



HILLINGDON

LONDON

Mrs Lois King
The Licensing Service
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
UB8 1UW

Date: 2nd May 2024

Dear Mrs King,

LICENSING ACT 2003
PRINCE OF WALES (SAHARA CITY), 1 HARLINGTON ROAD, HILLINGDON UB8 3HX

I am writing to you as the Officer duly authorised to make representations on behalf of the Licensing Authority. This representation concerns the application submitted by Game Measure Limited on 6th April 2024 for a variation of a premises licence.

The application proposes to extend the hours for the licensable activities. They propose for the Sale of Alcohol, Recorded Music and Performance of Dance, Sunday to Wednesday from 10:00 until 00:30 and Thursday to Saturday from 10:00 to 01:30 hours. They propose the same days and terminal hours for the provision of Late Night Refreshment. Finally, they have applied for Live Music, Monday to Sunday from 10:00 to 23:00 hours.

The Licensing Authority wishes to make a representation against this application based on the following licensing objectives:

The Prevention of Public Nuisance
The Prevention of Crime & Disorder

The Prevention of Public Nuisance

We have concerns about the proposed finishing times for licensable activities. For example, Regulated Entertainment in the form of Recorded Music and Performance of Dance is proposed until 01:30 hours Thursday to Saturday for both indoors and outdoors. We feel there is the risk of potential disturbance to residents living within the vicinity. Earlier finishing times may wish to be considered by the applicant, so they are more appropriate for the local area.

The applicant has proposed 41 conditions in their document entitled, 'Operating Schedule'. However, it is noted that a number of conditions on their current premises licence, MAU029895, have been left out of their 'Operating Schedule' under the heading, 'The Prevention of Public Nuisance'. These current conditions include:

- 33. No Patrons shall be permitted to use the external area of the premises after 2300hours between Sunday to Thursday and 0000 hours on a Friday and Saturday.
- 34. There shall be no admittance or re-admittance to the premises after 2200 hours on any day save for patrons being permitted to temporarily leave the premises to smoke.

- 35. Patrons permitted to leave the premises temporarily to smoke shall be restricted to a designated smoking area defined as (the front of the premises) and limited to (5) persons at any one time.
- 37. There shall be no amplified noise/music or speakers permitted in the external area of the premises.
- 38. Noise limiters shall be in use to ensure that any noise emanating from the TV does not cause a nuisance to nearby residents.
- 39. Dispersal policy to be provided to and approved by the Anti-Social Behaviour and Environmental Team.
- 42. Hourly noise patrols during Regulated Entertainment with a record kept of noise patrols to be kept at the premises available for inspection by the Anti-Social Behaviour and Environmental Team.

Our view is that the removal of these conditions coupled with the proposal for the extension of hours will likely cause disturbance for local residents.

The Prevention of Crime & Disorder

On Thursday 2nd May 2024 at midday, I attended a joint meeting at the premises with Police Licensing to meet Management. We met with the Designated Premises Supervisor, Mr Mohamed Hassan, Mr Sheikh Sheraz, Director of Game Measure Limited and their Licensing Consultant, Mr Noel Samaroo. We discussed their variation application. However, we also discussed Police Licensing's recent visit that took place at the premises on Saturday 27th April 2024 at about 22:15 hours. A number of conditions were not being complied with on their visit, for example:

- 14. All Patrons entering the premises 6pm on Friday's, Saturday's and UK Bank Holiday's shall be required to have their identity verified via the ID scanner machine.
- 34. There shall be no admittance or re-admittance to the premises after 2200 hours on any day save for patrons being permitted to temporarily leave the premises to smoke.

We were advised that the premises was very busy with an event occurring however it is concerning that Management were unable to comply with some of their current premises licence conditions. We have to question whether Management would be fully compliant should their variation be granted with the numerous conditions they have proposed in their 'Operating Schedule'.

In conclusion, the Licensing Authority feel that the licensing objectives would be undermined if the licensable activities were extended and a number of key current conditions were removed from the premises licence. Furthermore, we are currently not fully confident that Management would comply with all conditions attached to their premises licence, if granted.

I am happy to attend a hearing, if required, to verbally deliver my representation and to also to answer any queries from the Licensing Sub-Committee.

If you have any queries regarding this matter, then please feel free to contact me.


 Daniel Ferrer
 Licensing Team Manager
dferrer@hillingdon.gov.uk
 T. 01895 277 753

From: [Joanne Howells](#)
To: [Lois King](#); [licensing](#)
Subject: Re Prince of Wales / Sahara City
Date: 01 May 2024 16:09:09

Afternoon,

I object to the variation, due to recent incidents related to noise nuisance and ASB namely, music and entertainment outside in garden area and cars parked on the pavement outside and behind the bus stop, causing disruption for local residents.

Regards
Joanne Howells
Service Manager
Street Scene Enforcement Team

JHowells@Hillingdon.gov.uk



**METROPOLITAN
POLICE**

TOTAL POLICING

<p>The Licensing Officer Licensing services Civic Centre Uxbridge UB8 1UW</p>	<p>Hillingdon Borough Licensing Dept. Uxbridge Police Station 1 Warwick Place Uxbridge UB8 1PG.</p> <p>Telephone: 020 8246 1933 Email:</p>
	<p>Date: 02/05/2024 Re: Application for a Variation</p>

The Police Licensing Team wish to submit a representation regarding the variation to the premises licence at Prince of Wales, 1 Harlington Road, Uxbridge, Hillingdon, UB8 3HX. The premises is trading as "Sahara City".

The representation against the variation is because of the negative impact it will have on the licencing objectives, namely the prevention of crime and disorder, prevention of public nuisance, protection of children from harm and public safety.

On 09/04/2024 Police Licensing received the application to vary the licence. The application sought to extend the hours for licensable activities and an operating schedule was submitted which included most of the existing conditions but with some amendments and some omissions.

A summary of the hours shown currently and what they wish to be varied to be are shown below:

Sale of Alcohol (on and off premises) and recorded music

Was	Sun – Thurs	10:00 – 23:00	vary to	Sun – Weds	10:00 – 00:30
Was	Fri – Sat	10:00 – 00:00	vary to	Thurs to Sat	10:00 – 01:30

Late Night Refreshments

Was	Sun – Thurs	None	vary to	Sun – Weds	23:00 – 00:30
Was	Fri – Sat	23:00 – 00:00	vary to	Thurs – Sat	23:00 – 01:30

Regulated Entertainment to include Performance of dance – Belly dancer show

This was internal regulated entertainment only and it now seeks to include the external area

Was	Sun – Thurs	10:00 – 23:00	vary to	Sun – Weds	10:00–00:30 external area until 23:00
Was	Fri – Sat	10:00 – 00:00	vary to	Thurs – Sat	10:00 – 01:30 external area until 23:00

Opening hours

Was	Sun – Thurs	10:00 – 23:30	vary to	Sun – Weds	10:00 – 01:00
Was	Fri – Sat	10:00 – 00:30	vary to	Thurs to Sat	10:00 – 02:00

I would summarise the main proposed changes to the conditions as follows:

- The condition that states regulated entertainment consisting of live music, recorded music and performance of dance is permitted inside the premises at restricted times (condition number 2) has been removed which would allow it to take place for the extended hours requested.
- The condition that states no live music or performance of dance will take place in the external area of the premises (condition number 3) has been removed which would allow it to take place outside for the extended hours requested. The original condition also restricted the hours of recorded music in the external areas. This part of the condition has also been omitted / removed and so allowing recorded music to be played outside until later.
- Additions have been made to the conditions on Thursdays to mirror what is in place for a Friday and Saturday with regards to having SIA and the use of ID scanners (current condition numbers 13 and 14).
- The current condition limiting the capacity of the venue to 154 (condition number 30) has been omitted / removed from the new proposal.
- The current condition limiting the number of smokers in the outside smoking area to five (condition number 35) has been omitted / removed from the new proposal.
- The current condition stating that there shall be no amplified noise/ music or speakers permitted in the external area of the premises (condition number 37) has been omitted / removed from the new proposal.
- The condition stating that there shall be no admittance/ re-admittance after 22:00 hours (condition number 34) has been omitted / removed from the new proposal.
- The conditions stating that waste collections and deliveries will not take place between 21:00 hours and 08:00 hours (conditions numbers 32 and 33) have been pushed back to 23:00 hours, rather than 21:00 hours.

Police Licensing have concerns that the removal of these conditions combined with the increase in hours will negatively impact the public and the licensing objectives. The premises need stringent conditions to ensure that it is managed appropriately, preventing crime and disorder as well as preventing it from causing a public nuisance. These conditions and restrictions are necessary for the protection of the public and to uphold the licensing objectives.

A brief and recent history at the premises, which illustrate why the conditions are on the licence, can be summarised as followed:

- The premises licence was reviewed in 2019 following a serious incident when a male was assaulted in a fight. The premises did not call police and there were concerns about public nuisance with complaints associated to shisha smoking, entertainment and noise. There were also concerns about underage drinking at the time.
- As a result of this review, further conditions were imposed on the licence and Mr ABOUZEID was removed as DPS and replaced by Mr EL-MENSHAWI.
- On 27/11/2021 there was another serious incident at the Prince of Wales whereby there was a stabbing. Four people received knife injuries and one of the injured victims was a 16 year old girl. She had been drinking in the premises for hours before the assault with friends who were all under the age of 18 years old.
- Following this serious assault there was a summary review which resulted in the premises licence being revoked. Interim steps were put in place to suspend the licence and this was challenged. The decision, however, was upheld.

- In February 2023 there was an application for a new premises licence at the address under new management. This received representations and there was a hearing on 11/04/2023. On the day of the hearing a new Designated Premises Supervisor (DPS) was proposed who was not on the original application. The decision was made to grant a licence with forty three conditions.
- The Sub-Committee noted in their decision notice that the conditions offered at the time showed a commitment to upholding the licensing objectives and that the robust conditions attached to the licence would “serve to combat many of the issues that have previously plagued the venue, striking a fair balance in relation to the concerns raised by residents and the operating schedule of the business.”
- The Sub –Committee also noted they were concerned that there were reports of noise nuisance believed to be emanating from the premises in March 2023 (before the licence was granted).

After the premises licence was granted, Police Licensing delivered training (Welfare and Vulnerability Engagement) to Mr Mohamed Mosad Hassan (DPS) on 17/05/2023.

Since the premises was granted a licence around a year ago, there have been the following calls to police:

- On Tuesday 01/08/2023 at about 00:15 hours a sign was stolen from the front of the venue and reported to police online the following day by the DPS, Mr Hassan. He stated that there was CCTV of the offence. The investigating officer called Mr Hassan several times with no answer and no facility to leave a voicemail. They also emailed him twice and stated that if he did not make contact the report would have to be closed without any further investigation. There was no response and so the investigation was shown complete (crime report 0917673/23 refers).
- On Monday 30/10/2023 at 18:35 hours a member of staff called to say that there was a drunk person at the venue refusing to leave and being verbally abusive to staff and customers. There was no security on duty and police assistance was requested. The individual left of their own accord and police attendance was cancelled six minutes later (Cads 6451 and 6498 refers).

On Saturday 27/04/2024 at about 22:15 hours Police Licensing conducted an unannounced visit to the venue and found that there were failings with conditions on the licence not being adhered to.

These were:

- Entry was permitted and unchallenged into the venue at 22:15 hours. Condition 34 prohibits entry after 22:00 hours and so this condition was breached.
- On entry at 22:15 hours there was no request for ID and no ID was scanned. Condition 14 of the licence makes it a requirement for all patrons to have their ID scanned on entry after 18:00 hours and so this condition was breached.
- There was a DJ performing in the OUTSIDE area at the rear of the venue. There are three current conditions relating to the music / regulated entertainment in the inside/ outside areas.
 - Condition 2 on the licence specifies that regulated entertainment consisting of recorded music is permitted to take place INSIDE at restricted times. This is to prevent the noise being made outside and causing a public nuisance.
 - There is the same intent behind condition 3 which prohibits live music and performance of dance in the external area. We were informed that there had been a belly dancer performer earlier in the evening, which would be a breach of the licence. The condition allows for recorded music only in the external area until restricted times, which would have been 23:00 hours on Saturday.

- Condition 37 states that “there shall be no amplified noise/ music or speakers permitted in the external area of the premises.” The DJ was playing loud music in the external area, clearly in breach of this condition.

The above points were discussed with Mr Hassan at the time, although not in great depth as it was a busy Saturday night and so it did not seem appropriate to go through the entire licence. I therefore contacted Mr Hassan following the visit and arranged a meeting at the venue to discuss the failings at a more appropriate time. I also made the Council Licensing Team and Noise Nuisance Teams aware of my visit and extended the invitation to the meeting.

Prior to the meeting, I was made aware of a complaint that was made to the Hillingdon Out of hours Team about the noise emanating from the venue which was disturbing the peace for the caller and their children on the same night as my visit.

On 02/05/2024 at 12:00 hours Police Licensing attended the venue for the arranged meeting with Mr Hassan. Also present was his agent, Mr Samaroo, and Mr Daniel Ferrer from the Council Licensing team.

My concerns that conditions mentioned were not being adhered to were pointed out.

Mr Hassan had a number of logs present which he was able to show. This included a refusals log, incident log, SIA register and training record. These are all required as conditions on the licence.

It was disappointing to find there were some further failings:

- The SIA register only had one SIA recorded for many of the dates. This was checked during the meeting as being on Fridays and Saturdays when there is a requirement for a minimum of two door supervisors to be on duty (condition number 13). Mr Hassan stated that CCTV could show that there were two working (although he was unable to playback CCTV footage to us at the time). It is a condition that there is a register kept of all door staff on duty (condition number 15) and this was clearly incomplete, or there were not enough SIA on duty at the relevant times.
- The incident Log only had three entries; 04/08/2023, 30/10/2023 and 20/04/2024. It was pointed out that the police visit on 27/04/2024 should be recorded. I would also have expected to see the theft report that Mr Hassan made on 01/08/2023 included.
- Mr Hassan showed us the CCTV coverage of the venue with the live camera feeds but was unable to show us any recorded footage. He did state that this could be provided but he would need to contact another person, not on site, to arrange this at a later time. Condition 17b states that “at least one member of staff trained to operate the CCTV system and download images shall be on duty at all times”. This condition was therefore not being adhered to.

Having met with Mr Hassan and his agent, I believe they would be willing to make further improvements to their proposal but I have reservations in all conditions being adhered to. I would like to, and expect to, see that they are all adhered to in their entirety.

Last entry times being enforced, the correct minimum number of SIA being on duty and being recorded, scanning of ID and incident log entries are all important in the prevention of crime and disorder as well as being able to show CCTV to officers at any given time. To remove any of these or not adhere to them would be undermining the licensing objectives.

To summarise, Police Licensing have concerns about this variation. As outlined above, the venue have a history of failings which have included stabbings, underage patrons and poor management. There have also been complaints of causing a public nuisance with the noise and behaviour associated to the venue. The licence was subsequently revoked.

When the new premises licence was granted approximately a year ago with new management, there were robust conditions in place to ensure that the licensing objectives would be upheld and the venue

managed responsibly and appropriately. Unfortunately it has been found that several conditions are being breached which not only increases the likelihood of crime and disorder and public nuisance being caused, but also reduces the trust and confidence that we have in the management of the premises. An increase in licensable hours with the omission of, or blatant disregard, of conditions is reducing the control measures that are in place and will have a negative impact on the licensing objectives.

PC Penny BROWN 3267WA
Police Licensing Officer
Hillingdon Borough.

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates’ Courts Act 1980, s.5B

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Statement of: PC Penelope Brown 3267WA

Age if under 18: Over (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: Date: 08/05/2024

This statement is an addition to the representation dated 02/05/2024 that I made against the application for a variation at Prince of Wales, 1 Harlington Road, Uxbridge, Hillingdon, UB8 3HX.

This statement is to evidence more fully my interaction with the venue and provide available Body Worn Video (BWV). This is because my account of being allowed entry into the venue after 22:00 hours has been challenged and so I want to be as clear and transparent as possible to detail this breach of the condition if it is being disputed.

On Saturday 27/04/2024 I was on duty in plain clothes in company with two other plain clothes officers who I had arranged to accompany me so that I was not conducting visits to licensed premises by myself at that time of the night.

At about 22:15 hours we arrived at Prince of Wales and parked an unmarked car in the carpark to the rear. The carpark was full and our vehicle was left blocking every single vehicle in. We were approached by a white male in a yellow high visibility jacket who asked for the car key. My colleague declined and said he could not do that and said that we wouldn't be long. The male asked again and was given the same reply. He then let us continue. The exchange was brief and courteous. There was nothing to show and nothing said to suggest we were police officers.

Witness Signature:

Signature Witnessed by Signature:.....

Continuation of Statement of: PC Penelope Brown 3267WA

I approached the front of the Prince of Wales and there was one black male in dark clothing at the front of the venue. Nobody else was visible. We acknowledged each other and I continued to walk to the front door with the two plain clothed officers following behind me. The black male in dark clothing, who I assumed was security (SIA), asked me if I had a booking. I replied "no" and continued to walk into the premise. He came with me and asked "how many for? Three?" At this point the SIA and I were now inside the venue. Being a few steps inside I have recognised Mr Mohamed HASSAN, the designated premises supervisor (DPS), who was stood at the bar collecting a drinks order. I have said something along the lines of "ah, I know him, it's fine thanks" and have gone straight to Mr HASSAN. I asked if he remembered me and after a brief pause reminded him that I was "Penny Brown from Police Licensing". Mr HASSAN seemed to then recall me and said that he did. We spoke briefly and he then delivered the drinks. The venue did not seem very busy. I would estimate a large table of about twelve people at the front and a few smaller tables to the left as you enter. When Mr HASSAN came back we spoke briefly and I asked if I could have a look around. Mr HASSAN seemed happy to oblige and showed me through to the external area at the rear of the premises.

As we entered the external area I was taken aback by how loud and busy it was. I had to ask if we were "outside" as my initial impression was that we were still in an inside, enclosed area. It was at this point that I have decided it may be pertinent to switch on my BWV. It was in my pocket, as I was in plain clothes and so had nothing visible to show that I was a police officer. I removed the BWV from my coat pocket, activated it and clipped it to the front of my coat. The way the BWV works, they are in a standby / buffer mode. At the time I activated it to start recording, a recording from thirty seconds earlier will actually be stored. Therefore, the initial recording is from inside my pocket with nothing visible for almost thirty seconds. I had not used it beforehand as I did not want to be identified as a police officer on entry, to know if conditions were being adhered to.

I exhibit the footage as PAB/1 - BWV of Prince of Wales 27/04/2024

https://met.uk.evidence.com/axon/evidence?evidence_id=51c301f9a00c4f06a6b806119ec696ff&partner_id=85575e0c7f814dbb8e4a0073265aa36e

Witness Signature:

Signature Witnessed by Signature:.....

Page 2 of 4

Continuation of Statement of: PC Penelope Brown 3267WA

Mr Hassan and I had a conversation in the rear area. Whilst I am happy to expand on this and the footage is available, I do not believe there is any dispute about the fact that a DJ was playing amplified music in this external area, which is the relevant information from that encounter and that the TEN was not in effect at the time of the visit. There were customers eating, drinking and smoking shisha. I did not count how many customers were there but it seemed full.

Mr Hassan suggested that we go somewhere that was more quiet to speak and I followed him through the venue to outside the front. We spoke a little more about the music, restrictions on the licence and the fact that there was no TEN in place until 00:01 on 28/04/2024.

My main concern at that time was relating to the entry, with our entry being allowed after 22:00 hours and no ID being requested or scanned. These conditions are in place to help prevent crime and disorder and were both breached (conditions number 14 and 34).

At about 22:22 hours Mr Hassan said that I wasn't asked for ID as I looked over 25 years old. I read out the condition that states "all patrons" after 18:00 hours must have their ID scanned on Friday and Saturday (condition number 14). Mr Hassan's response seemed surprised by this and he continued to say he "can't ID a 50 year old man" and called it "excessive". I have continued to say that the other problem we encountered was that no entry is permitted after 22:00 hours and we were allowed in. Mr Hassan has gone to dispute this and I have stopped him and told him that we were asked "how many for? Three?" and were then shown in. We continued our conversation and I made it clear that all conditions are important and need to be upheld.

I have then asked about a "clicker" to be counting patrons, as there is a capacity limit of 154 (condition number 30). I was told there is no counter. Both Mr Hassan and the male who I believe was SIA (who allowed my entry) started to explain that they monitor capacity simply

Witness Signature:

Signature Witnessed by Signature:.....

Continuation of Statement of: PC Penelope Brown 3267WA through bookings. The SIA pointed out that the first thing he asked me was if I had a booking before then asking if there were three of us, which is a correct description of our interaction, as already detailed. He explained that I may have been late for a booking and that they were "fully booked". He did not dispute that he then let me in (without a booking).

I continued to talk to Mr Hassan and left the venue at about 22:26 hours.

When I attended the meeting at the venue on 02/05/2024 the fact that I had been permitted entry unchallenged after 22:00 hours on 27/0/2024 was challenged/ disputed. I again went through the details as described about how I entered. Mr Hassan said that although I had been allowed in, I definitely would not have served.

I would be happy to discuss further any of the footage that I have provided but am providing it and this statement for clarity and transparency around the breach of the condition of entry after 22:00 hours because it has been disputed/ challenged.

Witness Signature:

Signature Witnessed by Signature:.....