

Licensing Panel SUPPLEMENTAL AGENDA

DATE: Thursday 11 June 2015

6. **CONSIDERATION OF AN OBJECTION NOTICE TO A TEMPORARY EVENT NOTICE SUBMITTED IN RESPECT OF OLD LYONIAN ASSOCIATION, OLD LYONIAN SPORTS GROUND, 74 PINNER VIEW, HARROW, MIDDLESEX, HA1 4QF (Pages 3 - 42)**

Report of the Corporate Director of Environment and Enterprise.

Note: In accordance with the Local Government (Access to Information) Act 1985, the following agenda item has been admitted late to the agenda by virtue of the special circumstances and urgency detailed below:-

Agenda item

Special Circumstances/Grounds for Urgency

6. Consideration of an Objection Notice to a Temporary Event Notice Submitted in Respect of: Old Lyonian Association, Old Lyonian Sports Ground, 74 Pinner View, Harrow, Middlesex, HA1 4QF

The report and appendices were not available at the time the main agenda was published. Members are requested to consider the report and appendices, as a matter of urgency.

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REPORT FOR: LICENSING PANEL

Date of Meeting:	11 June 2015
Subject:	Consideration of an objection notice to a Temporary Event Notice submitted in respect of 'Old Lyonian Association, Old Lyonian Sports Ground, 74 Pinner View, Harrow, Middlesex, HA1 4QF'
Responsible Officer:	Caroline Bruce – Corporate Director, Environment & Enterprise
Exempt:	No
Enclosures:	Appendix A - Premises Licence and Plans Appendix B - Temporary Event Notice Appendix C - Map Appendix D – Objection and supporting evidence Appendix E – Response to objection

Section 1 – Summary

A Temporary Event Notice under the Licensing Act 2003 has been submitted to the Licensing Authority (Harrow Council) to permit licensable activities at the 'Old Lyonian Association, Old Lyonian Sports Ground, 74 Pinner View, Harrow, Middlesex, HA1 4QF'. The event is to take place on Saturday 4 July 2015. The Environmental Health Department has submitted an objection to the temporary event notice. In accordance with section 105 of the Licensing Act 2003, the licensing authority must hold a hearing to consider the objection notice unless the Environmental Health Department (responsible authority), premises user and licensing authority agree that a hearing is unnecessary.

Representations received

From	Relevant Representations details
Metropolitan Police	No representation received
Environmental Health Authority	Objection notice received

Section 2 – Report

2.1 Current situation

2.1.1 There is currently a Club Premises Certificate (a copy of which is attached) in force at the 'Old Lyonian Association, Old Lyonian Sports Ground, 74 Pinner View, Harrow, Middlesex, HA1 4QF'. The certificate only covers the pavilion area. The certificate authorises the following licensable activities and times:

Recorded music, Performances of dance, Provision of facilities for Dancing:

Monday – Sunday: 11:00 – 23:00

Sale of alcohol:

Monday - Saturday: 11:00 – 23:00

Sunday: 11:00 – 22:30

The opening hours of the club:

Monday - Saturday: 08:00 – 23:30

Sunday: 08:00 – 23:00

2.1.2 A temporary event notice has been submitted to the licensing authority by the applicant, Mr Claude F Sylvester, to authorise licensable activities, namely the sale of alcohol and the provision of regulated entertainment at the Old Lyonian Association on Saturday 4 July 2015 from 11:00 – 20:30. The Club Premises Certificate specifies each licensable activity permitted, however, the Temporary Event Notice seeks more under the term under Regulated Entertainment (as per the Licensing Act 2003). Additionally, the Club Premises Certificate only covers the pavilion area but the Temporary Event Notice is to cover the Ground and the Pavilion.

2.1.3 The Environmental Health Department has submitted an objection notice to the temporary event notice on the grounds of public nuisance. A copy of the objection notice is attached to this report.

2.2 Legal Implications

- 2.2.1 Pursuant to the provisions of section 105(2)(a) of the Licensing Act 2003, the Licensing Authority must hold a hearing to consider the objection notice, unless all parties (i.e. - the premises user, the relevant person who gave the objection notice and the licensing authority) agree that a hearing is unnecessary. The hearing must be held in accordance with the provisions of the Licensing Act 2003 (Hearings) Regulations 2005.
- 2.2.2 The Licensing Panel is required to give appropriate weight to the objection (including supporting information), 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 licensing objectives.
- 2.2.3 Having considered those relevant matters and the objection notice, the Licensing Panel is required to do one of the following:
- a. Give the premises user a counter notice (prohibiting the event) if it considers it appropriate for the promotion of a licensing objective(s) to do so, and a notice stating the reasons for its decision, and give each relevant person (police and environmental health authority) a copy of both these notices;
 - b. Decide not to give a counter notice, giving notice of this decision to the premises user and each relevant person (police and environmental health authority).
- 2.2.4 It should be noted with these options that clear reasons should be given to the parties for the decision to issue or not to issue a counter notice.
- 2.2.5 In the case of TEN in respect of a premises for which there is already a premises licence (or club premises certificate) in place, the licensing authority can impose conditions from the existing premises licence or club premises certificate if:
- the police or environmental health authority have objected to the TEN(s)
 - the objection has not been withdrawn
 - the relevant licensing authority has decided under section 105 of the Licensing Act 2003 not to give a counter notice
 - it considers that imposing the conditions would be appropriate to promote the licensing objectives
 - the conditions would not be inconsistent with the carrying out of the licensable activities under the TEN

Where the licensing authority decides to impose conditions, the Licensing Act 2003 and relevant regulations set out the manner in which these must be notified to the premises user.

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

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

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

2.3 Financial Implications

None

Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 4 June 2015		
Name: Paresh Mehta	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 5 June 2015		

Section 4 - Contact Details and Background Papers

Contact: Richard Le-Brun, Licensing Services Manager, ext 6267

Background Papers: Licensing Act 2003, Statutory Guidance

LICENSING ACT 2003
Schedule 13
Part A

CLUB PREMISES CERTIFICATE
HARROW COUNCIL, P O BOX 18, STATION ROAD, HARROW

Club Premises Certificate Number	0512-CTE7-E7DT-TTMF
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Part 1 – Club details **OLD LYONIAN ASSOCIATION**

Name of Club in whose name the certificate is granted and relevant registered postal address

OLD LYONIAN ASSOCIATION
74 PINNER VIEW

Post town

HARROW

Post code

HA1 4QF

Telephone number

[REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

SALE BY RETAIL OF ALCOHOL
RECORDED MUSIC
PERFORMANCE OF DANCE
PROVISION OF FACILITIES FOR DANCING

[REDACTED]
Gareth Clywelyn Roberts

Signed: Chief Environmental Health Officer

Appendix A

THE TIMES THE CERTIFICATE AUTHORISES THE CARRYING OUT OF QUALIFYING CLUB ACTIVITIES:

RECORDED MUSIC (F)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	1100-2300	1100-2300	1100-2300	1100-2300	1100-2300	1100-2300	1100-2300

PERFORMANCES OF DANCE (G)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	1100-2300	1100-2300	1100-2300	1100-2300	1100-2300	1100-2300	1100-2300

PROVISION OF FACILITIES FOR DANCING (J)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	1100-2300	1100-2300	1100-2300	1100-2300	1100-2300	1100-2300	1100-2300

SUPPLY OF ALCOHOL (M)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	1100-2300	1100-2300	1100-2300	1100-2300	1100-2300	1100-2300	1200-2230

THE OPENING HOURS OF THE CLUB							
	MON	TUE	WED	THU	FRI	SAT	SUN
	0800-2330	0800-2330	0800-2330	0800-2330	0800-2330	0800-2330	0800-2300

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

FOR CONSUMPTION ON THE PREMISES

Appendix A

Annex 1 – Mandatory conditions

General Conditions – Section 62, Licensing Act 2003

- (1) The general conditions which a club must satisfy if it is to be a qualifying club in relation to a qualifying club activity are the following.
- (2) Condition 1 is that under the rules of the club persons may not-
 - (a) be admitted to membership, or
 - (b) be admitted, as candidates for membership, to any of the privileges of membership,without an interval of at least two days between their nomination or application for membership and their admission.
- (3) Condition 2 is that under the rules of the club persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.
- (4) Condition 3 is that the club is established and conducted in good faith as a club (see section 63).
- (5) Condition 4 is that the club has at least 25 members.
- (6) Condition 5 is that alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

The additional conditions for the supply of alcohol – Section 64, Licensing Act 2003

- (2) Additional condition 1 is that (so far as not managed by the club in general meeting or otherwise by the general body of members) the purchase of alcohol for the club, and the supply of alcohol by the club, are managed by a committee whose members-
 - (a) are members of the club;
 - (b) have attained the age of 18 years; and
 - (c) are elected by the members of the club.This subsection is subject to section 65 (which makes special provision for industrial and provident societies, friendly societies etc.).
- (3) Additional condition 2 is that no arrangements are, or are intended to be, made for any person to receive at the expense of the club any commission, percentage or similar payment on, or with reference to, purchases of alcohol by the club.
- (4) Additional condition 3 is that no arrangements are, or are intended to be, made for any person directly or indirectly to derive any pecuniary benefit from the supply of alcohol by or on behalf of the club to members or guests, apart from-
 - (a) any benefit accruing to the club as a whole, or
 - (b) any benefit which a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of the club.

Appendix A

Annex 2 – Conditions consistent with the operating Schedule

1. Current documented health & safety risk assessments, to include closing / banking arrangements, should be provided. Evidence that staff have been trained in accordance with the risk assessments should also be provided.
2. At least two staff should be on duty after 2200, or more if necessary to manage the anticipated number of patrons on the premises.

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

N/A

Annex 4 – PLANS.

DATE OF ISSUE: 13 DECEMBER 2005

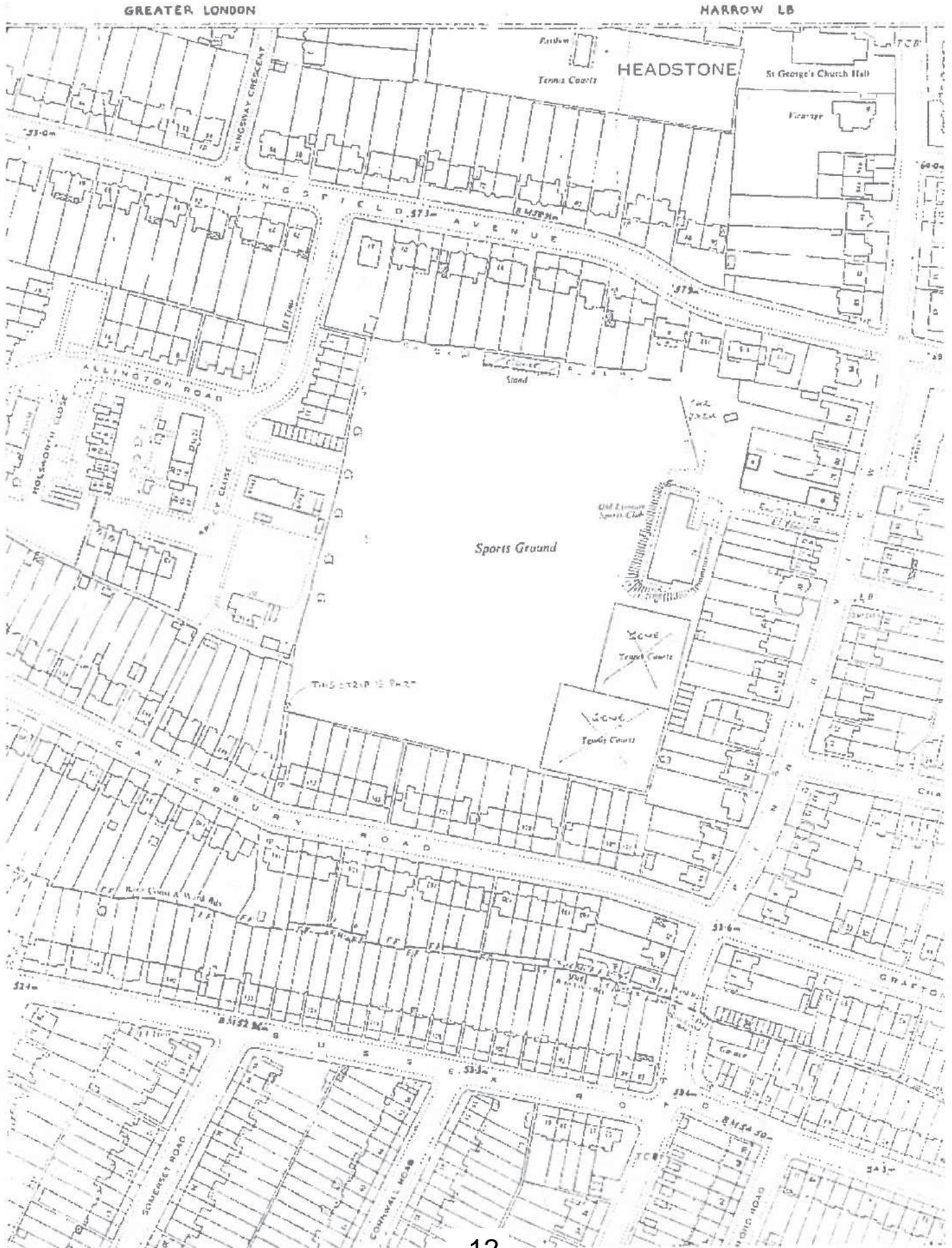
REASON FOR ISSUE: NEW

ISSUE NUMBER: 1

Appendix A

ORDNANCE SURVEY
Scale: 1:1250 or 50.688 inches to 1 mile

Copy of revised field sheet made on



Appendix B

LONDON BOROUGH OF HARROW – 00AQ

572296

Temporary Event Notice

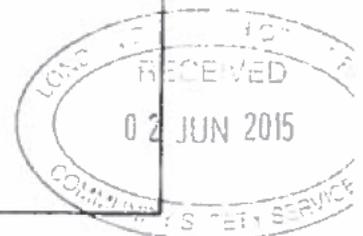
Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport (http://www.culture.gov.uk/alcohol_and_entertainment/default.htm) or from your local licensing authority.

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

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. YOUR NAME : Mr Claude F Sylvester	
Title	Mr
Surname	SYLVESTER
Forenames	CLAUDE F
2. PREVIOUS NAMES (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	(delete as appropriate) Mr Mrs Miss Ms Other (please state)
Surname	
Forenames	
3. Your date of birth	
4. Your place of birth	
5. National Insurance Number	
6. YOUR CURRENT ADDRESS (We will use this address to correspond with you unless you complete the separate correspondence box below)	



Appendix B

Post town: [REDACTED]	Post code: [REDACTED]
7. OTHER CONTACT DETAILS	
TELEPHONE NUMBERS Daytime	[REDACTED]
Evening (optional)	[REDACTED]
Mobile (optional)	[REDACTED]
FAX NUMBER (optional)	
E-Mail Address (optional)	[REDACTED]
8. ALTERNATIVE ADDRESS FOR CORRESPONDENCE (If you complete the details below, we will use this address to correspond with you)	
Post town	Post code
9. ALTERNATIVE CONTACT DETAILS (IF APPLICABLE)	
TELEPHONE NUMBERS Daytime	
Evening (optional)	
Mobile (optional)	
FAX NUMBER (optional)	
E-Mail Address (optional)	
2. The premises	
<p>Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)</p>	
<p>The Old Lyonian Sports and Social Club, 74 Pinner View, Harrow, Middlesex, HA1 4QF</p>	

Appendix B

<p>If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)</p>
<p>Only the pavilion and sports field (ground) will be used for the event.</p>
<p>Please describe the nature of the premises below. (Please read note 4)</p>
<p>A sports ground with a small hall/pavilion.</p>
<p>Please describe the nature of the event below. (Please read note 5)</p>
<p>A charity, community and family event. 7th Annual Grenadian Heritage Day. The event will feature Caribbean cuisine and international cuisine, arts and crafts, books, steel band music, live entertainment, bouncy castles, sports, face painting, etc. The event will be opened by the Mayor of Harrow. Harrow police will be attending the event. A similar event was held at the same venue for the last 5 years for which we were granted a licence (TEN)</p>

3. The licensable activities	
<p>Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)</p>	
The sale by retail of alcohol	X (yes✓)
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	X yes✓)
The provision of regulated entertainment	X (yes✓)
The provision of late night refreshment (Will end by 8.30pm)	NO✓
<p>Please state the dates on which you intend to use these premises for licensable activities. (Please read note 7)</p>	

Appendix B

<u>Saturday, 4th July 2015.</u>	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 8)	
11.00hrs to 20.30hrs (includes set up and breakdown times) (11.00am to 8.30pm)	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 9)	450
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 10)	On the premises only X (yes✓)
	Off the premises only
	Both

4. Personal licence holders (Please read note 11)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes	No (no✓)
If "Yes" please provide the details of your personal licence below.		

Appendix B

Issuing licensing authority	
Licence number	
Date of issue	
Date of expiry	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 12)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	No✓ X
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes	No✓ X

6. Associates and business colleagues (Please read note 13)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	No✓ X
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes	No✓ X
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	No✓
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		

Appendix B

<p>Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)</p>	Yes	No ✓
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7. Checklist (Please read note 14)	
I shall (Please mark the appropriate boxes with an "X")	
Send two copies of this notice to the licensing authority for the area in which the premises are located	X ✓
Send a copy of this notice to the chief officer of police for the area in which the premises are located	X ✓
If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority	
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	
Make or enclose payment of the fee for the application	X ✓
Sign the declaration in Section 9 below	

8. Condition (Please read note 15)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 16)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
SIGNATURE	<div style="background-color: black; width: 100%; height: 20px;"></div>
DATE	Thursday, 28 May 2015
Name of Person signing	Claude F Sylvester

Appendix B

For completion by the Licensing Authority

10. Acknowledgement (Please read note 17)			
I acknowledge receipt of this temporary event notice.			
SIGNATURE		DATE	
	On behalf of the Licensing Authority		
Name of Officer Signing			



Licensing Department
Harrow Council
P O Box 18
Civic Centre,
Station Road
Harrow
HA1 2UT

Date: 19 May 2015

Dear Sir/Madam

Temporary Event Notice – event on 4th July 2015

Grenadian voluntary groups in Britain, supported by the High Commission for Grenada, will be hosting the **7th Annual Grenadian Heritage Day** on **Saturday, 4th July 2015** at The Old Lyonian Sports and Social Club, 74 Pinner View, Harrow, Middlesex, HA1 4QF.

It is a community and family event and will feature Caribbean cuisine, arts and crafts, books, steel band music, live entertainment, culture and much more.

With respect to the event we have done the following:

- Carried out a risk assessment
- Informed the police of the event in writing and invited them to take a stall and send 2 PCSOs.
- We do not wish to come into conflict with the neighbours so we will do all we could to keep the noise to a minimum. The music will be turned off by 8.30pm.
- The event will be opened by the Mayor of Harrow.
- 30 stewards and security personnel with high visibility jackets, will patrol the event.
- First aid professionals will be attending the event.
- We anticipate that about 400 persons would attend the event.

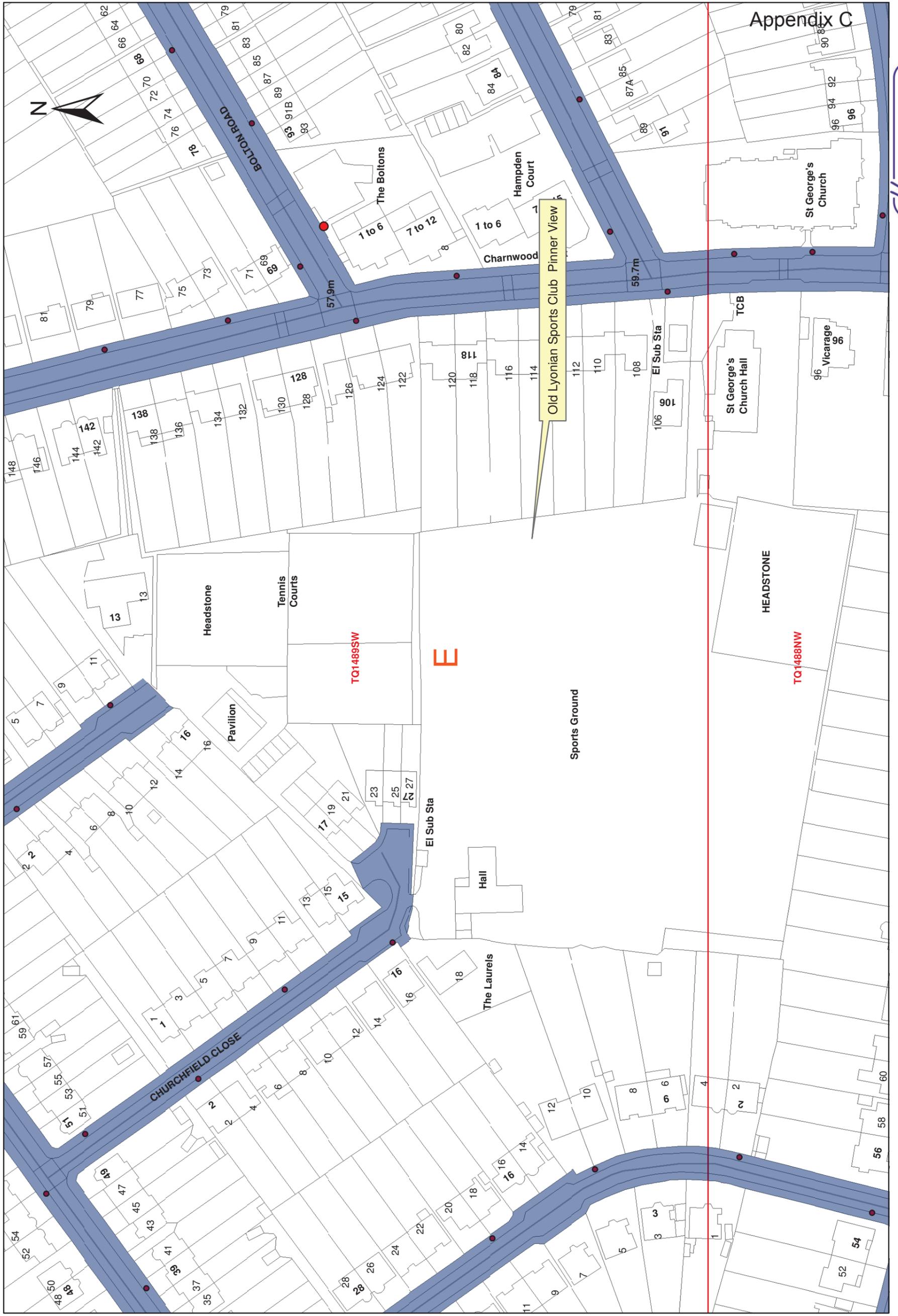
Please find Temporary Event Notice application attached.

Should you require further information, please do not hesitate to contact me.

Yours sincerely

[Redacted Signature]
Claude F Sylvester
Chairperson





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Appendix D

From: Edward Davis
Sent: 03 June 2015 15:47
To: claude.sylvester [REDACTED]
Cc: license; [REDACTED]
Subject: 7th Annual Grenadian Heritage Day 2015

Hello Mr Sylvester,

Licensing Act 2003

The Old Lyonian Sports and Social Club, 74 Pinner View, Harrow, Middlesex HA1 4QF

On behalf of the Council's Community Safety, Community & Environment Services, I confirm receipt of a copy of your application dated 28th May 2015 that I received on 2nd June 2015 regarding the above mentioned property, in relation to the Licensing objective the Prevention of Public nuisance.

I have made the following representation to the Council's Licensing Section with regard to the Licensing objective – Prevention of Public nuisance:

1. Having reviewed the complaint history of this event over the years, there have been consistent noise complaints on all events. You have failed to submit sufficient information on how you will contain noise that would not cause nuisance apart from "We do not wish to come into conflict with the neighbours so we will do all we could to keep noise to a minimum and The Music to be turned off by 20:30". Given this fact of lack of noise management and previous complaints it is my view the TENs application should be refused.

If you would like to discuss the matter or have any written comments, please do not hesitate to contact me.

I would be happy to withdraw the representation(s) if the operating schedule is amended accordingly or if you agree to a suitable condition(s) being imposed as part of the licence, or if you provide sufficient evidence to confirm that the representation can be withdrawn.

Please confirm your comments in writing (by letter or email). I will inform the Council's Licensing Section if satisfied that the representation(s) can be withdrawn.

Yours faithfully

Edward Davis

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Harrow Council Out of hours noise investigation		Council property Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
		Licensed premises Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
		Officers on duty <i>RUB EBF</i>	
Call on the night via security <input checked="" type="checkbox"/> OR Call via Police CAD No <input type="checkbox"/>		OR proactive referral email / note from <input type="checkbox"/> Worksheet No WSI <i>455320</i> <input checked="" type="checkbox"/>	
Name:		Industrial 1	Alarm A
Address: <i>OLD LYONS WAY ABBOTS</i>		Commercial / Leisure <i>(2)</i>	Barking dog B
<i>74 MINNIE VIEW</i>		Domestic 3	Other animal/bird C
<i>HA 1 2GF</i>		Construction/demolition 4	PA system E
Phone:		Vehicles 5	Fixed machinery F
Nature of problem: <i>LOUD MUSIC - TOMORROW EVENT NOTICE</i>		Traffic 6	Mobile machinery G
		Miscellaneous 7	People noise H
			Music <i>(D)</i>
			Party J
			TV/radio K
			DIY R
		Other	
Name:		Date complaint received: <i>16/7/11</i>	
Address:		Time complaint rec'd by OOH team: <i>21:40</i>	
Phone:		Time of first response by OOH team: <i>21:40</i>	
Leave worksheet active and allocate to: <input type="checkbox"/> Existing case officer _____ <input type="checkbox"/> NFC: send diary pack to new case OR, deal with, so CLOSE worksheet with code: <input type="checkbox"/> Complaint withdrawn (CECW) <input type="checkbox"/> Visited: No action (CENP) <input type="checkbox"/> Advice given (CEAG) <input type="checkbox"/> Case resolved (CECR) <input type="checkbox"/> Referred elsewhere (CERE) <input checked="" type="checkbox"/> Warning given (CEWG) <input type="checkbox"/> S80 served (CENS)		No statutory nuisance proven <input checked="" type="checkbox"/> Not a statutory nuisance (0) OR Statutory nuisance witnessed and <input type="checkbox"/> No action possible (4) <input type="checkbox"/> Ceased, not likely to recur (1) <input type="checkbox"/> Resolved informally (3) <input type="checkbox"/> Referred to other service (2) <input type="checkbox"/> Notice served (5)	
<input type="checkbox"/> First warning =OOH01		And also, generate a linked worksheet for <input type="checkbox"/> _____ Because:	
		<i>(other options to be added in future)</i>	

16/7/11	21:40	T	C	<p>Loud music from club since this afternoon.</p> <p>Believe it is a Grenada Heritage Day.</p> <p>older generation leaving & music going up.</p> <p>I explained had another comp. re this premise & will approach</p>
16/7/11	21:49	T	P	<p>Rang Mr Claude Sylvester (TEN holder) on [REDACTED]</p> <p>Explained get complaint & music should be been off at 21:00.</p> <p>He apologised & said event delayed due to bus run but music off now. I told him must ensure people leave quietly & will do a drive by. wanted to ensure license is adhered to & all stopped</p>
16/7/11	21:51	T	C	<p>Rang & left A/P message re above</p>

<input checked="" type="checkbox"/> Telephoned: no problem / stopped <input type="checkbox"/> No time to visit <input type="checkbox"/> Visited: no problem / stopped <input type="checkbox"/> Visited: reasonable <input type="checkbox"/> Visited: difficult to establish nuisance <input checked="" type="checkbox"/> Visited: nuisance if recurrent or for long period <input checked="" type="checkbox"/> Visited: statutory nuisance <input type="checkbox"/> Leaflet given <input type="checkbox"/> Other:	<p>Test Received on 23/5/11 at 13:25</p>
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Harrow Council Out of hours noise investigation		Council property Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
		Licensed premises Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
		Officers on duty <i>EMF + RLB</i>	
Call on the night via security <input type="checkbox"/> OR Call via Police CAD No <input type="checkbox"/>		OR proactive referral email / note from <input type="checkbox"/> Worksheet No WSI <i>4553201</i> <input checked="" type="checkbox"/>	
Name:	Industrial 1	Alarm A	
Address: <i>Pinner View John Luptons Sports club</i>	Commercial / Leisure (2)	Barking dog B	
	Domestic 3	Other animal/bird C	
Phone:	Construction/demolition 4	PA system E	
	Vehicles 5	Food machinery F	
Nature of problem: <i>Low Music noise</i>	Traffic 6	Mobile machinery G	
	Miscellaneous 7	People noise H	
		Music (D)	
		Party J	
		TV / radio K	
	DIY R		
	Other		
Name:	Date complaint received: <i>16.7.2011</i>		
Address:	Time complaint rec'd by OOH team: <i>2140</i>		
Phone:	Time of first response by OOH team: <i>2140</i>		
Leave worksheet active and allocate to: <input type="checkbox"/> Existing case officer <input type="checkbox"/> NFC: send diary pack to new case		No statutory nuisance proven <input checked="" type="checkbox"/> Not a statutory nuisance (0) OR Statutory nuisance witnessed and <input type="checkbox"/> No action possible (4) <input type="checkbox"/> Ceased, not likely to recur (1) <input type="checkbox"/> Resolved informally (3) <input type="checkbox"/> Referred to other service (2) <input type="checkbox"/> Notice served (5)	
OR, deal with, so CLOSE worksheet with code: <input type="checkbox"/> Complainant withdrawn (CECW) <input type="checkbox"/> Visited: No action (GENP) <input type="checkbox"/> Advice given (CEAG) <input type="checkbox"/> Case resolved (CEGR) <input type="checkbox"/> Referred elsewhere (CERE) <input checked="" type="checkbox"/> Warning given (CEWG) <input type="checkbox"/> S80 served (CENS)		And also, generate a linked worksheet for <input type="checkbox"/> _____ Because:	
<input type="checkbox"/> First warning = OOH01		<i>(other options to be added in future)</i>	

16/7/2011	21:40	T	C	Low Party since this afternoon.
16/7/11	21:49	T	P	Reg. Ten licence holder (Mr Claude Sylvester) sent finished
16/7/11	21:52	T	C	Informed of above

Telephoned: no problem / stopped
 No time to visit
 Visited: no problem / stopped
 Visited: reasonable
 Visited: difficult to establish nuisance
 Visited: nuisance if recurrent or for long period
 Visited: statutory nuisance
 Leaflet given
 Other: *Test Record on 23/5/11 at 13:25*



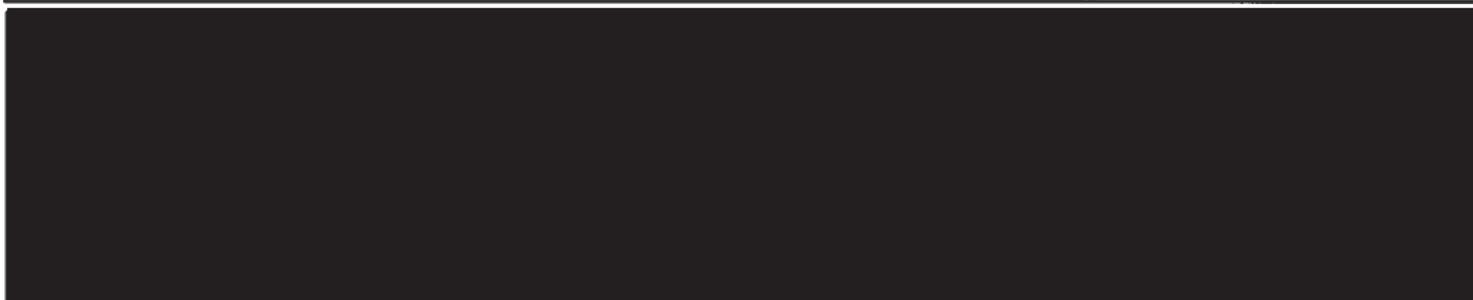
Harrow Council Out of hours noise investigation		Council property Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
		Licensed premises Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
		Officers on duty EMF + RLB	
Call on the night via security <input checked="" type="checkbox"/> OR Call via Police CAD No <input type="checkbox"/>		OR proactive referral email / note from <input type="checkbox"/> Worksheet No WS/ 455322 <input checked="" type="checkbox"/>	
Name: _____		Industrial 1	Alarm A
Address: 78 SD Lyoion Club Pinner View	Commercial / Leisure 2	Barking dog B	
	Domestic 3	Other animal/bird C	
Phone: _____	Construction/demolition 4	PA system E	
	Vehicles 5	Fixed machinery F	
	Traffic 6	Mobile machinery G	
Nature of problem: Load Party on open ground	Miscellaneous 7	People noise H	
		Music I	
		Party J	
		TV / radio K	
		DIY R	
		Other	
[Redacted]		Date complaint received: 16.7.2011	
		Time complaint rec'd by OOH team: 2:30	
		Time of first response by OOH team: 2:30	
Leave worksheet active and allocate to: <input type="checkbox"/> Existing case officer _____ <input type="checkbox"/> NFC: send diary pack to new case		No statutory nuisance proven: <input checked="" type="checkbox"/> Not a statutory nuisance (0) OR Statutory nuisance witnessed and <input type="checkbox"/> No action possible (4) <input type="checkbox"/> Ceased, not likely to recur (1) <input type="checkbox"/> Resolved informally (3) <input type="checkbox"/> Referred to other service (2) <input type="checkbox"/> Notice served (5)	
OR, dealt with, so CLOSE worksheet with code: <input type="checkbox"/> Complaint withdrawn (CECW) <input type="checkbox"/> Visited: No action (CENP) <input type="checkbox"/> Advice given (CEAG) <input type="checkbox"/> Case resolved (CECR) <input type="checkbox"/> Referred elsewhere (GERE) <input checked="" type="checkbox"/> Warning given (OEWG) <input type="checkbox"/> S80 served (CENS)		And also, generate a linked worksheet for <input type="checkbox"/> _____ Because:	
<input type="checkbox"/> First warning = OOH01		<i>(other options to be added in future)</i>	

16.7.2011	21:30	T	C	Party twice midday?
16/7/11	21:49	T	P	Rang T&W Licence (Mr Claude Sylvester), event ended.
16/7/11	21:54	T	C	Complainant informed.

Telephoned: no problem / stopped
 No time to visit
 Visited: no problem / stopped
 Visited: reasonable
 Visited: difficult to establish nuisance
 Visited: nuisance if recurrent or for long period
 Visited: statutory nuisance
 Leaflet given
 Other: *Test Result on 23/5/11 at 13:25*



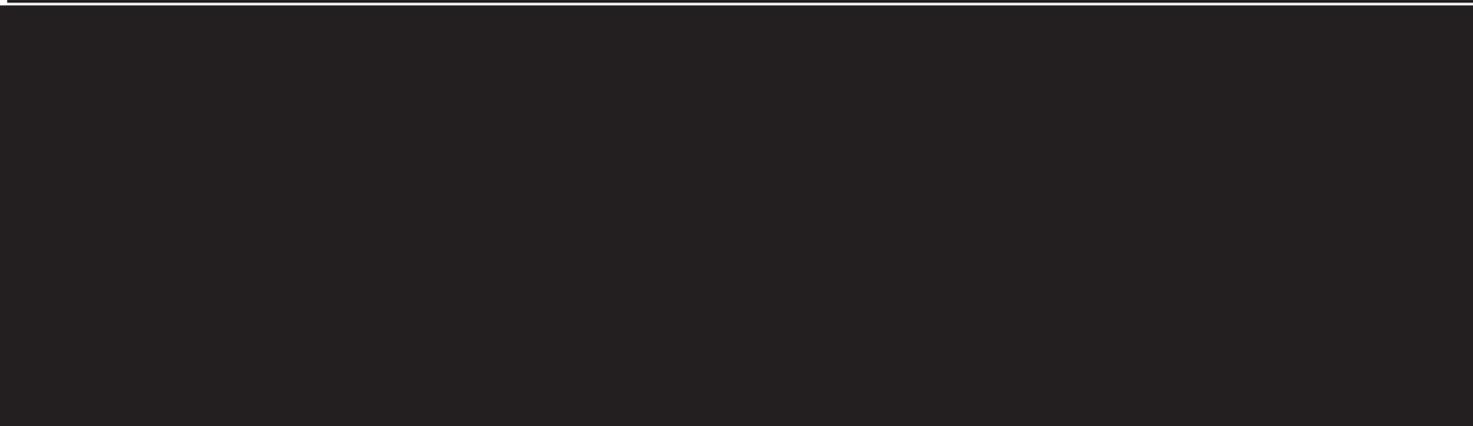
Property	
Address	Old Lyonian Association, Old Lyonian Sports Ground, 74 Pinner View, Harrow, Middlesex, HA1 4QF
Telephone	[REDACTED] Fax Area FHDS - Food team : Hdstn South



Department	EH - Environmental Health	Date Recd	12/07/2013	Time	11:36
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Details	they going to have an annual Grenadian Heritage day on 13/7 from 1 to 9 pm with live music and band and much more. She is not happy as every year on this day its so loud and also they will have issues with parking
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ZPC - Phone call ED 30/07/2013

Comment Called cpt and was advised that L/M was audible throughout the day inside and outside causing nuisance. Advised that restrictions shall be in place next year to ensure less problems in future.



Property			
Address	Old Lyonian Association, Old Lyonian Sports Ground, 74 Pinner View, Harrow, Middlesex, HA1 4QF		
Telephone	[Redacted]	Fax	Area FHDS - Food team : Hdstn South

Worksheet			
Source	[Redacted]		
Name	[Redacted]		
Address	[Redacted]		
Home Tel	[Redacted]		
Fax	[Redacted]		

Department	EH - Environmental Health	Date Recd	15/07/2013	Time	12:13
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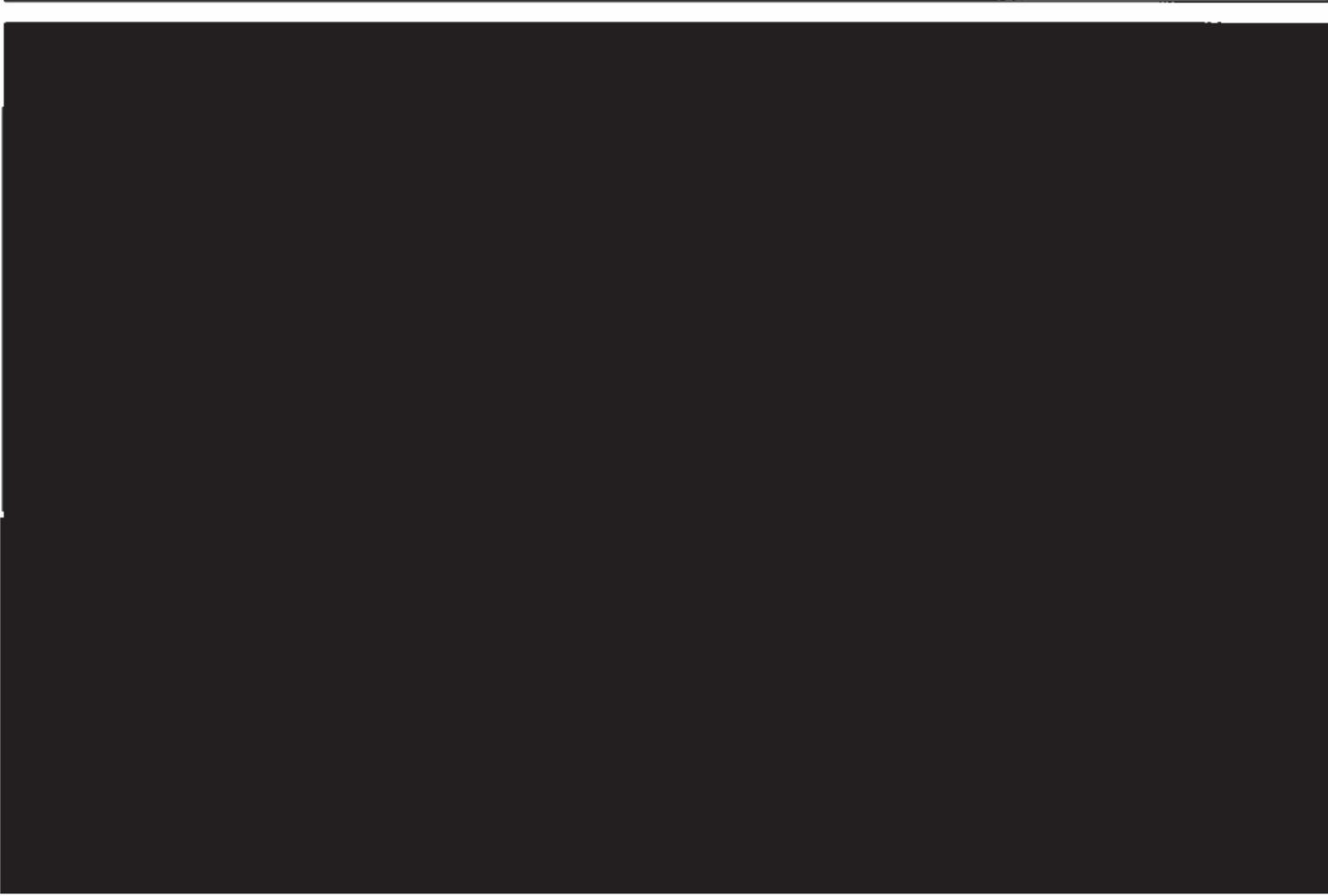


Details	disturbed by sound of bass music generated by Grenada Heritage Day which took place over the weekend
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Message	[Redacted]
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Due	Allocated	17/07/2013	Outcome	CEWG - Warning given
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Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure started	NFC	15/07/2013				
ZER - Email received	TM	15/07/2013				

Comment From: [REDACTED]

Sent: 15 July 2013 12:01

To: Environmental Health

Subject: Greneda Heritage Day - Old Lyonians Sports Club, North Harrow; 13th July 2013

Dear Sirs,

Our house backs onto the Old Lyonians Sports Field in North Harrow, and on 13th July 2013, there was the Greneda Heritage Day.

On Saturday, as I am sure you are aware, it was very hot. We had our back doors and windows open, which, given the weather is reasonable. However, the music, or rather the bass beat coming from the music at the Greneda Heritage Day was so very, very loud that our house was vibrating; we were watching the cricket (England vs Australia) on our television and could not, despite turning the volume up, hear the commentary.

Now, we like that there is all sorts of festivals, fun days etc. going on in Harrow, however, given that we appreciate that there is going to be loud music, I don't think that we are being unreasonable when asking that in future, the Council needs to be aware of the loudness of the music. After all, this was not Glastonbury or the Wireless Festival! Both my husband and I suffered terrible headaches from the bass beat. I think that could be a health and safety issue! I would like to add that my husband suffers from epilepsy and migraine - this did not help!

I do hope that in future, consideration is made for neighbours, who, would also like to enjoy the summer without others' functions intruding in the manner that this did on Saturday.

Kind regards,
 [REDACTED]

Comment

From: Edward Davis
Sent: 06 September 2013 15:40
To: [REDACTED]
Subject: Grenadian heritage day

Hello [REDACTED]

Environmental Protection Act 1990
Alleged nuisance from noise

I refer to your complaint regarding the above-mentioned property.

I have brought your complaint to the attention of the occupier(s) of the premises. I would be grateful if you would contact me if the problem recurs.

You can telephone me or [REDACTED] if the problem recurs or write to me at the enclosed address.

As the event is once a year, I will assume that the matter does not require any further investigation and no further action will be taken.

Just to advise you that the nuisance encountered by residents this year will be taken into account for any future application for such events on this site.

Yours sincerely
Edward Davis

[REDACTED]

Property

Address **Old Lyonian Association, Old Lyonian Sports Ground, 74 Pinner View, Harrow, Middlesex, HA1 4QF**
Telephone [Redacted] Fax [Redacted] Area **FHDS - Food team : Hdstn South**

Worksheet

Source

Name

Address

Home Tel

Fax

Department **EH - Environmental Health** Date Recd **16/07/2013** Time **10:45**

[Redacted]

[Redacted]

Due Allocated **30/07/2013** Outcome **CEAG - Advice Given**

[Redacted]

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure started	LIC	16/07/2013				
9006 - E-Mail	SUA	16/07/2013				
Comment Hi						

Following guidance from the Council's environmental health folk, I want to make a complaint about the noise that emanated from, from what I can work out, a sort of 'celebrate Grenada' function held at the Old Lyonian Sports Club in Pinner View on Saturday afternoon/evening, 13th July.

My wife and I rent 2 allotment plots in the Lincoln Road Allotments site, were working these 2 plots on Saturday afternoon/evening, and we could hear the noise from early afternoon until evening when we went inside our home after having had the quietude of our Saturday ruined.

Obviously this is retrospective complaint, but I'm making it as I'm concerned that this may become an annual event, and my wife and I don't want to go through the same experience next year, and the year after that, and the year after that

I look forward to receiving your response to my complaint.

Best regards



Property

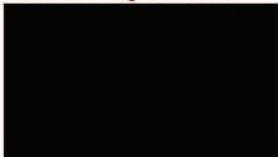
Address **Old Lyonian Association, Old Lyonian Sports Ground, 74 Pinner View, Harrow, Middlesex, HA1 4QF**
Telephone [REDACTED] Fax Area **FHDS - Food team : Hdstn South**

Department **EH - Environmental Health** Date Recd **30/05/2014** Time **08:28**

Details **Cocerns about the noise levels that come from events held here. Please can you call the resident to discuss further.**

Due Allocated **03/06/2014** Outcome **CEAG - Advice Given**

Community and Environment
Corporate Director – Brendon Hills

Mr C. Sylvester


Tuesday, 19 July 2011

Our ref: ce/css/pc/

Your ref:

Document4

Dear Sir,

Re: Unlicensed Regulated Entertainment.

On Saturday the 16th July 2011 at 21:30. Officers from the Environmental Health noise team received a complaint from a local resident of a noise nuisance from The Old Lyonian Sports Field, 74 Pinner View, Harrow, Middlesex, HA1 4QF the noise team contacted you and you stated that the event had overrun because of rain, unlicensed regulated entertainment was still taking place: Namely recorded music being played.

On this day you had applied for a Temporary event notice, which ran from 1300 to 2100, as the responsible person it was your duty to ensure that all licensing activities ceased at 21.00.

As this was a licensed event for only one day we have decided to deal with this offence by way of an official warning. In view of this it is likely that should you apply for any future Temporary event notices at this premises our environmental health noise team may well serve you with a noise abatement notice prior to the event to ensure that no further noise nuisance is caused to the local residents.

This letter will go on file as an official warning.

Yours sincerely

Peter Coates
Licensing Team Leader,
Community Safety
Tel:  

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Appendix E

-----Original Message-----

From: claude sylvester

Sent: 04 June 2015 16:46

To: Edward Davis

Cc: license; Ash Waghela; Peter Coates

Subject: Re: 7th Annual Grenadian Heritage Day - 4 July 2015

Dear Mr Davis

Thank you for letting me know of your objections to our application for a TEN. I appreciate your concerns. The interests of local residents should be taken into account. We respect the residents' right to peaceful, quiet enjoyment of their homes and environment. For example, in 2013 whilst the event was taking place a resident came to the venue requested that the music be lowered. We apologised and responded immediately. She was happy with our response.

The event (7th such event at the venue) is a charity, community and family event. It has been well supported by the local community. We appreciate their support and we are keen for it to go ahead.

Preparations for the event are at an advanced stage; it is four weeks away so finding another venue would be difficult. The Mayor of Harrow has already confirmed that he and his wife will be attending. The police have already confirmed that they will be attending as well. In addition, we have already incurred considerable costs that are normally associated with the hosting of such an event. If the TEN were to be refused we would be forced to bear additional costs.

In the circumstances, I urge that you to reconsider the matter at the earliest opportunity and withdraw your objections.

We will do the following the meet your concerns:

- (1) We appreciate that elderly residents and children in the area who would normally retire to bed at about 9.00pm. We will ensure that the PA system is closed down by 8.00pm.
- (2) We will ensure that the PA system is operated at a reasonable volume at all times.
- (3) We normally distribute flyers in the local area informing residents about it. We will do so again.
- (4) We will operate a "hotline" during the event to address any concerns that local residents may have. The number is [REDACTED]

In your email you said that you "would be happy to withdraw the representation(s) if the operating schedule is amended accordingly or if you agree to a suitable condition(s) being imposed as part of the licence". You did not say what you had in mind. Please let me know.

I hope that I have dealt with your concerns to your satisfaction. Please let me know if you require further information or wish to discuss the matter further.

Again, I implore that you look favourably at withdrawing your objections.

Thank you for your kind assistance in this matter.

Kind regards
Claude F Sylvester
Organiser

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