

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

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

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I, Police Sergeant Carl Davis, make this representation under

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

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

<b>Postal address of premises or club premises, or if none, ordnance survey map reference or description</b>	
New Moon , Kenton Park Parade , Kenton , Harrow	
<b>Post town Harrow</b>	<b>Post code HA3 8DN</b>

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

#### Part 2 - Applicant details

I am

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

Please tick  yes

a) a person living in the vicinity of the premises

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

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

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

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

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

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

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

**Surname**

**First names**

**I am 18 years old or over**

Please tick  yes

**Current address**

**Post Town**

**Post Code**

**Daytime contact telephone number**

**Email address**

(optional)

**(B) DETAILS OF OTHER APPLICANT**

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

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

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

**This representation relates to the following licensing objective(s)**

Please tick one or more boxes

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

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

This application appears to be a generic one with most content applicable to all J.D. Wetherspoon public houses. This is exemplified not only from 'options' given to the reader to select regarding the application content but also by its identical content to other applications for premises owned or managed by the same company.

The Police representations are primarily concerned with:

**Hours required for "Hours premises are open to the public" and "Late night refreshment" and "Supply of Alcohol" as well as the removal on restrictions on children and credit sales** (Relevant sections are Part B sections M , O , L , & P )

There is a clear link between crime & disorder and the consumption of alcohol. This is why the Act requires applicants to state what steps they are taking to meet the four objectives.

The minimum requirements that police would expect are the provision of door supervisors, no drinks promotions and correctly installed and functioning CCTV, both within and immediately outside the premises. We would also expect that the applicant would adhere to a condition that they continue to adopt those steps they indicate taken from the government's 'Responsible Drinking' campaign.

I am not satisfied that this application has suggested any additional measures to promote the four objectives, especially the prevention of crime and disorder. They have merely extended the hours in which alcohol can be purchased and consumed, ignoring the current condition on their licence restricting the Children's Certificate provisions (designated non- smoking area and prohibited access to bar). They make no indication that specific sections of this premises need any greater measures for the protection of children however currently (and following the opinion of the magistrates for this licensing district) they operate the premises with the measures in place. It

seems apparent that they believe that following the second appointed day measures to protect children can be removed.

Whilst on page 5 ( Part A3 -Operating Schedule) the applicant gives an option on the appropriate ticked boxes the relationship of the activities to this particular premises or indeed this borough does not apply and the boxes are invalid.

The application also shows no intention of having live music and dancing or any other entertainment. The application is solely requesting longer vertical drinking time with an ability to consume refreshment should it be requested.

In this borough the small number of premises that currently operate 'late' or regular extended hours have entertainment incorporated within these hours and as a condition of these hours. These hours have been negotiated by use and proof of experience and by incorporating security measures into the conditions (e.g. door supervisors at a ratio of 1:50 patrons). This has vastly reduced the potential for disorder and has kept this borough a safer one.

I do not object to the opening hour of 0700 hrs Monday provided that suitable signage is agreed as part of the conditions to indicate that intoxicating liquor is not for sale 0700hrs to 0900hrs . I do not believe that it is appropriate for this premises to open until at least 0800hrs on a Saturday and 0900hrs on a Sunday in order that nuisance or disturbance is caused to local residents.

I believe that the terminal hours sought on Monday to Sunday are unreasonable and that under the proposed operating plan the premises should be permitted no additional hours beyond those provided to it under its current licence save that on a Friday and Saturday night it could be extended until 0000hrs with corresponding 23:30 last supply of alcohol on these days would be more appropriate for this particular premises .

#### **Hours required for "non standard timings"**

(Relevant sections are Part B2, sections M and O "non standard timings")

These premises sole Special Order of Exemption applied for in 2002 and granted was Xmas eve. In 2003 the only extensions asked for and granted were for 24<sup>th</sup>,26<sup>th</sup> and 31<sup>st</sup> December. In 2004 the only extensions asked for and granted were for 24<sup>th</sup>,26<sup>th</sup>,27<sup>th</sup>, 28<sup>th</sup> December and in 2005 only 3<sup>rd</sup> Jan ( from Xmas holiday period) and St Georges day were asked for and granted. This information is indicative to the panel of the lack of extended hours the premises has had over the last 4 years should they wish to measure extension of hours against problems/complaints.

No applications were received for the Football World Cup in 2002 or for the Rugby World Cup the following year. Unless there have been recent changes to the premises there are no large screens or Televisions to display broadcasts or pre-recorded media. **I object to the request for extensions for this premises to its hours relating to the " from 0600am until the beginning of the standard hours or until 0300am as follows ;- on no more than 12 occasions etc etc "**

The 2003 Act provides a replacement for what are currently known as 'extensions', granted by the Police for special occasions, this being a Temporary Event Notice (TEN's). Applications may be made to the Licensing Authority for different trading hours under this section of the Act, but only up to twelve occasions a year and not these extra twelve being requested here. Notwithstanding that there has been some 'guidance' by ACPO in relation to unofficial agreements between the industry representatives and local police this will NOT be agreed to in this borough.

St Patrick's day and St George's day have been regularly celebrated in the locality by other premises and there would be no Police objections to the additional hour requested.

**Police further object to the additional hours requested for the following days:**

- **Burns Night**
- **St David's Day**
- **Halloween**
- **Australia Day**
- **St Andrews Day**
- **Extended hours until 0200am on Xmas Eve and Boxing Day**

Historically no previous applications have been made for extensions to the permitted hours for these dates. They are not significant dates of note for this area or for these particular premises. It is felt that these applications continue to be speculative and are universally rolled out for all premises in the JD Wetherspoon estate.

The additional 30 minutes on Thursday preceding Good Friday and Sunday preceding Bank Holiday Monday is not an unreasonable request and I do not oppose this request. A similar grant for Xmas Eve and Boxing day would be more appropriate for this premises and to ensure police resources could meet and demand regarding potential crime and disorder.

Whilst the requirement for events being special has been removed under the new legislation some basis of actual need for these dates should be forthcoming, and details provided of the measures the applicant will take to ensure the four licensing objectives are met. This would allow for Police resources to be suitably deployed to cover these hours rather than speculative planning for an event that may not take place. This application relies totally on 'existing company practice at the premises – which has never had extended hours beyond the few S.O.E.'s granted.

From experience there is always a rise in alcohol related crime and disorder which directly correlates with extended hours for the consumption of alcohol. Under the current legislation, various conditions have been placed on the licences of late night premises. They act as safeguards and ensure that these premises operate with the minimum of disruption to the public. Should a change in the style of the premises be considered then conditions should be offered which would ensure that the licensing objectives are fully met and the use of door supervisors is crucial to ensure this.

The minimum requirements that police would expect should varied hours be granted are no drinks promotions and correctly installed and functioning CCTV both within and immediately outside the premises. All security measures such as this must comply to Crime Reduction Unit guidance. I request that the applicant contact the police Crime Reduction officers and that such an officer be allowed full access to all areas of the premises in order to review all security measures and that the applicant agree to any reasonable recommendations forthcoming in his report. This is to prevent crime and disorder.

Police would ask that the applicant accept a condition that the premises participate in a pub watch scheme should one exist for their area.

Should extended hours be granted a limit should also be set as to the maximum number of persons allowed in the premises at any one time to prevent overcrowding and potential tensions which would follow.

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

**Please tick  
yes**

Have you made a representation relating to this premises before

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**

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

**Part 5 – Signatures** (please read guidance note 3)

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

Signature

.....

Date.....14<sup>th</sup> July 2005

.....

Capacity .....Police Licensing Officer

.....

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

<p>.....</p>	
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<b>Post town</b>	<b>Post code</b>
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<b>Telephone number (if any)</b>
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<b>If you would prefer us to correspond with you using an email address your e mail address (optional)</b>
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**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.