

APPENDIX L

Mediation meeting notes – Bombay Fusions
Landmark Place at 12:00 in meeting room 6.

Attendees:

Melanie Sagar, SBC Licensing Officer (MJS)
Debie Pearmain, Thames Valley Police (TVP) Licensing Officer (DP)
Andy Amor, Thames Valley Police (TVP) Town Centre Sergeant (AA)
Richard Garnett, SBC Neighbourhood Enforcement (NET) Officer (RG)
Ian Blake, SBC Neighbourhood Enforcement (NET) Team Leader (IB)
Hanah Aslam, Premises Licence applicant for Bombay Fusions (HA)
Mohamed Aslam, Bombay Fusions General Manager (MA)

Meeting started with all attendees introducing themselves and stating their position.

DP began by confirming that she is aware that the premises licence application is not for the premise previously licensed as Rabz however due to the history of public nuisance & disorder in that area of the town centre the objections and additional conditions requested by TVP are still relevant to 304 High Street, Slough.

There are historic problems from various venues in that area causing noise disturbance and disorder due to music and patrons entering and leaving at late hours and TVP are of the opinion that the terminal hours of between 03:30 – 05:00 is too late.

RG also confirmed the historic noise disturbance problems caused not just from music outbreak but from patrons outside premises, for example smokers. RG also confirmed that although there are offices next to 304 High Street noise reverberates around the empty offices which causes additional noise disturbance to the nearby residential, key worker flats.

MA stated that they will have their doors closed unless patrons are entering or leaving and that they propose to have their smoking area at the back of the premises where smokers will be limited to a maximum of 10 at a time and will be supervised by one of their door supervisors.

RG pointed out that there will inevitably be noise breakout each time the front doors are opened. RG also asked about where their patrons will be parking as the premises has a maximum capacity of 300 people. There is limited parking on the High Street and the Bombay Fusions customers will be vying for these spaces with the customers for the other late night premises in the area. RG & IB pointed out that Hatfield car park to the rear of the premises is locked from 9pm each night and Salisbury House only has 10-12 spaces so customers will be wandering into nearby streets as they are unlikely to be willing to use the connecting alleyway and will be looking for parking in the surrounding residential streets and then walking back to their cars at the end of the night.

In response to the concerns raised about noise from customers entering and leaving MA said their customers will be pre-booking, be dressed up for the evening, driving BMW's, Audi's etc., they will not be allowing all male groups, they plan to have a roughly equal ratio of male / female customers each night, they will have guest list only attendance from advance bookings. MA confirmed the maximum capacity for the

premise is 300 and that at the time of the meeting no risk assessment had been done yet. MA said music will be separate and booking only, the music type will be DJ, Bhangra, R&B – mostly booking only. On the other side will be breakfast, lunch with food served until the premises close. In response to concerns raised over where the customers will park MA said there is a car park behind the premise, there is parking on the High Street and further up near Nando's there is another car park (although he didn't know the name I think he meant the Grove car park).

DP asked for clarification on what MA meant by on the other side.

MA confirmed the premises is split in two with two entrance doors so, as per the submitted plans, one side will be for dining and the other side will be the bar, dance floor and seating.

IB again raised the issue of parking and pointed out that if the customers are parking at Hatfield and the Grove car parks they will be walking back to their cars along the High Street directly past the residential key worker properties which would create noise disturbance. IB again also raised the point that using the back of 304 High Street as the smoking area for up to 10 people would also create reflective noise reverberation from the empty offices which has previously been shown to cause noise disturbance at the nearby residential properties.

RG also pointed out that having the smoking area at the back of the premises was dependent on SIA supervision.

IB again asked about how HA and MA would manage noise from their patrons entering and leaving the premises, reflective noise at the back of the premises.

MA said the DJ would remind customers throughout the evening to be considerate of neighbouring properties when leaving and that his customers would be making advance bookings, be well dressed and coming from as far away as Watford, although not in mini busses. MA also said having Bombay Fusions there will stop the alleyway being used as a toilet.

MJS pointed out that it is a licensed premises and when people have consumed alcohol they are not necessarily aware of how loud they are, especially if they are celebrating a wedding which was an example of the type of event they hope to host and that even if they only have 50 people leaving at one time and they are all talking at normal volume the sound of 50 people talking at once is going to create noise disturbance.

AA suggested that due to the history of the area and the objections received to the premises licence application that HA agrees to the additional conditions and reduced hours at this time, she can apply for temporary event notices for special bookings to extend the terminal hour such as for birthday parties, wedding celebrations etc., and another meeting could be requested in six months time with Neighbourhood Enforcement, Licensing and Thames Valley Police. At that meeting all parties could review the previous six months to determine if there has been any noise or public disturbance complaints in relation to the premise. If not and all has gone well then an application for a variation to extend the terminal hour may be more favourably received.

DP agreed with AA and added that a further consideration for Thames Valley Police is that once the licence is issued, if this business did not go as well as HA and MA

hoped they could sell the business on, with the licence until 5am and the new owner could then open a night club.

HA and MA both said that is not going to happen.

DP said but it could, you don't know what is going to happen in the future.

MJS explained that if no agreement could be reached the matter would be referred to a Licensing Sub-Committee (LSCS) for the councillors to decide on the terms of the licence and HA was running the risk that they would reduce the operating hours even further. Either way we would need to have their written confirmation of what they want to do in writing, letter or email, by close of business on 20th September 2013.

MA asked if there had been any objections received from residents.

MJS said not aware of any but there were still two days for objections to be received.

DP also pointed out that there might not be any objections from residents as they might not be aware of the application as not everyone looks at notices put up in shop windows, not everybody reads the local papers and those who do don't necessarily read the public notices in the local papers.

HA and MA said they agree to all the additional conditions requested by Thames Valley Police but they cannot agree to the reduced hours as their customers are working people who would not get to the venue until later in the evening and closing at midnight or 1am would be no good for them.

HA asked for DP, RG and IB to agree to amend the terminal hour to 1am or 1:30 am Sunday to Thursday and to 2am for Friday and Saturday.

After further discussion where all parties re-iterated the above mentioned reasons DP, RG and IB said they needed to discuss HA and MA's request amongst themselves and MJS would call HA later in the day with their decision.

DP then asked to go through each requested condition for HA to say which she agreed to and which she didn't

Amendment to Hours

All licensable activities to cease at midnight on a Sunday, Monday, Tuesday, Wednesday and Thursday. All licensable activities to cease at 01.00am on a Friday and Saturday. **NO AGREEMENT**

All seasonal variations and non-standard times to be removed except for New Years Eve when all licensable activities cease at 02.00am. **NO AGREEMENT**

We have no objection to the premises opening at the specified times in the application.

Conditions

In the absence of the DPS a Personal Licence Holder (PLH) to be on the premises during all licensable activities. **AGREED**

Last entry time to be midnight on a Friday and Saturday including smokers. **NO AGREEMENT**

Maximum of 10 clients allowed out to smoke at any one time. **AGREED**

The DPS will give a minimum of 21 days notice of an intention to hold a promotion promoted by an outside promoter (i.e. not directly employed by the DPS) to run an event at the premise. The DPS shall cancel the event should the Police give notice of objection. **AGREED**

Accredited SIA door team to be used inside the premise and outside from 2100 hours until close, seven days a week. **AGREED for event days, Friday & Saturday and at TVP request**

Minimum of 6 SIA accredited door staff to be on duty, one to be female. Four door staff to be on duty inside the venue with 2 door staff on the front door. **NO AGREEMENT**

Door Staff signing in and out Register to be in place and made available upon the request of Thames Valley Police and authorised Local Authority Licensing Officers and be kept for a minimum of one year. **AGREED**

CCTV to be installed in accordance with current or amended Home Office Guidelines relating to UK Police Requirements for Digital CCTV Systems. These cameras shall be located both internally and externally. CCTV images shall be retained for 31 days and except for mechanical breakdown beyond the control of the proprietor shall be made available upon request to the police and Authorised Officers of the Council. Any breakdown or system failure will be notified to the police immediately and remedied as soon as practicable. Any request from Thames Valley Police or Local Authority Licensing Officers for a recording to be made for evidential purposes must be carried out immediately. **AGREED**

DPS or nominated person to be trained on how to work the CCTV system to the standard where the nominated person can download any potential evidence required by Thames Valley Police employees and Local Authority Licensing Officers. **AGREED**

DPS or nominated person is responsible in supplying the necessary media (discs, data stick) containing any downloaded content. **AGREED**

The DPS will become a member of the local pub watch scheme as long as it is in existence. **AGREED**

Drugs policy to be in place and made available to Thames Valley Police and authorised Local Authority Licensing Officers. **AGREED**

Incident Register to be in place and kept up to date and made available upon the request of the Thames Valley Police and authorised Local Authority Licensing Officers and be kept for a minimum of one year. **AGREED**

DPS and Management shall operate and make use of the Retail Radio system. **AGREED**

The meeting ended at approximately 13:00 and MJS showed HA and MA out.

Once out of the room HA asked MJS what happens next? MJS explained that if HA did not agree to the conditions and reduced hours then after the initial 28 day objections period ends we then have 21 days to convene a LSC hearing. Licensing would write a factual report stating a premises licence application was received; objections were received from NET and TVP and the reasons for those objections; the report is sent to Legal for approval and then Democratic Services would arrange a meeting date, time and venue. HA would receive a copy of the report and be invited to attend the hearing to put her case forward for the hours she wants then the councillors will make a decision on whether to grant as applied for, grant as requested by TVP, grant as they see fit or refuse. MJS said whatever HA decides would need written confirmation, preferably by email to Licensing or Rachael Rumney by close of business 20th September 2013 but said wait and see what decision TVP and NET make and take it from there.

HA then asked what if LSC agree TVP reduced hours.

MJS confirmed they have a right of appeal at Magistrates Court and that the appeal has to be lodged within 21 days of the LSC decision and then wait for a court date for the matter to be heard.

HA and MA then left Landmark Place.