

Director – Brendon Walsh

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Date: 19th December 2017

Dear Sirs

Licensing Act 2003

RE: Osterley Park Hotel, 764 Great West Road, Isleworth TW7 5NA.

I am writing in connection to a visit to the above premises on 22nd October 2017 at 01:45hrs made by the Licensing Authority and Pollution Control Authority.

The purpose of the visit was to check for compliance with the current premises licence and relevant licensing legislation.

The Licensing Authority are the relevant authority for the issuing of Premises Licences in accordance with the provisions of the Licensing Act 2003. I would, therefore, bring to your attention the matters that were observed on 22nd October 2017, which constitutes contraventions of the legislation. The details are listed on the enclosed schedule and you will need to ensure that appropriate steps be taken to prevent further breaches taking place.

Please note that a failure to comply with the requirements of the Licensing Act 2003, associated regulations and the terms and conditions of the premises licence is a criminal offence. If formal legal proceedings are brought against you, upon conviction, the maximum sentence is an unlimited fine and/or a prison sentence not exceeding six months for each individual offence.

An application for review will be sent separately to this letter. The purpose of this letter is to detail to you the schedule of contraventions which the Licensing Authority has observed and therefore may take the decision to prosecute should there be evidence of further non-compliance with the conditions of your licence.

If you require any further information or wish to discuss any of the above, please do not hesitate to contact me on the above number.

Yours sincerely,

Keiran Hinchliffe

Mr Keiran C. P. Hinchliffe MIOL
Licensing Enforcement Officer

Enforcement, Community Safety & Commercial Regulation

Encs. Schedule of Contraventions

CC: *PC Steve Pellowe, Metropolitan Police Licensing, Feltham Police Station.*
Mr Steven Maunders EHO, Enforcement Team Leader, Hounslow Civic Centre.
Designated Premises Supervisor, Mr Rohit Singh, 3 Durdans Cottage, Denbigh Road,
Southall UB1 2RR.

Schedule of Contraventions
Licensing Act 2003

Osterley Park Hotel, 764 Great West Road, Isleworth TW7 5NA.

Section 136 - unauthorised licensable activities

- (1) This section applies whenever premises in respect of which a premises licence has effect are being used for one or more licensable activities authorised by the licence.
- (2) It is an offence to carry on or attempt to carry on a licensable activity on or from any premises otherwise than under or in accordance with the authorisation provided by a premises licence.
- (3) It is also an offence to breach and terms and conditions included in such licence including any relating to hours during which the licensable activities may take place

Section 57- duty to keep and produce licence

- (1) This section applies whenever premises in respect of which a premises licence has effect are being used for one or more licensable activities authorised by the licence.
- (2) The holder of the premises licence must secure that the licence or a certified copy of it (and a list of any relevant mandatory conditions applicable to the licence are) kept at the premises in the custody or under the control of—
- (a) the holder of the licence, or
 - (b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purposes of this subsection.
- (3) The holder of the premises licence must secure that—
- (a) the summary of the licence or a certified copy of that summary, and
 - (b) a notice specifying the position held at the premises by any person nominated for the purposes of subsection (2), are prominently displayed at the premises.
- (4) The holder of a premises licence commits an offence if he fails, without reasonable excuse, to comply with subsection (2) or (3).

At a recent inspection on 22nd October 2017, officers found the following:

- J The Head SIA Door supervisors, namely Mr Donny Branford was on duty despite an expired SIA licence from 21st August 2017 reference 1907288921781
- J The permitted hours for the licensable activity of recorded music were being breached.
- J A copy of the premises licence, or an authorised copy could not be produced.

Officers observed recorded music in the form of a DJ booth and speakers being played at full volume on inspection at 01:45hrs. The DJ Booth was empty at time of arrival and Officers had to approach management to have the DJ return to the booth to switch the music off. There was only a handful of patrons left in the premises at the time so the alleged breach of hours for recorded music was completely unnecessary. When the Officers challenged the DJ as to why the music was not turned off already, his attitude was nonchalant saying that it was not his problem. I advised the DJ that the licence holder could be fined for this lack of action to which he replied "NOT MY PROBLEM." The Licensing Officer requested to see information on the SIA door supervisors. Mr Donny Branford

introduced himself as head of security but insisted that he was doing office work during the evening. Mr Branford's SIA licence had expired. The Licensing Officer requested to see a copy of the Door Supervisors log book. This was later presented as a blank record and was proceeded to be filled in by staff during the inspection.

It is also worth noting that it has later come to the Licensing Officer's attention that Mr Branford had assisted directly in managing the guests who were providing their own fireworks. It appears that Mr Branford was certainly not taking a back-office role that night.

The Licensing Officer asked to for a copy of the full Premises Licence to be produced, however, only the Summary could be provided.

To avoid any incidents of non-compliance it is important that the Premises Licence Holder operates with due diligence by keeping a record of Door Supervisors and an incident log book. If the Premises Licence has been misplaced, then a copy can be obtained by notifying the Licensing Authority. There is also a clear need for staff to be trained on matters covering the Licensing Act with attention to the hours that are permitted for licensable activity.