



Alcohol and Entertainment Licensing Sub-Committee (B) - Second Supplementary

Wednesday 22 March 2017 at 4.30 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Allie (Chair)

Jones (Substituting for Kansagra)

Long (Substituting for Daly)

Substitute Members

Councillors:

Bradley, Eniola, Harrison,
Hylton, Khan, Mahmood,
McLeish, Perrin, Ms Shaw and
Stopp

For further information contact: Bryony Gibbs, Governance Services Officer
(020) 8937 1355; Bryony.Gibbs@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

Item	Page
2 Application by EP for the review of a premises licence held by The Columbo Group Ltd at the premises known as Paradise by way of Kensal Green, 19 Kilburn Lane W10 4AE., pursuant to the Licensing Act 2003.	1 - 28

Conduct of the Hearing:

The hearing shall proceed as follows:

- General introduction by the Regulatory Services Manager
- Case for the Responsible Authority – Police/Regulatory Services
- Questioning of the Responsible Authority by Applicant and Members
- Representations by interested parties (if any)
- Case for the Applicant
- Questioning of the Applicant by the Responsible Authority and Members
- Summing up by the Responsible Authority
- Summing up by a representative of interested parties (if any)
- Summing up by the Applicant

Members' Deliberation

The Chair will then ask the representatives of the Responsible Authority and the Applicant to leave the meeting room whilst the panel goes into close session to deliberate the application. The applicant and the representatives of the responsible authority will be recalled to the meeting room when the Sub-Committee has made its decision. The decision will be confirmed in writing to the applicant within 7 days



Please remember to switch your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.

ACTION HISTORY

Premises: **19 Kilburn Lane, North Kensington, London, W10 4AE**

Case ref: **SR/04294/95** Enquiry type: **DNM/Noise - Music**

Received: **12/06/1995 16:15:00** by via Letter - General Public.

Case officer: Age of case: 658 days

Complainants on this case: 7

Case Level Interested Parties

Prime Contact: No
Name:
Address: Regent Street, Kensal Green, London, NW10
Interest Type: Citizen / Customer / Complainant
Telephone: **Mobile:** **Company Phone:**
Email:

Prime Contact: No
Name:
Address: Kilburn Lane, W10
Interest Type: Citizen / Customer / Complainant
Telephone: **Mobile:** **Company Phone:**
Email:

Prime Contact: No
Name:

Address: Kilburn Lane, London, W10
Interest Type: Citizen / Customer / Complainant
Telephone: **Mobile:** **Company Phone:**
Email:

Prime Contact: Yes
Name:
Address: Kilburn Lane, London, W10
Interest Type: Citizen / Customer / Complainant
Telephone: **Mobile:** **Company Phone:**
Email:

Prime Contact: No
Name:
Address: Pember Road, Kensal Green, London, NW10
Interest Type: Citizen / Customer / Complainant
Telephone: **Mobile:** **Company Phone:**
Email:

Prime Contact: No
Name:
Address:
Interest Type: Citizen / Customer / Complainant
Telephone: **Mobile:** **Company Phone:**
Email:

Prime Contact: No
Name:

Address: Wellington Road, London, NW10		
Interest Type: Citizen / Customer / Complainant		
Telephone:	Mobile:	Company Phone:
Email:		

Prime Contact: No		
Name:		
Address: KILBURN LANE, W10		
Interest Type: Citizen / Customer / Complainant		
Telephone:	Mobile:	Company Phone:
Email:		

Premises Level Interested Parties

Prime Contact: Yes		
Name:		
Address: Essex Road, Islington, London, N1 8LN		
Interest Type: Licence Holder		
Telephone:	Mobile:	Company Phone:
Email:		

Prime Contact: No		
Name:		
Address: The Paradise, 19 Kilburn Lane, North Kensington, W10 4AE		
Interest Type: Food safety manager		
Telephone:	Mobile:	Company Phone:
Email:		

Prime Contact: No		
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Name: (The DPS)
Address:
Interest Type: Other
Telephone: **Mobile:** **Company Phone:**
Email:

Prime Contact: No
Name:
Address: PARADISE BY WAY OF KENSAL GREEN, , North Kensington, W10 4AE
Interest Type: Citizen / Customer / Complainant
Telephone: **Mobile:** **Company Phone:**
Email:

Prime Contact: No
Name:
Address: PARADISE BY WAY OF KENSAL GREEN, North Kensington, W10 4AE
Interest Type: Equalities Data (for businesses)
Telephone: **Mobile:** **Company Phone:**
Email:

Prime Contact: No
Name:
Address: North Kensington, London, W10 4AE
Interest Type: Manager
Telephone: **Mobile:** **Company Phone:**
Email:

Enquiry details: _____

CASE STATUS:LATEST DNM COMPS WERE CARNIVAL 2014 AND RESULTED FROM THE CLOSE PROXIMITY OF NEWLY OCCUPIED NEW BUILD FLATS. PARADISE HAD TO BE PROMPTED TO ADHERE TO T.E.N. CONDITIONS. MW AUG 2014

25/08/2014 03:17:38

A - Service complaint (Non Stop Gov)

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

From: online@brent.gov.uk [<mailto:online@brent.gov.uk>]

Sent: 25 August 2014 03:17

To: ENV Noiseteam

Subject: New case: Noise Complaint 223153076

You have been assigned a new case or an existing case is overdue. Please click on the link below to access the case.
Form details are listed below.

[Record actions for this case](#)

[View all unassigned cases](#)

If you do not want future email notifications to contain form details, then please
[click here to exclude details from future notifications](#)

Noise Complaint - Ref. 223153076

Complainant Details

Title

First name

Surname

Address Ref.

202202219

[Location Map](#)

Address

Town

London

County

Postcode

NW10

Email address

Mobile/Daytime telephone number

Landline/Evening telephone number

Details of Nuisance

Site of Nuisance

Paridise bar.

19 Kilburn Lane

Kensal Green

London

W10 4AE

Type of Noise

Further Details

EXTREMELY loud music tonight and guests
It's carnival. I get it. You'd be an idiot to not
guess it's going to be noisy. This is ridiculous
though. Music so loud i can hear everything
from my bedroom right up until 3am. This of
course makes all the guests even louder than

usual. It was like having a rave in my front room. SO SO much louder than usual. Im terrified they'll do the same thing tomorrow. I have work in the morning.

About this form

<i>Issued by</i>	Brent Council Brent Civic Centre Engineers Way Wembley HA9 0FJ
<i>Assigned to</i>	Nuisance Control
<i>Contact email</i>	ens.noiseteam@brent.gov.uk
<i>Contact phone</i>	020 8937 5252
<i>Channel</i>	Customer Portal
<i>Received on</i>	25/08/2014
<i>Form reference</i>	223153076
<i>Status</i>	Submitted on 25/08/2014 03:12
<i>Contact method</i>	Self service
<i>Type</i>	Noise Complaint

25/08/2014 12:32:32

A - Service complaint (Non Stop Gov)

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

From: ENS Noise Team

Sent: 25 August 2014 13:25

To: '

Cc: Wood, Martin

Subject: FW: New case: Noise Complaint 223153456

Dear

Thank you for your online report.

You are not the first to complaint about The Paradise on this carnival weekend. It seems they have operated a sound system that was in excess of what the premises could contain.

There were specific conditions attached to their licence for carnival which included:

2. We will ensure that music played is not audible outside the premises boundary or at neighbouring residential properties

I understand from another resident that this condition was disregarded.

I have tried to contact The Paradise but have only been able to leave a message for a call back. I have however outlined the problem.

The Council can object to application for future events.

You and other residents are able to request a formal review of the Premises Licence. (Please let me know if you want more details on that).

The Council's Noise Team are working tonight (until 1am) and are available via 020 8937 1234

I will also follow the matter up with The Paradise and the agent that made the application for the licence this weekend.

Please let me know if you have any questions.

Regards

Martin Wood
Enforcement Officer
Regulatory Services
Brent Council

020 8937 5561
www.brent.gov.uk

From: online@brent.gov.uk [<mailto:online@brent.gov.uk>]

Sent: 25 August 2014 12:32

To: ENV Noiseteam

Subject: New case: Noise Complaint 223153456

You have been assigned a new case or an existing case is overdue. Please click on the link below to access the case.
Form details are listed below.

[Record actions for this case](#)

[View all unassigned cases](#)

If you do not want future email notifications to contain form details, then please
[click here to exclude details from future notifications](#)

Noise Complaint - Ref. 223153456

Complainant Details

Title

First name

Surname

Address Ref.

202077350

[Location Map](#)

Address

North Kensington

Town

London

County

Postcode

W10 4AE

Email address

Mobile/Daytime telephone number

Landline/Evening telephone number

Details of Nuisance

Site of Nuisance

The paradise Bar,
Kilburn Lane

Type of Noise

Excessive loud music, people in outside garden
after time restrictions and generally very, very
loud.

Further Details

About this form

Issued by

Brent Council
Brent Civic Centre
Engineers Way

<i>Assigned to</i>	Wembley
<i>Contact email</i>	HA9 0FJ
<i>Contact phone</i>	Nuisance Control
<i>Channel</i>	ens.noiseteam@brent.gov.uk
<i>Received on</i>	020 8937 5252
<i>Form reference</i>	Customer Portal
<i>Status</i>	25/08/2014
<i>Contact method</i>	223153456
<i>Type</i>	Submitted on 25/08/2014 12:27
	Self service
	Noise Complaint

25/08/2014 13:05:33

A - Correspondence sent (e.g. email, etc)

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

From: Wood, Martin

Sent: 25 August 2014 13:05

To:

Cc: Wood, Martin

Subject: FW: conditions for paradise

Licensing Act 2003 – Review application.

Legal requirement to display premises licence

CONDITIONS BELOW FOR TEMPORARY EVENT NOTICE

Helpfully

Martin

Martin Wood
Enforcement Officer
Regulatory Services
Brent Council

020 8937 5561
www.brent.gov.uk

From: Wood, Martin
Sent: 25 August 2014 12:55
To:
Subject: conditions for paradise

1. We will keep all doors and windows closed throughout the duration of the event except for ordinary use of doors.
 2. We will ensure that music played is not audible outside the premises boundary or at neighbouring residential properties
 3. No music will be played in the smoking garden
 4. No form of loudspeaker or amplification device will be placed near an entry/exit or windows in the property
 5. Signs will be present in the garden informing patrons to respect our residential neighbours
 6. We will monitor the smoking area at the front and rear of the premises after 10pm to ensure there are never more than 30 people in there at any time.
- We will also prevent glass from being taken outside to discourage people from staying in these areas

7. The queue will be monitored by an SIA approved security team member to ensure proper conduct and reduce noise
8. We will ensure our SIA approved door supervisors are present at the end of the event, and remain until the patrons have dispersed and have made their way quietly away from the venue
9. We will display signs making sure patrons are aware of our residential neighbours, and asking them to respect them

Martin Wood
Enforcement Officer
Regulatory Services
Brent Council

020 8937 5561
www.brent.gov.uk

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25/08/2014 15:55:30

A - Correspondence sent (e.g. email, etc)

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

From: Wood, Martin
Sent: 25 August 2014 15:55
To:
Subject: The Paradise

Hi

Thanks for the pics.

I spoke to He stated he had not received the Temporary Event Notice (TEN) from the Council. I will need to ask the Licensing Team about that.

Nevertheless I have advised that the premises are still under a duty to prevent a public nuisance (Licensing Act 2003).

I have also advised that if the event attracts the same complaints that it did last night it very likely that Environmental Health will object to next years TEN application for the carnival and possibly other TENs during the year. (In effect this transfers to decision to grant the TEN to a Licensing Committee).

I have read Conditions 2 and 4 (the same as I sent to you) to and I am about to send him the Conditions by e-mail.

I have urged him to undertake external checks and advised that if its noisy at the façade of residential properties chances are it will be noisy inside too. He has offered not to use the rear external area and to keep the doors closed. I am not sure how much that will help reducing noise levels.

He has told me they have done nothing different this year to previous years. I have responded to that by advising the proximity of new build properties should not be discounted and they still have the duty to prevent public nuisance and meet the Condition of the TEN.

I will apprise my manager of the complaints and the action taken and the concerns about further disturbance tonight.

Kind regards

Martin

Martin Wood
Enforcement Officer
Regulatory Services

Brent Council

020 8937 5561

www.brent.gov.uk

25/08/2014 16:50:12

A - Correspondence sent (e.g. email, etc)

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

From: Wood, Martin

Sent: 25 August 2014 16:50

To:

Subject: FW: The Paradise (Carnival TEN conditions, 2014)

This e-mail sent to ‘

came back as undeliverable:

As discussed (Conditions for TEN):

1. We will keep all doors and windows closed throughout the duration of the event except for ordinary use of doors.
2. We will ensure that music played is not audible outside the premises boundary or at neighbouring residential properties
3. No music will be played in the smoking garden
4. No form of loudspeaker or amplification device will be placed near an entry/exit or windows in the property
5. Signs will be present in the garden informing patrons to respect our residential neighbours

6. We will monitor the smoking area at the front and rear of the premises after 10pm to ensure there are never more than 30 people in there at any time. We will also prevent glass from being taken outside to discourage people from staying in these areas
7. The queue will be monitored by an SIA approved security team member to ensure proper conduct and reduce noise
8. We will ensure our SIA approved door supervisors are present at the end of the event, and remain until the patrons have dispersed and have made their way quietly away from the venue
9. We will display signs making sure patrons are aware of our residential neighbours, and asking them to respect them

Martin Wood
Enforcement Officer
Regulatory Services
Brent Council

020 8937 5561
www.brent.gov.uk

30/09/2014 07:41:00

A - Correspondence received

Action officer: **Gillian Murray**

Result of action: **No Result Entered**

Action completed: **30/09/2014**

Action details:

From:

Sent: 30 September 2014 07:41

To: Environment and Protection
Subject: Paradise Kensal Green

Dear Sir,

After many, many nights of disturbance from the Paradise pub/ nightclub this summer, I would like to now raise a complaint against their noise late at night. This is especially a problem on weeknights when it is not unusual to be disturbed by loud talking and singing in the garden until 3am. Last night for example, there were at least twenty voices in the garden at 1am, and practicing their karaoke (badly) at that. Please can you advise the Paradise that in the interest of good neighbourliness, they should a) close their garden at the appropriate hour, b) not allow staff in there after their shift, and c) remind customers to be quiet, reminding them forcibly if necessary by asking them to leave!

Thankyou,

Regards,

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03/10/2014 11:35:00

NUIS - Proactive investigation/visit

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **03/10/2014**

Action details:

Arrived @ 11:35, no management present. The maintainance team only were present.

21/10/2014 15:40:00**NUIS - Proactive investigation/visit**Action officer: **Jason Nelson**Result of action: **No Result Entered**Action completed: **21/10/2014****Action details:**

Arrived @ 15:40, spoke to the manager , who said they will now use the front to smoke when the beer garden is closed. I advised that he put signs up advising staff not to use the beer garden after closing as a complaint was rec'd about them outside smoking and having loud conversations.

18/06/2015 22:56:00**NUIS - Nuisance-on notification**Action officer: **Juhaina Junaid**Result of action: **No Result Entered**Action completed: **18/06/2015 23:40:00****Action details:**

22.59 called back complainant. Advised that as she is in Westminster she should contact Westminster officers to get them to assess the noise from inside her house. However promised that we will do a visit to assess the noise externally and have a word with the PUB management if necessary.

23.18. visit made. Called back complainant while in front of the pub. Can hear some beats not loud just in front of the pub. Can also see about 6/7 people in front. No traffic congestion or blocking of footpath as claimed by the compt. Compt on the phone states to me that she can see about 20 people in front(!). then when I state to her that I can only see 6/7, she states her view is blocked by a tree. Compt is very argumentative, and won't let me finish anything I try to tell her. I advised her that if her access or footpath is being blocked by minicabs or vehicles (which I could not see at the time of my visit!) that she needs to contact the Westminster parking or police. Advised her that if she wants the license of the pub to be reviewed then she should contact the licensing team directly.

She confirms to me that the Westminster officers haven't contacted her back yet. I give her my name and ask her to pass it on to the Westminster officers should they want to contact us back. But she wants me to issue a warning to the pub. I advised her that at this time I will advise them verbally, but I have no

reason to issue a notice as no likely nuisance has been witnessed by me. Compt gets more and more difficult to communicate with, starts shouting at me. I tell her that as she is shouting, I have no option but to terminate the conversation with her. I then hang up.

23.25: visit made to The Paradise pub. Spoke to site supervisory Mr . Advised to ensure smoking is done only in designated smoking areas i.e. beer garden or as per license delineated areas.
Also advised to ensure that the security officers are present or staff to supervise, if there is a large number of patrons turn out, and ensure management of potential traffic congestions while people leaving.
Also advised to ensure music level is kept within acceptable limits and not audible outside.

23.40 left site.

Begin forwarded message:

From: The Contact People <customerservice@thecontactpeople.co.uk>
Date: 18 June 2015 22:56:24 BST
To: <ens.noiseteam@brent.gov.uk>
Subject: The Contact People Case Ref 8449850: NOISE ISSUE: W10 4AB

Case Ref: 8449850 taken for client/dept: 5853 BRENT COUNCIL - NUISANCE CONTROL TEAM EMAIL

was set to PENDING when this email was sent - 18/06/2015 22:56:13

Caller: Tel Number:
Company: N/A
Address:
 N/A

N/A
N/A
LONDON
N/A
W10

TYPE OF NOISE/NUISANCE? NOISE ISSUE

ADDRESS OF NOISE/NUISANCE: THE PARADISE (BAR/PUB), KILBURN LANE, KENSAL RISE.

POSTCODE OF NOISE/NUISANCE:

HAS THIS BEEN PREVIOUSLY REPORTED? NO, BUT HAS REPORTED IT TO WESTMINSTER COUNCIL SEVERAL TIMES.

LATEST TIME TO BE CALLED BACK: 2AM

EMAIL ADDRESS:

DAYTIME TEL NO: n/a

EVENING TEL NO: n/a

ACTION - TAKEN - Date Time: 18/06/2015 22:47:36

Comments: WESTMINSTER RESIDENT HAS BEEN TOLD THAT THIS NOISE NUISANCE FALLS UNDER THE BRENT COUNCIL AREA.

-

BAR/PUB HAS VERY LOUD MUSIC, DRINKING IN THE STREET, ANTI SOCIAL BEHAVIOUR ETC.

End of Email from The Contact People <<

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19/06/2015 18:17:00 **A - Correspondence received**

Action officer: **Juhaina Junaid**

Result of action: **No Result Entered**

Action completed: **23/06/2015 13:00:00**

Action details:

From: Jayawickrema, Anuja [<mailto:ajayawickrema@westminster.gov.uk>]

Sent: 19 June 2015 18:17

To: Environment and Protection

Subject: Paradise Pub, 19 Kilburn lane, W10

Hi,

We had a complaint from a Westminster resident last night at 20.50 hours about the numbers of people outside the pub.

Her details are

Kilburn Lane, W10.

We didn't manage to witness anything due to the volume of calls.

thanks

Ms Anuja Jayawickrema
Environmental Health officer
24 Hr Noise Team
Public Protection & Licensing Department
4th Floor North
64 Victoria Street
London SW1E 6QP

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23/06/2015 13:30:00 Telephone call MADE by officer

Action officer: **Juhaina Junaid**

Result of action: **No Result Entered**

Action completed: **23/06/2015**

Action details:

cb westminster council, anuja is on duty at the moment but not available on phone. message left requesting a cb to discuss the concerns. contact center staff takes down the details and states she will also email Anuja.

11/12/2015 19:25:00 NUIS - Nuisance-on notification

Action officer: **Jason Nelson**

Result of action:

Action completed: **11/12/2015**

Action details:

Rec'd email @ 19:34, sent @ 19:25 from . (Noise/anti social behaviour) CB 19:35 advised to call Westminster noise team. Lavine (Hsl) advised to call.

stated

28/08/2016 20:07:43 NUIS - Proactive investigation/visit

Action officer: **George Graham**

Result of action:

Action completed: **28/08/2016 20:12:51**

Action details:

20:07 - -QK257, -QK259 and I visited the property. I spoke with the Assistant Manager, Freddy Donaldson () and advised to keep the noise level down to prevent complaints coming through. The internal lobby door was kept close. Noise level was low and he said every now and again the workers would walk outside to assess the levels. He said he will ask the patrons to come inside later so that the voice level is not intrusive. Left 20:12. GVG.

30/10/2016 01:56:00 NUIS - Nuisance-on notification

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **30/10/2016 01:56:00**

Action details:

Unable to respond before close of service

30/10/2016 01:56:28

Caller: Tel Number:

Address: REGENT STREET

ADDRESS OF NOISE/NUISANCE: PARADISE PUB, NEAR THE CALLERS PROPERTY

Re: Paradise Club 19 Kilburn Lane London W10 4AE

- In August 2005, we had to grant the licence as a conversion licence from the Magistrate's court as the Licensing Act 2003 came into force.
- In May 2007 the Council received a Transfer Application to the current licensee's The Colombo Group.
- In January 2008 the Council received the first complaint from a resident about noise from the premises which was very bad on Friday and Saturday nights. The licensing Officer discussed the complaint with the licensee.
- In February 2008, a complaint was received about some potential noise that may occur. Officers undertook a monitoring visit and did not witness any nuisance.
- In March 2008, a complaint was received about level of traffic and noisy dispersal. The complainant was informed that we can not address the traffic issues, however issues related to noisy customers were raised with the licensee with a view to have appropriate number of SIA staff/stewards and deploying staggered dispersal to minimise nuisance.
- In April 2008 – a major variation application was received to extend the Sunday opening hours to 02:00 hours and make changes to the internal plans. Residents objected to the late opening hours on Sundays. The Licensee withdrew the application in relation to the late opening hours on Sundays and the application for updated plans was approved.
- In May 2009 – complaint received regarding use of Beer Garden after 2.00 am. Again the issue was raised with the licensee but we had no evidence to substantiate the allegation.
- In December 2010 – complaint received alleging there were more 100 people in the beer garden. Again we had no evidence to verify the allegation.
- In January 2011- we received a review application from a local resident. The review application was heard by the committee but the applicant failed to attend the hearing. As a result the committee were unable to take any action against the licensee.
- In February 2011- the licensee applied for a minor variation to their licence which was rejected because the changes proposed needed a major variation and required consultation with residents.
- In May 2013 – the licensee again applied for a minor variation which was rejected.

- In June 2013 – the licensee applied for a major variation to enclose the conservatory area and undertake sound attenuation.
- In June 2015 – a complaint was received regarding noise from customers queuing, noisy customers and anti-social behaviour. The issues were discussed with the licensee.
- In May 2016 – a complaint was received regarding events undertaken on the 1st floor and presence of noisy drunk patrons on the narrow staircase. Again the licensee was given advice on how to address the issues.
- In August 2016 – a patron visiting the venue complained about the overcrowding and altercation at the venue. Licensing officers again visited the venue with the Public Safety Team and advised the licensee on how to address the issues that had been raised.
- In September 2016 – a complaint was received again regarding overcrowding, noise disturbance at dispersal times and anti-social behaviour.

The above are a history of the premises and related complaints over a 16 year period prior to receiving the review application on 9th February 2017. Please note that the Licensing Authority only had the powers to review licences in 2012.

During the Notting hill Carnival in August 2016, the premises undertook a voluntary closure after Police received intelligence. The licensing Authority does not have details of this intelligence. There was no review of the licence and the premise was re-opened, presumably because the threat had abated. This matter was for the Police, not the local authority.



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