noise nuisance in the past before lockdown and I had a subsequent meeting with the proprietor on site this and at this time even then gave my opinion that there should be no music played from within the garden area at any time.

Therefore conditions as follows, should be set, in the view of Environmental Health for the Case is Altered -

For rear garden and for the building itself:

- 1. Any noise, including recorded music, live music, any entertainment noise, generated from the Case is Altered, must not be higher than the background noise level at the boundary of the most sensitive premise. It should be 10dB below that of the background noise level.**
- 2. A noise limiter is to be installed at the premise to ensure that this level (point1) is not exceeded. The noise limiter is to be installed by a suitably competent person having the suitable experience and expertise in acoustics. For example an Acoustic Engineer registered with the Institute of Acoustics. All electrical outlets should be included within the limiter's range and all external equipment brought to the premise to generate or amplify noise will therefore and must make use of the limiter.**
- 3. All windows and doors to be kept shut when entertainment generating noise is in progress.**
- 4. No *live music* or *live instruments* or *microphones* to be played or used in the garden at *any time*.**
- 5. All customers to vacate rear garden by 8pm.**
- 6. Rear garden to only be in use Monday to Saturday.**
- 7. Closing times to the public should be 2330 every day and a suitable dispersal plan in place to facilitate customers leaving in a manner as to not cause nuisance and disturbance.**

Many thanks

Mrs L Smith
Environmental Health Officer
Environmental Protection Team
Wed, Thurs and Friday plus nights
07927 548856

From: [Stephen Greek](#)
To: [Alex Lisowski](#); [Ash Waghela](#)
Cc: [license](#); [Ramji Chauhan](#); [Pritesh Patel](#)
Subject: Licensing Application at The Case is Altered Public House, Old Redding - Representation from Harrow Weald Councillors
Date: 22 October 2020 12:18:49

Dear Mr Lisowski and Mr Waghela

We are writing in response to the application for a Variation of Premises Licence in respect of The Case is Altered Public House, Old Redding, as the three local ward councillors for Harrow Weald.

We would like to make a representation on this application on the grounds of prevention of crime and disorder, public safety and prevention of public nuisance.

A number of significant concerns have been raised by local residents regarding potential noise and traffic impacts from the proposed new licensable activity in the outside decking area, particularly if there is unrestricted opening late at night.

Therefore, we would not be supportive of extending the permitted licensing hours for the outside areas, beyond the current limit of 11.30pm that currently applies in the beer garden, including weekends. Nor would we be supportive of extending music and dance into any outside area, which we understand would be a consequence of the application as it currently stands.

Neither of these extensions of licensable activity would be appropriate for an outside area in this sensitive green belt location, with the potential to cause significant public nuisance to surrounding properties and to exacerbate the existing safety and disorder issues in the surrounding area that harm local quality of life.

We would therefore not see any grounds to relax or remove the licence restrictions that current exist for these activities, and we would strongly request and urge the committee to maintain such restrictions in any decision it makes.

Thank you for taking the time to consider our representation.

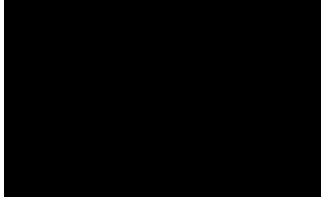
Yours sincerely

Clrs Stephen Greek, Ramji Chauhan and Pritesh Patel
Councillors for Harrow Weald, London Borough of Harrow

From: [Emmanuel Aharoni](#)
To: [license](#)
Subject: Licensing Objection
Date: 09 October 2020 15:04:03

From:

Emmanuel Aharoni



To:

Licensing Department

Harrow Council

Civic Centre

Station Road

Harrow

HA1 2XY

Date: 9th October 2020

Dear Sir/Madam,

Licensing Application to vary the Licence of 'The Case Is Altered' pub, Old Redding

I wish to object to this application. I know the pub – it is in the Green Belt, and is known for its quiet location and rural atmosphere. It should not be allowed to play music outside at all, and definitely not until 2.30am on the weekends, and not up to 11.30pm during the weekday, and not from 10.00am in the morning. This will cause a public disturbance in the form of sound pollution to the local residents. This application should not be granted.

Yours faithfully,

Emmanuel Aharoni

From: [Maureen Aharoni](#)
To: [license](#)
Subject: Licensing Objection
Date: 09 October 2020 18:49:08

From:
Maureen Aharoni

To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date: 9 October 2020

Dear Sir/Madam,

Licensing Application to vary the Licence of 'The Case Is Altered' pub, Old Redding

I wish to object to this application. I know the pub – it is in the Green Belt, and is known for its quiet location and rural atmosphere. It should not be allowed to play music outside at all, and definitely not until 2.30am on the weekends, and not up to 11.30pm during the weekday, and not from 10.00am in the morning. This will cause a public disturbance in the form of sound pollution to the local residents. This application should not be granted.

Yours faithfully,

Maureen Aharoni

From: Hasu & Manoj Anand, [REDACTED]

To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date: 22 October 2020

Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Application to vary the Licence

I wish to object strongly to this licence application. I know the pub, and it is situated in the Conservation Area in a quiet neighbourhood. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents. This application should not be granted.

Yours faithfully,

[REDACTED]
Manoj Anand

[REDACTED]
Hasu Anand



Licensing Department,
Harrow Council,
Civic Centre,
Station Road,
Harrow HA1 2XY.

7th October 2020.

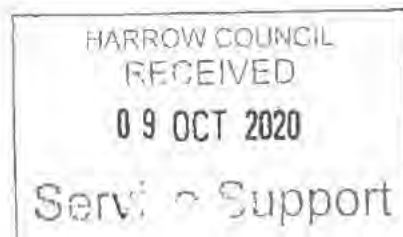
Dear Sir/Madam,

**Licensing Application to vary the Licence of 'The Case Is Altered' pub,
Old Redding**

I wish to object to this application. I know the pub – it is in the Green Belt, and is known for its quiet location and rural atmosphere. It should not be allowed to play music outside at all, and definitely not until 2.30am on the weekends, and not up to 11.30pm during the weekday, and not from 10.00am in the morning. This will cause a public disturbance in the form of sound pollution to the local residents. This application should not be granted.



Steven Astaire





To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

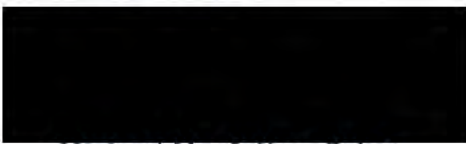
Date:12 October

Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Licence Application to vary Licence

I wish to object to this licence application. I am a neighbour of the pub. This area is a Conservation Area and a quiet neighbourhood. However the pub has frequently over the past year played loud music outside in the garden to the disturbance of the neighbours. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents, to the detriment of the neighbourhood. This application should not be allowed.

Yours faithfully



Mrs and Mrs Jeffrey Baker



From: [Tony Bernie](#)
To: [license](#)
Subject: The Case is Altered.
Date: 16 October 2020 23:06:34

Sir, I'd strongly object at the application made by the above in Old Redding, Harrow. This application seeks an extension to the permanent opening hours through to 02.30 daily.

Road parking at present is as seen here, prohibiting a flow of traffic. With the near by public car park, when repairs are completed closing at 6.00pm, road parking will be extended into the early hours.



Here seen are the regular signs of drugs in the close vicinity, extended opening times will without doubt prolong and encourage these activities.

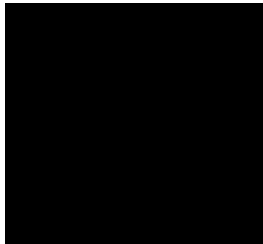


A J Bernie
[Redacted]

From: [howard.sherman](#)
To: [license](#)
Subject: Licensing Objection
Date: 07 October 2020 12:05:51

From:

Carole Bloom



To:

Licensing Department

Harrow Council

Civic Centre

Station Road

Harrow

HA1 2XY

Date: 07/10/20

Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Licence Application to vary Licence

I wish to object to this licence application. I am a neighbour of the pub. This area is a Conservation Area and a quiet neighbourhood. However the pub has frequently over the past year played loud music outside in the garden to the

disturbance of the neighbours. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents, to the detriment of the neighbourhood. This application should not be allowed.

Yours faithfully,

Carole Bloom

From: [Pat Blount](#)
To: [license](#)
Subject: Licensing at the Case is Altered
Date: 09 October 2020 16:51:59

I was shocked to discover that the above has applied for the garden to be fully licensed on the following days and times:

Monday – Thursday 10.00 am to 11.30 pm
Friday and Saturday 10.00 am to 2.30 am
Sunday 10.00 am to midnight

This application, if granted, will cause unacceptable disturbance to all residents, including ourselves.

We have in the past suffered with loud music on summer days – noise has a habit of resounding.

This area is recognised as peaceful and rural – loud music does not fit with this description especially starting early in the day and until the early hours of the morning.

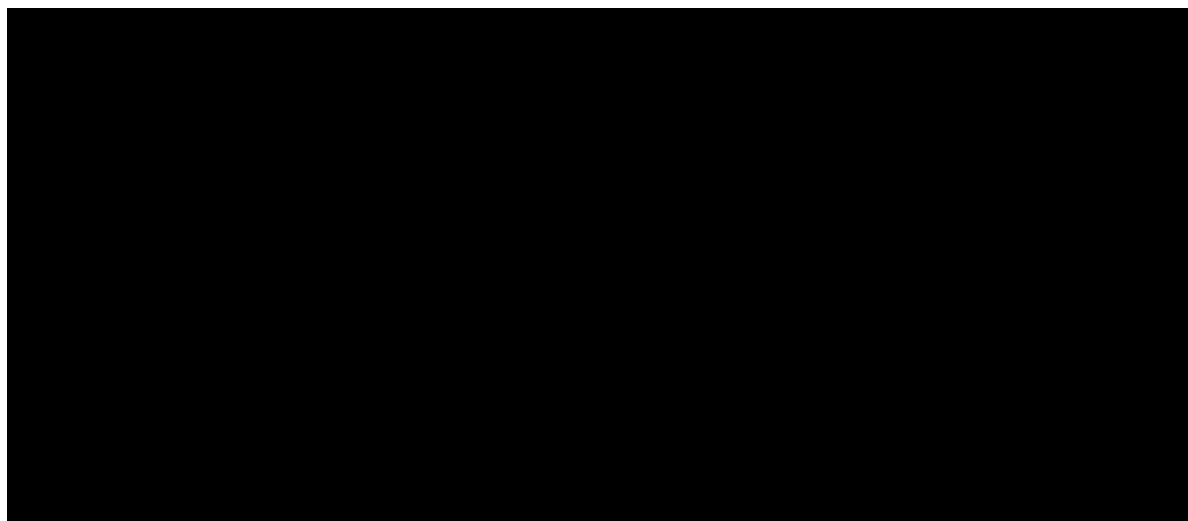
The above notwithstanding, the additional traffic which this may bring to the area will be highly dangerous.

The viewpoint car park has limited opening hours and therefore will not be used by patrons. Parking would have to be on Old Redding. When parking is allowed outside the premise, due to the narrow width of the road and its winding nature, we are practically passing on the opposite side of the road. This is an accident waiting to happen!

This application, if studied carefully, must not be permitted.

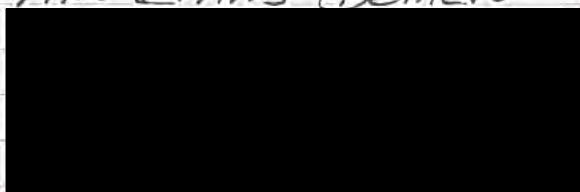
Yours faithfully

Mrs. P. Blount



Mr & Mrs Delnevo

14th October 2020



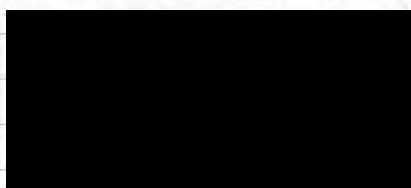
Licensing Department
Harrow Council
Civic Centre, Station Rd
Harrow, HA1 2XY

To Whom it May Concern,

I am writing this letter to Strongly Object to the planning applications for the pub. The case is Altered, situated in Old Redding. I strongly object to both the pub being allowed to play both live and recorded music until 2.30am and the request for expansion in the terracing area in the garden. This is a conservation area. Last year the pub played loud music relentlessly without a licence. It appears they believe they are a nightclub not a pub. They behaved like a law unto themselves. Please do not allow this to go ahead as it would turn an ever decreasing area of Natural Beauty and calm into a nightmare for local residents.

Yours Sincerely

Mr & Mrs Delnevo



From: [Angela Downes](#)
To: [license](#)
Subject: 2. Planning Application P/3029/20 case Is altered Pub Old Redding
Date: 23 October 2020 18:44:21

23rd October 2020

Dear Sir/Madam,

Today I have been informed that the Case Is Altered Public House has made an application to vary its Licence to include extending its opening hours and allowing them to play music outside.

I oppose and object to the application.

I grew up in a neighbouring property which my parents still own & reside in next to the Case Is Altered. That address is [REDACTED]

I understand that the application is to extend the opening hours to 2.30am and to play live and recorded music in the garden. It seems to me that the application, if granted, will have the impact of turning The Case Is Altered Public House into The Case Is Altered Nightclub.

CRIME AND DISORDER

If the application is granted I anticipate that the Public House will become a destination for people after other venues have closed. The clientele may well have already been drinking elsewhere. It is likely to attract an element of the population intent on selling illegal substances which the car park nearby has already had problems with.. In the past Middlesex and Herts Country Club was located in Old Redding, may I remind the Licensing Committee that the nightclub was closed following a shooting at the venue along with numerous car crashes & antisocial behaviour. Do we really need to repeat bad history? The overworked Police were unable to keep the car park free of criminal activity recently and I have no confidence that they have the resources to ensure that the Case Is Altered does not become the new problem.

LATE NIGHT NOISE

If this application is successful late night noise which carries surprisingly far in the quiet of night will be imposed on local residents and those who like to visit this Old Redding conservation area and stunning views over London. I thought the current works in the car park were to encourage families to be outside & push out any drug dealing anti social behaviour of late.

A licence to play music until the early hours would have a huge impact on all of the local residents. This is the most inappropriate venue for a Night Club.

My father who also lives in Old Redding has multiple health problems including dementia. His tolerance to loud noises is very limited and I fear that he could be emotionally harmed by the sounds of loud music during the night.

PUBLIC SAFETY

Public safety will be compromised if the application is granted. Since the car park recently closed for refurbishment drivers have parked in inappropriate dangerous places in Old Redding causing a risk to pedestrians, cyclists and other car users. As someone who drives on the road often I have already had to speak to police about the issue. They park illegally outside The Case is Altered already & it is dangerous for all.

I can only imagine the chaos in Old Redding at night if this venue becomes a late night /early hours of the morning music venue. Sadly Old Redding is a road where there have been many road traffic accidents over the many years that I have lived here. There have also been many fatalities. When Middlesex & herts. Country club was open I could lay in bed & hear a screech of brakes/ a large bang?then screams, we often had to call 999. Has the Licensing Committee considered how people will get home? There are no pavements through more than half of Old Redding. It will be a very dangerous walk for those foolish enough to do it.

OTHER NUISANCE

The Local Authority May be aware of the problem with litter mess left by users of the car park until it closed earlier this year. I speculate that the increased footfall that a late night music venue will attract will also result in more litter nuisance. I have seen this year a huge increase in the disposal of the silver capsules used for the inhalation of some kind of happy gas used by those seeking highs. I have seen patches of these capsules running to hundreds at a time in the Old Redding fields. I am sure that this nuisance will be increased if a late night music venue is allowed.

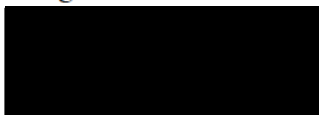
OTHER MATTERS

I have been informed(although I do not know if this is correct) that a member of the Licensing Committee is related to a person connected with The Case Is Altered. If any member of the Licensing Committee is in any way connected to the owners, management or employees of The Case Is Altered then he/she must recuse him/herself otherwise there is a clear conflict of interest.

Please dismiss this application. The Case is Altered should be a family, country public house. It is not and should not become a nightclub.

Yours sincerely

Angela Downes



From: [Donna Downes](#)
To: [license](#)
Subject: The Case Is Altered Pub - Application to vary the Licence
Date: 21 October 2020 21:15:53

21st October 2020

Dear Sir/Madam,

It has today come to my attention that the Case Is Altered Public House has made an application to vary its Licence to enable it to extend its opening hours and to play music outside.

I strongly oppose and object to the application.

I reside at [REDACTED] property to the Case Is Altered albeit separated by some beautiful, peaceful fields. My address is [REDACTED]

I understand that the application is to extend the opening hours to 2.30am and to play live and recorded music in the garden. It seems to me that the application, if granted, will have the impact of turning The Case Is Altered Public House into The Case Is Altered Nightclub.

CRIME AND DISORDER

If the application is granted I anticipate that the Public House will become a destination for people after other venues have closed. The clientele may well have already been drinking elsewhere. It is likely to attract an element of the population intent on selling illegal substances. We know from past experiences that this happened years ago when the Middlesex and Herts Country Club was located in Old Redding. I remind the Licensing Committee that the nightclub was closed following a shooting at the venue. We also have very recent experience of criminal activity in the car park next to the Case Is Altered. The culprits may well target the Public House. The overworked Police were unable to keep the car park free of criminal activity. I have no confidence that they have the resources to ensure that the Case Is Altered does not become the new problem.

LATE NIGHT NOISE

If the application is granted late night noise will be imposed on not only the local residents but also those who like to visit this jewel of a conservation area to enjoy the walks, the peace and space of the open fields and woods, not to mention the stunning views over London. In the summer months many people, both local and from further afield, enjoy evening walks in the nearest that Harrow has to countryside. This enjoyment would be blighted if The Case Is Altered was licensed to play music outside at any time.

A licence to play music until the early hours would impact on all of the local residents. Sound carries in the still of the night and I dread the thought of hearing the thud and boom of the base intruding on this environment.

My father who also lives at this address has multiple health problems including dementia. His tolerance to loud noises is limited and I fear that he could be emotionally harmed by the sounds of loud music during the night.

PUBLIC SAFETY

I have no doubt that public safety will be compromised if the application is granted. Since the car park closed drivers have already parked in inappropriate places in Old Redding causing a risk to pedestrians, cyclists and other car users. I can only imagine the chaos in Old Redding at night if this venue becomes a late night /early hours of the morning music venue. Sadly Old Redding is a road where there have been many road traffic accidents over the many years that I have lived here. There have also been many fatalities. The later it is at night, the greater the risk to all road users. Has the Licensing Committee considered how people will get home? There are no pavements through more than half of Old Redding. It will be a very dangerous walk for those foolish enough to do it.

OTHER NUISANCE

The Local Authority May be aware of the disgusting litter mess left by users of the car park until it closed earlier this year. I speculate that the increased footfall that a late night music venue will attract will also result in more litter nuisance. I have seen this year a huge increase in the disposal of the silver capsules used for the inhalation of some kind of happy gas used by those seeking highs. I have seen patches of these capsules running to hundreds at a time in the Old Redding fields. I am sure that this nuisance will be increased if a late night music venue is allowed.

OTHER MATTERS

I have been informed(although I do not know if this is correct) that a member of the Licensing Committee is related to a person connected with The Case Is Altered. If any member of the Licensing Committee is in any way connected to the owners, management or employees of The Case Is Altered then he/she must recuse him/herself otherwise there is a clear conflict of interest.

Please dismiss this application. The Case is Altered should be a family, country public house. It is not and should not become a nightclub.

Yours faithfully
Donna Downes

Sent from my iPad

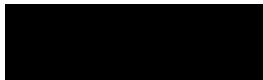
From: [Edward FULLER](#)
To: [license](#)
Subject: Proposed licence extension at The Case is Altered, Old Redding.
Date: 08 October 2020 19:33:42

Sir/Madam,

I wish to oppose the application to extend the licence at the above premises. Prior to the construction of the decking at the rear of the pub the noise generated was a nuisance and since its construction the noise has increased. The disturbance is already intolerable without a licence extension and contemplating music in the rear garden of a country pub at on an elevated site as late as 02.30 is horrifying. The tenants of these premises have already shown their disregard for law and regulations by flouting noise levels, responding to complaints but then turning the sound back up again. The throbbing of music that can be heard at my house late at night from these premises is an indication of how dreadful it must be for residences closer to the pub. I can not think of anything worse than this proposal which has effectively turned a small country pub in a quiet and rural conservation area into what is effectively a disco/night club. If it were allowed to spill out into the rear garden until the early hours no one will get any sleep.

Yours sincerely,

Edward Fuller.



Sent from [Outlook](#)

From: Laurence Gerrard

[Redacted]

To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date: 7th, October 2020

Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Licence Application to vary Licence

I wish to object to this licence application. I am a neighbour of the pub. This area is a Conservation Area and a quiet neighbourhood. However the pub has frequently over the past year played loud music outside in the garden to the disturbance of the neighbours. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents, to the detriment of the neighbourhood. This application should not be allowed.

Yours faithfully

[Redacted]

LETTER RECEIVED 8 OCTOBER 2020

From:
Nicola Gibbins



08/10/20

To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date:

Dear Sir/Madam,

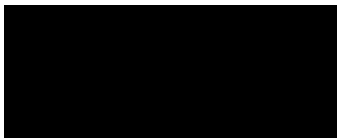
The Case Is Altered pub, Old Redding: Licence Application to vary Licence

I wish to object to this licence application. I am a neighbour of the pub. This area is a Conservation Area and a quiet neighbourhood. However the pub has frequently over the past year played loud music outside in the garden to the disturbance of the neighbours. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents, to the detriment of the neighbourhood. This application should not be allowed.

Yours faithfully,

Nicola Gibbins

From:
Stacie Gross



08/10/20

To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date:08/10/20

Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Licence Application to vary Licence

I wish to object to this licence application. I am a neighbour of the pub. This area is a Conservation Area and a quiet neighbourhood. However the pub has frequently over the past year played loud music outside in the garden to the disturbance of the neighbours. It should not be allowed to play loud music outside. This will cause a public disturbance and nuisance to all the local residents, to the detriment of the neighbourhood. This application should not be allowed. It will only interfere with the comfort of being in our own home due to the excessive noise which can be heard for some distance.

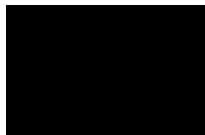
This is a lovely neighbourhood, the music that is often played from this pub is a nightmare due to its loudness, this can be heard from our house. It also causes issues with traffic due to the amount of people that attend to these events. We don't wish for a night club (which in essence is what it will be), to be operating at the end of our road. We have issues with people parking down our road, leaving the pub to only use our road as a place to have sex and to take drugs.

Yours faithfully,

Stacie Gross

From: [Ashish Gupta](#)
To: [license](#)
Subject: Licensing Application to vary the Licence of 'The Case Is Altered' pub, Old Redding
Date: 10 October 2020 17:45:49

From:
Ashish Kumar Gupta



10/10/2020

To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date: 10/10/2020

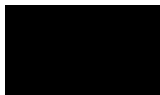
Dear Sir/Madam,

Licensing Application to vary the Licence of 'The Case Is Altered' pub, Old Redding

I wish to object to this application. I know the pub – it is in the Green Belt, and is known for its quiet location and rural atmosphere. It should not be allowed to play music outside at all, and definitely not until 2.30am on the weekends, and not up to 11.30pm during the weekday, and not from 10.00am in the morning. This will cause a public disturbance in the form of sound pollution to the local residents. This application should not be granted.

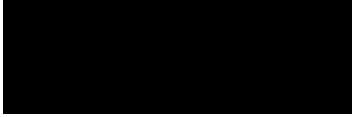
Yours faithfully,

Ashish Kumar Gupta,



From:

Paulette Harash



To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date: 17th October 2020

Dear Sir/Madam,

Licensing Application to vary the Licence of 'The Case Is Altered' pub, Old Redding

I wish to object to this application. I know the pub – it is in the Green Belt, and is known for its quiet location and rural atmosphere. It should not be allowed to play music outside at all, and definitely not until 2.30am on the weekends, and not up to 11.30pm during the weekday, and not from 10.00am in the morning. This will cause a public disturbance in the form of sound pollution to the local residents. This application should not be granted.

Yours faithfully,

Paulette Harash

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 J. J. A. MAW 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 <u>THE CASE IS ALTERED OLD REDDING</u>	
Post town <u>HARROW</u>	Post code (if known) <u>HA3 9E</u>

Name of premises licence holder or club holding club premises certificate (if known) <u>MR MICHAEL VAZAN 183</u>
Number of premises licence or club premises certificate (if known) <u>LN/000000547/2010/14</u>

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
(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	
J. J. A MAW HATFIELD END ASSOCIATION	
Telep	<div style="background-color: black; width: 100%; height: 20px;"></div>
E-ma	<div style="background-color: black; width: 100%; height: 20px;"></div>

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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children form harm

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

The Hatch End Association, founded in 1929 has a membership of some 2000 households and 50 businesses in the Hatch End area. While the Case is Altered is not in Hatch End our members use the surrounding area designated as an area of Special Character.

We consider this variation application to very considerably increases the size and nature of the premises and a new premises licence should be made as stated in the application Section 2 introduction. The variation increases the size of the licenced area tens of times and covers outside beer garden provision as well as inside premise in place of the inside premises only previous covered.

We think this is also required with the change to the adjacent parking facility which are now closed at sunset and there is no other parking provision for the premises with a double white lined roadway outside the premises. The parking of cars on the road has been causing public nuisance and traffic safety hazards during the present closure of the adjacent carpark for refurbishment.

If a new application is not required

See over

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

Our representation is against the extension of the of the licensed Premises to the rear decking and beer garden. While the sale of alcohol is limited to the to the building and rear decking and the Licensable Activities to the building the beer garden will be available during licensing hours for consumption of alcohol till 02:30 at weekends. This is contrary to existing licence Condition 2 which states that 'vacate outside area beer garden by 23:30' which was a provision to prevent public nuisance of noise and light in a secluded residential area.

It is our experience that the late night noise from customers of licenced premises while drinking and then while leaving causes considerable nuisance to the surrounding residents when not contained within a building . This would not be the case with the Case is Altered if the variation is granted. Clients in the beer garden and rear decking drinking till two thirty in the morning at weekends will cause unacceptable noise and light nuisance.

The variation to the licence should not be granted.

Please tick
yes

Have you made a representation relating to this premises before

No

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

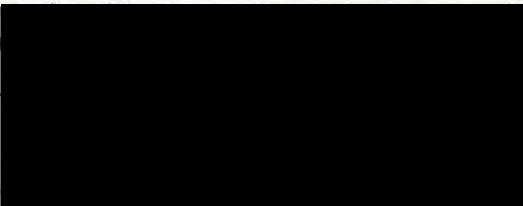
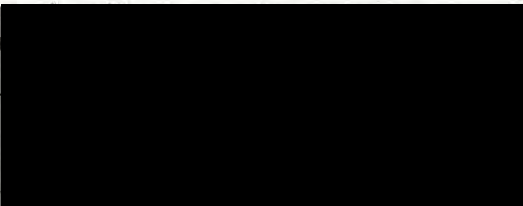
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If you have made representations before relating to this premises please state what they were and when you made them

--

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  er duly authorised agent. (please read guidance note 4)
 If signing  what capacity.

Signature

Date

14th October - 2020

Capacity

CHAIR - HATCH END ASSOCIATION

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)

As BEFORE

Post town	Post code
Telephone number (if any)	
If you would prefer to receive correspondence by email, please provide your email 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.

From: [ANTHONY HEWLETT](#)
To: [license](#)
Subject: Application by "The Case Is Altered" pub , Old Redding, to vary existing License
Date: 10 October 2020 12:31:23

Dear Sir/Madam,

I wish strongly to object to this application.

As a resident in this road for 45 years I have witnessed an already unacceptable level of erosion of the tranquillity and atmosphere that the designation of 'Green Belt' was designed to maintain:-

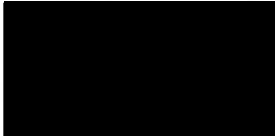
eg; The Bannister Field development has shown how loud amplified music can carry to surrounding areas to a highly antisocial degree.

This proposed application should be totally rejected with outside music forbidden -At Any Time.

Yours faithfully,

Anthony Hewlett





9 October, 2020

LICENSING DEPARTMENT
Harrow Council
Civic Centre
Station Road
Harrow HA1 2XY

Dear Sir/Madam,

Licensing Application to vary the Licence of 'The Case Is Altered' pub, Old Redding

I wish to OBJECT strongly to this unreasonable application. The pub is located in the Green Belt in a quiet and attractive area. Given its elevated location **any** music played outside does not only disturb those residents that live in Brookshill Drive, but **also** those that are as far afield in other residential roads such as West Drive and Bellfield Avenue. Sound, particularly music, travels far.

NO music should be played outside at all, whether during the day or the evening - not from 10.00 am until **11.30 pm** on weekdays, from 10.00 am until **2.30 am** on Friday and Saturday nights or from 10.00 am until **mid-night** on a Sunday.

It has been trying enough over the last few years with the summertime music and amplified events held on the Roger Bannister playing fields.

This application amounts to noise pollution, added to which greater numbers to such a venue would also mean traffic and parking problems – air pollution.

Yours faithfully,



Gail Hewlett





22 October 2020

The Licensing Officer,
Licensing Department
Harrow Council, Civic Centre
PO Box 18
Station Road
Harrow, HA1 2XY

Representation: Against Application to Vary the Licence for The Case is Altered N/00000547/2018/14

Dear Harrow Council,

I wish to strongly object to the above-mentioned planning application for The Case is Altered.

This public house has always been known as a country pub welcoming locals and walkers who want a peaceful lunch and a pint or two in a rural location.

There are many homes located close by to the pub, including my own, and during 2019 we were disturbed every weekend with loud music blaring out from the bar area where they had a DJ set up and the doors wide open. The music would often start at 11.30am and continue until 2.30am. In August 2019 they had a full jazz band of approx.. 6 people playing out on the decking in the rear garden for hours on end, they have absolutely no consideration for any of their neighbours. On the weekends when the DJ is on until 2.30am we then have to put up with cars pulling up collecting people, doors banging, people shouting and singing and generally making a nuisance until at least 4am. These issues are that we have all had to put up with are just the tip of the iceberg and already float the existing license.

My neighbours and I have chosen to live in this rural area, we have busy lives and when we come home we expect to be able to relax and enjoy time in our gardens and inside our homes without a continuous disturbance from the pub. The Case is Altered certainly should not be allowed to play music outside at any time and they should not be able to set up a bar to serve alcohol outside at any time. The decibels that we have had to put up with is unacceptable already, if Harrow were to grant permission for this application you would make the lives of the local community unbearable.

The management of this establishment have continuously broken existing licencing conditions, Harrow Council are well aware that there have been many issues. On this knowledge and with the objections from all the local residents I can see no reason why Harrow Council would grant this application. I am against the application to vary the license for The Case is Altered N/00000547/2018/14

Yours faithfully

Mr C Horohoe

From: [Penny Lawrence](#)
To: [license](#)
Subject: The Case is Altered Pub
Date: 07 October 2020 14:48:10

Dear Sir

I am writing to you with regard to the planning applications submitted by the above Pub.

As stated in my previous email I have set out my reasons for objecting to the planning applications.

There is one other point I would like to bring to your attention. When the Council extended their opening hours a few years ago, the owners took advantage of this permission by persistently setting off fireworks until 1.00am and playing loud music.

This happened on so many occasions. The owners of the Pub do not have any regard for their neighbours and obviously for the terms and conditions of their licensing conditions.

They obviously think they are above the law!

Yours faithfully
Penny Lawrence



From: **BARRIE LEVY**
CANDICE HAMMER

To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

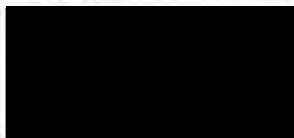
Date: 7/10/20

Dear Sir/Madam,

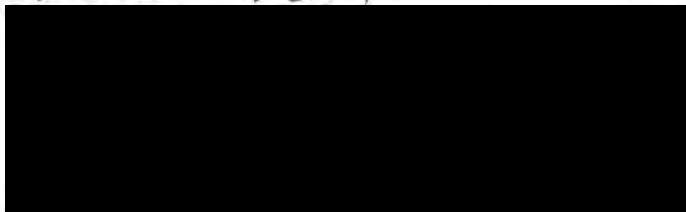
The Case Is Altered pub, Old Redding: Licence Application to vary Licence

I wish to object to this licence application. I am a neighbour of the pub. This area is a Conservation Area and a quiet neighbourhood. However the pub has frequently over the past year played loud music outside in the garden to the disturbance of the neighbours. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents, to the detriment of the neighbourhood. This application should not be allowed.

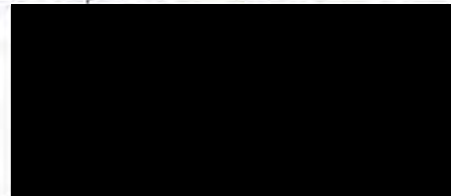
Yours faithfully,



BARRIE LEVY



CANDICE HAMMER



HARROW COUNCIL
RECEIVED
09 OCT 2020
Service Support

From:
Anish Patel



To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date: 13TH October 2020

Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Licence Application to vary Licence

I wish to object to this licence application. I am a neighbour of the pub. This area is a Conservation Area and a quiet neighbourhood. However the pub has frequently over the past year played loud music outside in the garden to the disturbance of the neighbours. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents, to the detriment of the neighbourhood. This application should not be allowed.

Yours faithfully,



Anish Patel

From:
Mrs Anisha Patel



To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date: 13TH October 2020

Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Licence Application to vary Licence

I wish to object to this licence application. I am a neighbour of the pub. This area is a Conservation Area and a quiet neighbourhood. However the pub has frequently over the past year played loud music outside in the garden to the disturbance of the neighbours. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents, to the detriment of the neighbourhood. This application should not be allowed.

Yours faithfully,



Anisha Patel

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 ... Linda Peate 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 The Case is Altered, Old Redding. Harrow Weald	
Post town Harrow	Post code (if known)

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

Part 2 - Applicant details

I am

- | | |
|---|---|
| 1) an interested party (please complete (A) or (B) below) | Please tick ✓ yes
<input type="checkbox"/> |
| a) a person living in the vicinity of the premises | <input checked="" 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 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
(for example, Rev)

Surname Peate

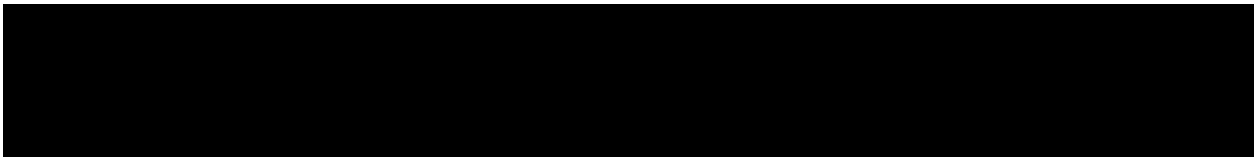
First names Linda

I am 18 years old or over

Please tick yes

Current address

<div style="background-color: black; width: 100%; height: 30px;"></div>



(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
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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children form harm



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

The premises are requesting longer opening hours -11.30 p.m Sunday - Thursday - and until 2.30a.m. on Friday and Saturday nights with live or recorded music on the premises as well as in the garden, amongst other entertainments

Having lived metres away from these premises for the last 50 years I am fully aware of the nuisance that music played outside can be (as well as announcements made on a P.A.) and have had to complain directly to the pub several times over recent years.

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

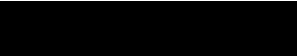
This area has specific acoustics, being along the height of the Harrow Weald ridge surrounded by open fields and woodland, which enables sound to travel further, and in consequence, louder than might be expected in a more built up area. There have been what might have been private events in the pub during the recent past, (prior to Covid 19) which were very noisy, merely due to doors being opened into the garden. If amplification were to be permitted in the garden for events it would be totally unacceptable to residents.

Extending the pub closing hours will be likely to increase the amount of anti-social noise as crowds leave, some of which take the footpaths past houses in Brookshill Drive and Copse Farm, and late night drinking has long been a catalyst for fights breaking out. I experienced similar issues with the Middx & Herts club, when that premises was based in Old Redding during the 1970' and 80's.

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. 12th October 2020

Capacity

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) lindajpeate@gmail.com	

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.

From: Amanda Phillips

[REDACTED]

To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date: 7th October 2020

Dear Sir/Madam,

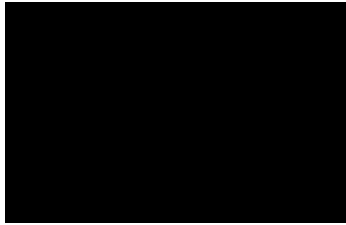
Licensing Application to vary the Licence of 'The Case Is Altered' pub, Old Redding

I wish to object to this application. I know the pub – it is in the Green Belt, and is known for its quiet location and rural atmosphere. It should not be allowed to play music outside at all, and definitely not until 2.30am on the weekends, and not up to 11.30pm during the weekday, and not from 10.00am in the morning. This will cause a public disturbance in the form of sound pollution to the local residents. This application should not be granted.

Yours faithfully,

[REDACTED]

Amanda Phillips



20 Oct 2020

The Licensing Officer, Licensing Department
Harrow Council, Civic Centre
PO Box 18
Station Road
Harrow, HA1 2XY

Representation: against Application to Vary the Licence for The Case is Altered
LN/00000547/2018/14

I wish to object most strongly to this application to vary the licence.

1. Background

We have lived here for 22 years. Our house is 170m from the pub. I and my family have been hugely troubled by noise emanating from the pub and from its customers, which is a massive public nuisance.

The pub is i) a locally listed building, ii) in the Grim's Dyke Conservation Area, iii) in an Area of Special Character, and iv) in the Green Belt. Over the past 20 years, the customers used to be ramblers, dogwalkers and people who appreciated the quietness of this country pub.

However the current pub management has tried to develop the pub business into a late-night disco venue. This is directly contrary to the character of the pub as highlighted above.

Noise carries tremendously in this area, which is high on the top of the Harrow Ridge. By making the pub into a disco venue, the current management has attracted a different kind of clientele, who appear to want the loud music and not the peace and quiet.

2. Noise from the garden: loud clientele

The customers in the garden regularly talk loudly, make noise, and shout. This noise carries across the hills of the Harrow Ridge late into the night up to and beyond 23.30, and disturbs local residents. We cannot sit in our garden anymore to enjoy the quiet and peacefulness of a summer day or evening, without noise from the pub customers in the garden disturbing us on a continual basis. This creates significant distress.

We have called the pub to complain about the nuisance that their customers make in the garden, and their response is: "We have no control over our customers." There has been no attempt whatsoever by the pub management to mitigate the disturbance caused by their customers in the pub garden. It would be absolutely intolerable if this disturbance were allowed to continue until 2.30am, as requested by the licence variation.

The disturbance continues with customers being noisy outside the pub at night.

Here is a recorded example of noisy customers at midnight on 29 Feb 2020:

<https://www.youtube.com/watch?v=qlfnq24lyJo>

Even if the Application to Vary the Licence does not include music, it should still nevertheless be rejected because of the disturbance of noise, loud talk and shouting by customers, which otherwise, if allowed until 2.30am, would prevent us from sleeping.

3. Noise from the garden: loud music

All examples below are necessarily past. Covid has changed things at present. These examples demonstrate the pub's approach to managing things before the pandemic, and show how they would therefore run things once the pandemic lifts. These examples therefore must be taken into account as evidence of how the pub is managing its licence.

The pub is not licensed to play music outside. Despite this, the pub has regularly put on music events in the garden. This example (2019) says:

“Summer Weekender (every weekend throughout the summer) Every Saturday and Sunday 12pm till 7pm in the amazing Beer Garden, DJ on the decking”:



The loud throbbing music then continued inside the pub, with the doors and windows open, until 2.30am:



There are 10 nights of music promoted in this posting alone, which, combined with the posting above for every Saturday and Sunday with a DJ playing music all day outside in the garden, makes 14 days and nights of music from the pub. The pub has relentlessly promoted the venue as a late-night disco throughout the whole of 2019 up to Feb 2020 (*see attachment: Promoting the pub as a disco.ppt*).

To understand what we have had to live through, please listen to *this example recorded on 24 Aug 2019*. At 15 seconds in, you can hear how the noise increases from 9.00pm to 11.00pm:

<https://www.youtube.com/watch?v=XGK00CfTHSg>

This noise disturbs us in our property in an overwhelming way. In the garden we cannot sit outside to enjoy the peace and quiet. In the house the noise comes through the windows in the day so I cannot concentrate in my office, and at night, keeps us from sleeping despite wearing earplugs. Things got so bad, that we left the house for several days to get away from the disturbance.

Although these examples are from last year, they must not be set aside. They are examples of how the management runs the pub without a pandemic. Had Covid not happened, the pub would have been actively running discos with similar if not greater frequency.

There must not be any way at all that the Licensing Committee should license music to be played outside the pub building.

The pub management is currently promoting the pub as an eating place, which gets round Covid rules. However if this Licence variation is granted, once Covid rules lift, there will be nothing to stop the management resuming their disco nights and the consequent blight of public nuisance noise on the neighbourhood.

4. Complaints to the pub

We have tried to resolve these problems with the pub itself. However whenever we call the pub to complain about the noise, we are always met with the same answer: “We cannot control the level of the music. That is up to the DJ/band. We have a licence to play music. We have a noise limiter. If you have a problem, write an email to the email address on the pub website.”

See Appendix at the end of this letter: *Examples of Specific Noise Complaints to the pub*

None of our complaints have had any effect at all. They have resulted in no reduction or change in noise levels. The management is significantly failing in their duty of care regarding their current licence conditions by ignoring local residents (see next paragraph). There should therefore be absolutely no extension or variation whatsoever of the licence.

5. Licence issues and Further Breaches of Licence

Comparative licences

I have reviewed other licences in Harrow, and I can find no other pub garden that has a licence to play music until 2.30am. This variation should definitely not be allowed in this quiet rural neighbourhood, restricted by Conservation, Area of Special Character, and Green Belt designations.

Licence restrictions

It will not be effective to place further stringent licence conditions on this pub, such as ‘no noise must escape from the pub boundaries’. This is already a known requirement for pubs to follow, but this is completely, consistently and deliberately ignored by the pub.

Selling alcohol outside

Although not licensed to do so, the pub has been serving alcohol in the garden: “Outside Pimms Bar” every weekend day during the summer (see ‘*Summer Weekender*’ postings above).

This has exacerbated the rowdy conversations, loud talking and shouting of customers, which noise disturbs the neighbourhood and local residents.

This serving of alcohol outside should not be allowed in any licence.

Not responding to the complaints of the local residents

Annex 2 of the 000000547 licence, it requires:

3. Reasonable steps are taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.
4. Managers are required to liaise with local neighbours as part of their duties and resolve any reasonable concerns.

Neither of these conditions have ever been followed. Local residents themselves have attempted to arrange a meeting with the publican to resolve the public nuisance of noise, but he has not complied.

6. Council contact

We have complained to Lois Smith, Jo Smith, Steve Whitbread, and Cllrs Susan Hall, Stephen Greek and Pritesh Patel.

Following our complaints to the Council, I understand Lois Smith, Environmental Health Officer, attended the area in August 2019 when there was music and noise going on, and was shocked at the level of disturbance, and spoke to the pub management about it. This has had no effect on the noise levels at all.

7. Personal Representation

I wish to make a personal oral representation at the Licensing Sub-Committee hearing in November.

I look forward to hearing from you.

Yours faithfully,

Jack Pine

Examples of Specific Complaints to The Case Is Altered pub about Unacceptable Noise Levels, 2019 - 2020

14 Jul 2019 Sunday:

Loud music had been playing outside in the pub garden all Saturday afternoon and evening. Loud music started at 13.15 outside in the pub garden.

13.45: Resident 2 called to complain, spoke to Natalie who said she was the Manager. She said: "We have a licence." I said I was not asking her to turn it off, but to turn it down, as it was causing a considerable disturbance in our garden. She said she would speak to management, and I should call back in 5 minutes.

I called back, and she said she asked the DJ, but he said some tracks will be louder than others. The music was turned down a little for about 30 minutes, then went back to the previous resounding level.

15 Jul 2019:

Resident 2 called the pub and spoke to Sanjay, who said he was the Manager. He said they were having a DJ outside in the pub garden every Saturday and Sunday from 12.00 – 19.00, and the volume level was up to them, depending on the crowd.

21 Jul 2019 Sunday:

Loud music had been going on outside in the pub garden all Saturday 20th during the day. Loud music was now vibrating outside in the pub garden into our garden.

12.30: Resident 2 asked to speak to the Manager. Was told that Holly was there, but not available. I asked for the music to be turned down. The girl answering the phone said she would get her Manager to turn the music down. It was not turned down.

13.02: Resident 2 then called back and spoke to Sarah, and asked to speak to the Manager. Was informed that there were two Managers, Holly and Emma, but neither were there. There was no management on the premises. Sarah said she could not turn the music down.

24 Aug 2019 Saturday:

Loud music throbbing through our garden.

14.54: Resident 3 called to complain, spoke to Nash, who said he was the Manager. He denied the noise was coming from the pub, and said it was coming from the carpark. Resident 3 restated that she had seen it coming from the pub. Nash said: "We are allowed to play music." Resident 3 said the music should not escape the pub's boundaries. Resident 2 spoke to him and said that we all have to live together, we are neighbours, and we can't sit in our garden. Nash said: "We have a licence", and hung up the phone. The music was not turned down,

15.47: Resident 3 called again to complain. Spoke to Mr Taylor, who said he was the Manager who said: "We will get it turned down, we have been notified about this already, and it won't happen again. The gig was already advertised, we couldn't cancel it." He refused to say who had already complained. When Resident 3 asked whether he meant it won't happen from now onwards, he said: "No, it will happen tomorrow as well, Bank Holiday." When Resident 3 said: You are not allowed to play music that escapes outside

your boundaries, Mr Taylor said: "I will get it turned down, but we've got over 500 people in the garden." The music was not turned down. It went on all day and evening.

23.00: Music was extremely loud, thumping, repetitive, rave-type music.
Resident 2 called to complain, but the phone was not answered.

Night - Loud music was thumping through the double-glazed bedroom windows.
23.10: Resident 2 called again and spoke to Natalie, who said she was the Manager. She said that if I wanted to complain about the music, I needed to send an email with the complaint. I asked if the email would be read now, and she said No. I insisted that she ask the DJ to turn the music down, and she said she couldn't interfere.

Outside music near midnight 24 Aug 2019:
<https://www.youtube.com/watch?v=TBYSWabagA0>

25 Aug 2019 Sunday:

The volume level in a nearby double-glazed residential room is 36 dB.

13.34: a live band started doing a sound-check at a loud volume.

14.15: Live music was being played in the pub garden at such a loud volume that I could not concentrate in my office. Volume in the office increased to 54 dB.

Resident 2 called to complain, and spoke to Emmy. She said the Manager, Nash, had gone out. After 2 minutes, she did in fact speak to Nash, and told him someone was complaining about the music, and asked him to speak to me, but he wouldn't. She took my number, and advised me there is an email address on the pub's website to register complaints. I said that was unacceptable, but she said the music was completely out of her control. She said the Manager would be in control of the music level, but there was no Manager there. After she took my phone number, she said she would not guarantee any measurement of time when someone would get back to me, because they were very busy, and repeated that I should send an email. No-one called back.

28 Feb 2020:

Continuous loud noise coming from the pub, described as "pumping out from the pub".

Resident 1 called to complain at 23.58, but nobody answered the phone, despite it continuing to ring. Customers left the pub, shouting and making a noise.

Noisy customers at midnight 28 Feb 2020:
<https://www.youtube.com/watch?v=qlfnq24lyJo>

*Any reference to deciBels should note that the dB level doubles with every 10 dB increase.
(0 dB is total silence. 10 dB is a sound that is 10 times more powerful than total silence.
20 dB is a sound that is 100 times more powerful. 30 dB is 1,000 times more powerful, etc.)*

Appendix: Promoting 'The Case Is Altered' as a late-night disco, 2019 - 2020

2-31 Aug 2019

Every Saturday and Sunday, in
summer 2019, all through the day

102

The Case is Altered
PRESENTS
Summer Weekender

Every Saturday & Sunday
12pm till 7pm in the amazing
Beer Garden

DJ on the Decking

Fresh and Tasty Pizzas from our
Wood Fire Pizza Oven

Live BBQ

Outside Pines Bar

The Case is Altered
Old Redding, Harrow, Middlesex, HA3 6SE | T: 0208 954 1002 | E: info@thecaseisaltered.co.uk

The Case is Altered
AUGUST PRESENTS

Let's Party
Friday 2nd & 23rd August
DJ playing your old school favourites
Free Entry, 8pm - Late

Saturday Night Fever
Saturday 3rd, 10th, 24th & 31st August
DJ playing your old school favourites
Free Entry, 8pm till late

Karaoke Night
Friday 9th August
Free Entry, 8pm till late

Live Music
Friday 16th August
Free Entry, 8pm - Late

Soul Case
Saturday 17th August
Free Entry, 8pm - Late

Back to the 80's Party
Friday 30th August
DJ playing your old school favourites
Free Entry, 8pm - Late

The Case is Altered
Old Redding, Harrow, Middlesex, HA3 6SE | T: 0208 954 1002 | E: info@thecaseisaltered.co.uk

Dates in August:

2
3
4
9
10
11
16
17
18
23
24
25
30
31

26 Jan 2019

The Case is Altered

26 Jan at 12:04



103

28 Jan 2019

The Case is Altered

28 Jan at 21:06



6 Feb 2019

The Case is Altered

6 Feb at 19:50



22 Feb 2019

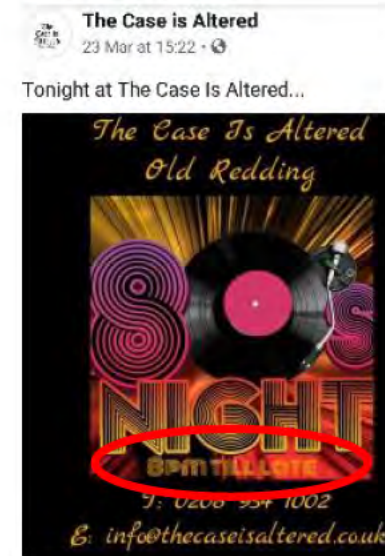
80's @thecaseharrow



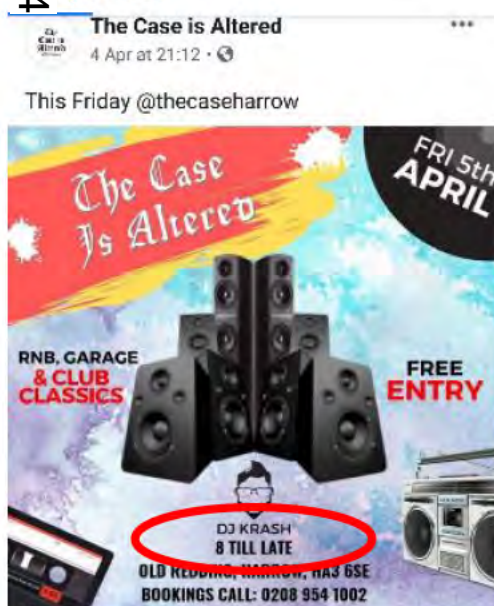
15 Mar 2019



23 Mar 2019



104 Apr 2019



27 Apr 2019



3 May 2019

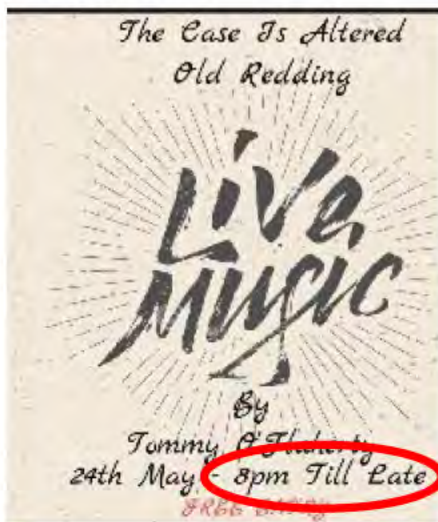
@thecaseharrow #thecaseharrow #harrow #harrowweald #harrowpub #loveharrow... See more



105

24 May 2019

#harrow #harrowweald #harrowpub #harrowtimes #loveharrow #stanmore #pinner #hatchend #northwoodhills #northwo... See more



18 May 2019

#soulnight #soulmusic #thecaseharrow #harrow #harrowweald #harrowpub #harrowtimes #loveharrow #s... See more



23 May 2019

The Case is Altered 23 May at 19:20 · 🌐

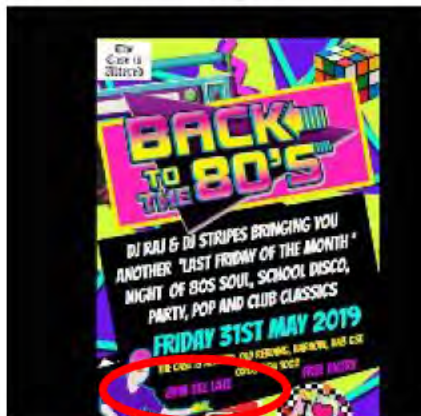
#thecaseharrow #harrow #harrowweald #harrowpub #harrowtimes #loveharrow #stanmore #pinner #hatchend #northwoodhills #northwood #bushey #watfordobserve... See more



31 May 2019

The Case is Altered 30 May at 07:25 · 🌐

This Friday our 80's Night with DJ Raj & DJ Stripes playing your old skool favourites @thecaseharrow #thecaseharrow #harrow #harrowweald #harrowpub #l... See more



1 June 2019

The Case is Altered

1 Jun at 20:05

Tonight @thecaseharrow #thecaseharrow #harrowweald #harrowpub #harrowtimes #loveharrow #stanmore #pinner #hatchend #southharrow #northharrow #northwoo... See more



106

15 June 2019



21 June 2019



28 June 2019



26 July 2019



14 Sept 2019

The Case is Altered
16 hrs · 🌐

DJ RAJ spinning your Old Skool favourites this Saturday from 8pm @thecaseharrow
#thecaseharrow #harrowweald #harrowpub
#harrowtimes #loveharrow #stanmore
#pinner #hatchend #southharrow
#northharrow #northwoodhills #northwood
#bushey #watfordobserver #watfordforyou
#rickmansworth #chorleywood #edgware
#80snight #oldskoolmusic
#dancethenightaway #DJ #Saturdaynight
#funwithfriends #danceanddrink #celebrate



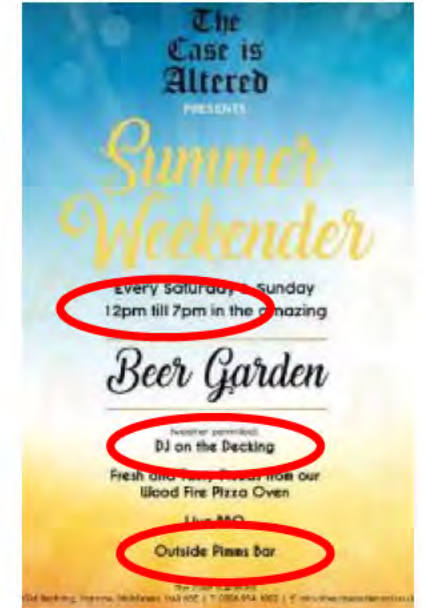
21 Sep 2019



27 Sep 2019



Every Saturday and Sunday, in summer 2019, all through the day



107

12 Oct 2019



108

5, 12, 19 and 26 Oct 2019

facebook



Come and join us tonight as DJ Rony will be playing all your old skool favourites from 8pm @thecaseharrow #thecaseharrow #harrowweald #harrowpub #harr... See more



1 Nov 2019



13 Dec 2019



31 Dec 2019



31 Jan 2020

18 Jan 2020

110

14 Feb 2020

15 Feb 2020

From: [Jessica Pine](#)
To: [license](#)
Subject: LN/000000547/2018/14 The Case Is Altered application to vary the Licence
Date: 25 October 2020 17:39:40

[REDACTED]

22 October 2020

Dear Licensing Officer,

Application for VARIATION OF THE EXISTING PREMISES LICENCE
The Case Is Altered Public House, Old Redding, Harrow Weald, Harrow, HA3 6SE
LN/000000547/2018/14

I live [REDACTED] As a local resident, I wish to object to this application.

I am a student, and I spend my summers revising, reading and doing university work in my garden. This has never been a problem until August last year, when I was disturbed very frequently by music and loud talking and shouting from the garden of The Case Is Altered. The disturbance was so bad that I could not concentrate, and I had to go indoors.

Then inside the house I heard music coming from the pub garden, which was loud, repetitive and disturbing. On a regular basis, particularly at the weekends, I now could not concentrate inside my house.

When I looked at what had changed, I realised that it was because they had built a three-tier decking terrace in the garden, and people who were attracted to this decking were making the noise, and also music was being played outside on the decking itself. I found out that the pub actually advertised music being played outside on the decking.

This noise and music was so frequent and so loud, that I could not sleep at night, and I began to have regular disturbed sleep.

I beg you therefore to reject this Licensing Application.

Yours faithfully,

Jessica Pine

From: [Sarah Pine](#)
To: [license](#)
Subject: LN/000000547/2018/14 The Case Is Altered application to vary the Licence
Date: 25 October 2020 19:47:21

Licensing Officer, Licensing Department
London Borough of Harrow
Civic Centre
PO Box 18
Station Road
Harrow
HA1 2XY

22 October 2020

Dear Sir / Madam,

Application for VARIATION OF THE EXISTING PREMISES LICENCE
The Case Is Altered Public House, Old Redding, Harrow Weald, Harrow, HA3 6SE
LN/000000547/2018/14

I live [REDACTED] As a local resident, I want to object to this application.

Over the past year and a quarter my life has been made a misery by the pub's deafening music, loud shouting and raucous behaviour emanating from the pub's garden. What was a rural and peaceful pub has been turned into a nightclub/disco.

The noise and music has been frequent and intolerably loud. I phoned the pub on many occasions to complain to the manager and different staff members, asking them to reduce the volume of the music. I was ignored, so I actually went into the pub many times to have face-to-face conversations to register my complaints. Again I was ignored. The music regularly continued unabated into the early hours. The thumping music and customer noise has disturbed my sleep at night and caused me stress, with the result that it has impacted my ability to live my life normally. On some weekends the noise pollution was so stressful I left my house to go and stay with my mother.

The pub takes no responsibility for what goes on in its premises. They have continued their abuse of the neighbours, ignoring our rights, and ignoring their responsibilities as licensed publicans and Designated Premises Supervisors. This Variation of License seeking additional hours would further terrorise us with the noise pollution.

I urge you therefore to reject this Licensing Application.

Yours faithfully,

Sarah Pine
[REDACTED]

From: [Bill Puplett](#)
To: [license](#)
Subject: Objection to Licensing Application No. 997002
Date: 21 October 2020 08:23:04
Attachments: [PastedGraphic-1.tiff](#)

HARROW COUNCIL
LICENSING SECTION
STATION ROAD
HARROW

21st October 2020

Submitted by E-mail

Representation against Licensing Application No. 9976002 under the Licensing Act 2003

Premises Address : The Case is Altered Old Redding Harrow Weald

I am a local resident in the vicinity of these premises and have noted the details of the application proposal.

I object to the granting of this license on the following grounds :

i) The prevention of public nuisance

ii) The prevention of crime and disorder

i) The proposal to extend the licensing hours to 2.30 am at weekends to include live outside events involving PA and amplification equipment etc. would cause unreasonable levels of nuisance to local residents. Noise levels from indoor music at these premises has proved to cause much disturbance in the past, and the prospect of exacerbating this nuisance into the early hours is wholly unacceptable. This local semi-rural area is one of the quietest locations in the borough, and high on the Harrow Ridge sound carries readily and more so than built up areas. Patrons leaving the premises at these times would further the nuisance with the noise of car doors, engines etc.

ii) The correlation between late night drinking and public disorder is well known, and this would potentially cause added disturbance and disruption.

This is a most inappropriate location to grant such an extended license and I see no reason why this public house could not operate perfectly well within normal licensing hours.

MR W J PUPLETT



Jack Rubins F.I.P.A.



13th October 2020



Dear Sir/Madame,

Re Licence application to vary Licence
The Case is Altered pub, Old Redding

I wish most strongly to object to this application which is totally out of character with what is now a quiet peaceful residential area.

Apart from the unacceptable late night noise, parking will be a major problem on what is a narrow country-like road. The danger is obvious and must be avoided.

The application should be refused.

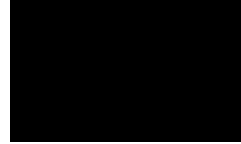
Yours faithfully



Jack Rubins

The Licensing Department
Harrow Council





22 October 2020

The Licensing Officer, Licensing Department
Harrow Council, Civic Centre
PO Box 18
Station Road
Harrow, HA1 2XY

Representation: Against Application to Vary the Licence for The Case is Altered N/00000547/2018/14

Dear Sirs,

My home is located very close to The Case is Altered and since moving here just a few years ago we have had nothing but issues with nuisance noise coming from the pub. I believe that this used to be classed as a country pub where locals and walking groups would spend a pleasant afternoon, unfortunately this is now far from what is happening now.

Pre-Covid there were adverts on social media every weekend promoting disco music until 'late' which often meant until 2.30am. Punters would be out the front of the pub smoking in large groups shouting and singing along to the DJ music at all hours of the night. Under this new application the venue is looking to play music outside in the garden with a DJ on the extensive decking area, this cannot be allowed to happen. The noise levels that emit from this venue when the DJ is inside is unacceptable and I just cannot imagine the decibels we would have if they are allowed outside.

Upon first glance this area may seem quiet and that there are not really many residential properties to disturb, but this is exactly the reason that I and many of my neighbours chose to live here, for the peace and quiet. There are many properties located within a few hundred meters of the pub and although we cannot all be seen from Old Redding, we can all certainly hear what is going on in The Case is Altered. If Harrow Council decide to authorise this application, they will completely destroy the rural nature of this conservation area, the very reason people have chosen to live here. The pub is on a hill overlooking a vast area, the noise that is emitted carries far and wide, why should a peaceful afternoon sitting in my own garden be disturbed by 12hours of loud unnecessary noise, this would be completely unfair and unjust of Harrow Council to expect residents to have to put up with that.

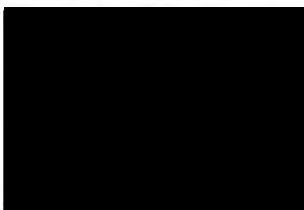
The management of these premises has no consideration for their neighbours or for Harrow Council, they claim that as they run clubs in the West End, they certainly know how to operate this kind of place! The pub have already breached many conditions of their existing license, allowing extreme noise to escape from their boundaries, serving alcohol outside, not liaising with local neighbours when there are issues, these are just some of the many breaches. If Harrow Council grant them a wider license, as they are applying for, they will continue to be a law unto themselves.

I am against the application to vary the license for The Case is Altered N/000000547/2018/14 I have had far too many disturbed days and nights caused by actions directly from these premises already and can only envisage this worsening if any type of variation is granted. I ask Harrow Council to seriously consider my objections and those of my neighbours.

Yours sincerely

Miss M Ryan

From: Roger Alexander Sharples



To: Licensing Department

Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

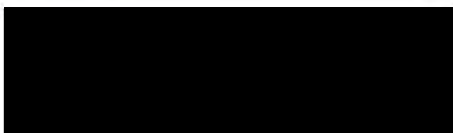
Date: 10.10.2020

Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Licence Application to vary Licence

I wish to object to this licence application. I am a neighbour of the pub. This area is a Conservation Area and a quiet neighbourhood. However the pub has frequently over the past year played loud music outside in the garden to the disturbance of the neighbours. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents, to the detriment of the neighbourhood. This application should not be allowed.

Yours faithfully,



Roger Alexander Sharples

Mrs Bindu Sodha



To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date: 08/10/20

Dear Sir/Madam,

Licensing Application to vary the Licence of 'The Case Is Altered' pub, Old Redding

I wish to object to this application. I know the pub – it is in the Green Belt, and is known for its quiet location and rural atmosphere. It should not be allowed to play music outside at all, and definitely not until 2.30am on the weekends, and not up to 11.30pm during the weekday, and not from 10.00am in the morning. This will cause a public disturbance in the form of sound pollution to the local residents. This application should not be granted.

Yours faithfully,

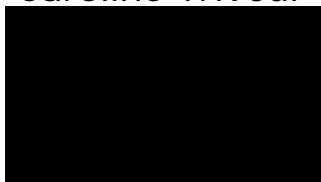
A handwritten signature in black ink, appearing to read 'B. Sodha'.

B Sodha



From: [Cmt](#)
To: [license](#)
Subject: Objection - The Case Is Altered pub, Old Redding: Application to vary the Licence
Date: 23 October 2020 15:34:44

From:
Caroline Trivedi



To:
Licensing Department
Harrow Council
Civic Centre
[Station Road](#)
[Harrow](#)
[HA1 2XY](#)

Date: 21 October 2020

Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Application to vary the Licence

I wish to object strongly to this licence application. The pub is a) in a conservation area b) area of special character c) greenbelt. I have a young family and live next door the pub. My children are already unable to sleep due to the noise the pub creates from both music and clientele as a result of its activity (throughout 2019 and early 2020, pre pandemic) and allowing such a variation will dramatically worsen our living conditions which includes young children. Noise travels easily in this area due to its quiet semi-rural location on high ground and as such it should not be allowed to play music outside i.e. from the garden (or inside that can be heard outside). This will cause public nuisance and public disorder to all the local residents particularly as clientele park along Old Redding. Loud, drunken noise and potential anti-social behavior from customers exiting the pub to their cars will also worsen my families living conditions. I would like to highlight that local residents have tried, unsuccessfully, to resolve existing noise problems with the pub via complaints but have been met with a complete lack of willingness to engage by the pub and no willingness to work with local residents whatsoever. I myself have called many times to request music levels are reduced significantly due to my children not being able to sleep and/or my family not being able to sit peacefully in our garden to no avail.

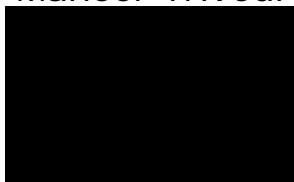
This application should not be granted.

Yours faithfully,

Caroline Trivedi

From: [maheer trivedi](#)
To: [license](#)
Subject: Objection - The Case Is Altered pub, Old Redding: Application to vary the Licence
Date: 23 October 2020 15:30:12

From:
Maheer Trivedi



To:
Licensing Department
Harrow Council
Civic Centre
[Station Road](#)
[Harrow](#)
[HA1 2XY](#)

Date: 21 October 2020

Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Application to vary the Licence

I wish to object strongly to this licence application. The pub is a) in a conservation area b) area of special character c) greenbelt. I have a young family and live next door the pub. My children are already unable to sleep due to the noise the pub creates from both music and clientele as a result of its activity (throughout 2019 and early 2020, pre pandemic) and allowing such a variation will dramatically worsen our living conditions which includes young children. Noise travels easily in this area due to its quiet semi-rural location on high ground and as such it should not be allowed to play music outside i.e. from the garden (or inside that can be heard outside). This will cause public nuisance and public disorder to all the local residents particularly as clientele park along Old Redding. Loud, drunken noise and potential anti-social behavior from customers exiting the pub to their cars will also worsen my families living conditions. I would like to highlight that local residents have tried, unsuccessfully, to resolve existing noise problems with the pub via complaints but have been met with a complete lack of willingness to engage by the pub and no willingness to work with local residents whatsoever. I myself have called many times to request music levels are reduced significantly due to my children not being able to sleep and/or my family not being able to sit peacefully in our garden to avail.

This application should not be granted.

Yours faithfully,

Maheer Trivedi

From: [maheer trivedi](#)
To: [license](#)
Subject: Objection - The Case Is Altered pub, Old Redding: Application to vary the Licence
Date: 21 October 2020 14:56:06

From:
Maheer Trivedi



To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date: 21 October 2020

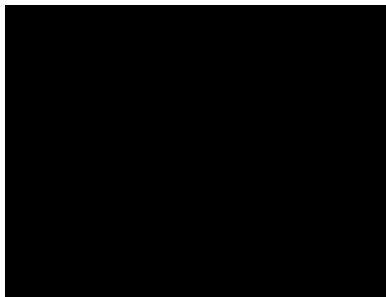
Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Application to vary the Licence

I wish to object strongly to this licence application. I know the pub, and it is situated in the Conservation Area in a quiet neighbourhood. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents. This application should not be granted.

Yours faithfully,

Maheer Trivedi



9 October 2020

Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow HA1 2XY

Dear Sir/Madam

Re. The Case is Altered, Old Redding

I strongly object to the application from The Case is Altered, for the garden to be fully licensed on the following days and times:

Monday – Thursday 10.00 am to 11.30 pm
Friday and Saturday 10.00 am to 2.30 am
Sunday 10.00 am to midnight

This application, if granted, will cause unacceptable disturbance to local residents, including ourselves.

The Case, as it's known locally, is a traditional English pub – indeed the current owners, when they first took over the lease, advertised it as such. However, they appear to be trying to turn it into some kind of outdoor music venue! With the openness of the site and the acoustics through Weald Common, the sound travels great distances. Last summer, we were unable to use our own garden due to the excessive loud music from the pub.

This area is recognised as peaceful and rural – a pub with an outdoor extended music license is not in keeping with this in any way. The pub already has a fantastic outdoor space, with a large playing area for children and plenty of room for socially distanced groups (in these strange times!) to enjoy. Turning this country pub into a music venue would certainly put many families off of visiting.

The council are currently landscaping the adjacent View Point car park, reducing parking for dog walkers, and restricting it to daytime hours only. Any extended hours for the pub will only encourage dangerous parking along Old Redding. Not to mention the mess and anti-social behaviour this will encourage as patrons arrive and leave the pub.



The pub doesn't have its own car park and has very limited public transport to the venue (certainly after dark!), so I don't know how the owners believe their patrons would be able to visit until the small hours?

This application must not be permitted.

Yours faithfully

Laura Wilson

From:



To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date: 7/10/20



Dear Sir/Madam,

The Case Is Altered pub, Old Redding: Licence Application to vary Licence

I wish to object to this licence application. I am a neighbour of the pub. This area is a Conservation Area and a quiet neighbourhood. However the pub has frequently over the past year played loud music outside in the garden to the disturbance of the neighbours. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents, to the detriment of the neighbourhood. This application should not be allowed.

Yours faithfully,
A black rectangular redaction box covering the typed name of the sender.

D.A. Wyndham

From

To:
Licensing Department
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY

Date:

7/10/20

Dear Sir/Madam,

**The Case Is Altered pub, Old Redding: Licence
Application to vary Licence**

I wish to object to this licence application. I am a neighbour of the pub. This area is a Conservation Area and a quiet neighbourhood. However the pub has frequently over the past year played loud music outside in the garden to the disturbance of the neighbours. It should not be allowed to play music outside. This will cause a public disturbance and nuisance to all the local residents, to the detriment of the neighbourhood. This application should not be allowed.

Yours faithfully,

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APPENDIX 6 PROPOSED CONDITIONS FROM ENVIRONMENTAL HEALTH AND LICENSING

Conditions proposed by Environmental Health:

For rear garden and for the building itself:

1. Any noise, including recorded music, live music, any entertainment noise, generated from the Case is Altered, must not be higher than the background noise level at the boundary of the most sensitive premise. It should be 10dB below that of the background noise level.
2. A noise limiter is to be installed at the premise to ensure that this level (point1) is not exceeded. The noise limiter is to be installed by a suitably competent person having the suitable experience and expertise in acoustics. For example, an Acoustic Engineer registered with the Institute of Acoustics. All electrical outlets should be included within the limiter's range and all external equipment brought to the premise to generate or amplify noise will therefore and must make use of the limiter.
3. All windows and doors to be kept shut when entertainment generating noise is in progress.
4. No live music or live instruments or microphones to be played or used in the garden at any time.
5. All customers to vacate rear garden by 8pm.
6. Rear garden to only be in use Monday to Saturday.
7. Closing times to the public should be 2330 every day and a suitable dispersal plan in place to facilitate customers leaving in a manner as to not cause nuisance and disturbance.

Conditions proposed by Licensing Authority

1. The telephone number of a cab firm, chosen by the pub management, will be displayed inside the pub. The number will be accompanied by a notice giving the name of the cab firm and explaining that customers can call the number to hire a cab. The management will inform the cab firm of this arrangement by letter or email, and request that cab drivers are reminded regularly to arrive at and depart from the pub as quietly as possible, including not sounding the horn or slamming doors. They should also be reminded regularly not to double park outside the pub.
2. The pub management can conduct the relationship with the cab firm on a commercial basis they wish and can change the cab firm as they wish.
3. The beer garden must only be used during the following hours:
 - Monday – Friday 12:00 – 22:30
 - Saturday – 12:00 – 23:00
 - Sunday – 12:00 - 21:30

4. The exhibition of films, the playing of recorded music, the performance of live music and the performance of dance will only take place within the building that exist at the pub. These activities will not take place within the beer garden or other open areas within the licensed area of the pub. Speakers, or other audio equipment will not be used to relay music or the soundtrack of films from within the pub's buildings to outside areas, nor will other methods be used to relay music or the soundtrack of films to outside areas.
5. For as long as Mr Sanjay Ganecha has a financial connection to the pub, but is not the premises licence holder, no one who has a financial connection with Mr Ganecha shall be appointed as the Designated Premises Supervisor.
6. Mr Sanjay Ganecha shall have no part in the running of the pub unless he becomes the premises licence holder.