Alcohol and Entertainment Licensing Sub-Committee (A)

Thursday 30 November 2017 at 3.00 pm
Members Suite - 4th Floor, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ

Membership:

Members
Councillors:
Harrison (Chair)
McLeish (substituting for Daly)
Jones

Substitute Members
Councillors:
Ahmed, Allie, Denselow, Duffy, Eniola,
Kansagra, Khan, Long, Maurice,
Pavey and Stopp

For further information contact: Nikolay Manov, Governance Officer
Tel: (020) 8937 1348; Email: nikolay.manov@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.
Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also a Prejudicial Interest (i.e. it affects a financial position or relates to determining of any approval, consent, licence, permission, or registration) then (unless an exception at 14(2) of the Members Code applies), after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

*Disclosable Pecuniary Interests:
(a) Employment, etc. - Any employment, office, trade, profession or vocation carried on for profit gain.
(b) Sponsorship - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
(c) Contracts - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
(d) Land - Any beneficial interest in land which is within the council’s area.
(e) Licences - Any licence to occupy land in the council’s area for a month or longer.
(f) Corporate tenancies - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council’s area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

**Personal Interests:
The business relates to or affects:
(a) Anybody of which you are a member or in a position of general control or management, and:
• To which you are appointed by the council;
• which exercises functions of a public nature;
• which is directed is to charitable purposes;
• whose principal purposes include the influence of public opinion or policy (including a political party of trade union).
(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or
A decision in relation to that business might reasonably be regarded as affecting, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward affected by the decision, the well-being or financial position of:
• You yourself;
• a member of your family or your friend or any person with whom you have a close association or any person or body who employs or has appointed any of these or in whom they have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or any firm in which they are a partner, or any company of which they are a director
• any body of a type described in (a) above.
Agenda

Item                                                                                     Page
3  Application for Variation to a Premises by Mr Kuppusamy Kirupakaran for the premises known as The Ruby Lounge (South Way, Wembley HA9 0HB), pursuant to the provisions of the Licensing Act 2003 84 - 99
4  Application for New Premises Licence by NKS Express Ltd for the premises known as NKS Express (154 Ealing Road Wembley HA0 4PY), pursuant to the provisions of the Licensing Act 2003 100 - 109

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.
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London Borough of Brent

Premises Licence

PART A

This Premises Licence was granted by Brent Council, Licensing Authority for the area of the Borough of Brent under the Licensing Act 2003.

Signed: Operational Director, Planning & Regeneration

Date: 28 June 2017

Licence number 575291

Licence start date: 05/03/2010

Part 1 - Premises Details

RUBY LOUNGE, Mezzanine Floor, 1 Pop In Commercial Centre, South Way, Wembley, HA9 0HF
Telephone: 020 8795 3785

Licensable activities and the times authorised by this licence

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Whether alcohol is authorised to be supplied on or off the premises: On

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Part 2

Details of Holder of Premises Licence:

Name: Mr Kuppusamy Kirupakaran
Address: [Redacted]
Telephone: [Redacted]
Email: [Redacted]

Details of Designated Premises Supervisor:

Name: Mr Vamanaganesha Sriharan
Address: [Redacted]
Personal Licence Number: [Redacted]
Issuing authority: [Redacted]

Annexe 1 - Mandatory Conditions

No Irresponsible Drinks Promotions
(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
   (a) games or other activities which require or encourage,
      or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
   (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
   (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
   (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
   (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Free Water
The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy
(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
   (a) a holographic mark, or
   (b) an ultraviolet feature.

Small Measures to be Available
The responsible person must ensure that—
(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
   (i) beer or cider: ½ pint;
   (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
   (iii) still wine in a glass: 125 ml;
(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Price of Alcohol
1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
   (a) duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
   (b) permitted price is the price found by applying the formula—
   \[ P = D + (D \times V) \]
   where—
   (i) P is the permitted price,
   (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
   (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
   (c) relevant person means, in relation to premises in respect of which there is in force a premises licence—
      (i) the holder of the premises licence,
      (ii) the designated premises supervisor (if any) in respect of such a licence, or
      (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
   (d) relevant person means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
   (e) valued added tax means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (—the first day!) would be different from the permitted price on the next day (—the second day!) as a result of a change to the rate of duty or value added tax.
   (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
Requirement for a DPS

(1) No supply of alcohol may be made under the premises licence-
(a) at a time when there is no designated premises supervisor in respect of the premises licence, or
(b) at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door Supervisors and Security Staff to be Licensed by the SIA (when required)

Where the licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions:

a) premises where the premises licence authorises plays or films
b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

Film Classification When required

(i) The admission of children to the exhibition of any film must be restricted in accordance with the recommendation of the designated film classification body unless section (ii) applies.
(ii) Where the licensing authority notifies the holder of the licence that this subsection applies the admission of children must be restricted in accordance with any recommendation made by the licensing authority.
In this section-
"children" means persons aged under 18; and
"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

Annexe 2 - Conditions Consistent With the Operating Schedule

1 CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.

2 Door supervisors of a sufficient number and gender mix, shall be employed from 21:00 hours on any day when the premises are open for the sale of alcohol past midnight.

3 A register/log containing the names, badge number, dates & times of duty of security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.

4 The total number of people permitted on the premises including staff and performers shall not exceed 150.

5 Customers shall not be permitted to take open glass containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority.

6 A “Challenge 21” policy shall be adopted and adhered to.
7 A refusal book shall be kept and maintained.

8 Promotions that encourage irresponsible drinking shall not be permitted.

9 Notices clearly explaining the licensee's drugs and weapons policy shall be displayed at the entrance and at suitable places throughout the premises.

10 Substantial food and non-intoxicating beverages (including free drinking water) shall be available during the whole of licensed hours in all parts of the premises where intoxicants are provided.

11 A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.

12 No entry or re-entry shall be permitted after 01:30 hours.

13 After 23:00 hours outside smoking shall be limited to 10 persons and the area shall be suitably supervised to allow customers to smoke only, and then return inside.

14 On major event days at Wembley Stadium the following shall apply:
- Customers shall not be allowed to congregate outside the premises.
- No glass bottles shall be handed over the bar but decanted into plastic vessels.
- The DPS shall work in partnership with the Police and if necessary comply with any direction given by the most senior Police Officer on duty at the event.
- The premises shall remain closed on football event days until two hours after the final whistle.

15 The Licensee shall undertake a risk assessment agreed by the Police and Licensing Authority of any significant promotion or event, using the Metropolitan Police Service Promotion/Event Risk Assessment Form (Form 696) or an equivalent and provide a copy to the Metropolitan Police and Brent Council's Licensing Unit not less than 14 days before the event is due to take place.

16 Where an event has taken place the licensee shall complete a Debrief Risk Assessment Form (Form 696A) and submit this to the Metropolitan Police and Brent Council's Licensing Unit within 3 days of the conclusion of the event.

17 Toilets shall be checked every hour for the use of drugs and other illegal activities.

18 Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises.

19 A public telephone shall be made available and notices advertising the number of a local licensed taxi service shall be displayed in a prominent position.

20 No children shall be admitted unless accompanied by a responsible adult.

21 No children shall be permitted on the premises after 20:00 hours.

22 No children shall be permitted in the bar area when entertainment is being provided.
Annexe 3 - Conditions Attached After a Hearing by the Licensing Authority

23 An ID scanner shall be utilised at the premises to check all customers who wish to gain entry to the premises. The persons once checked for concealed weapons or drugs shall be required to present appropriate proof of identification. The information collected should include a photo ID, the person’s name, address and date of birth shall be added to the database. Any person refusing to allow their data to be added to the database shall be refused entry.

24 Appropriate ID shall be a valid passport or driving licence (photo card).

25 No licensable activity shall continue after 03:00 hours

26 The premises including the staircase and entrance lobby must be cleared of all customers by 03:30 hours.

27 The licensee shall source all SIA door supervisors/security from an approved SIA door security contractor. The licensee shall have a contract with the said company/contractor. This said company/contractor shall belong to the SIA Approved Contractor Scheme. A copy of the contract and approved contractor scheme shall be provided to the Police Licensing team by e-mail.

28 No bottles of spirits shall be sold at any time. All spirits shall be sold by standard measures.

29 The Designated Premises Supervisor shall complete the BIIAB level 2 advanced DPS course.

30 All staff training records, SIA door supervisor records, CCTV recordings, the customer database, the refusal log & hourly toilet check records shall be available for inspection throughout the times the premises are normally open for trading. Should information be required outside these hours the information shall be provided to the Police within 24 hours of the request.

31 There shall be no entry or re-entry to the premises after 01:00 hours.

32 A safety, marshal shall operate from 02:00 hours until all customers have left the vicinity of the premises to ensure orderly and safe dispersal of customers.

33 A “Challenge 25” policy shall be adopted and adhered to at all times.

34 The premises licence holder shall have remote access to CCTV cameras at the venue at all times.
35 An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:
(a) all crimes reported to the venue
(b) all ejections of patrons
(c) any complaints received
(d) any incidents of disorder
(e) all seizures of drugs or offensive weapons
(f) any faults in the CCTV system or searching equipment or scanning equipment
(g) any refusal of the sale of alcohol
(h) any visit by a relevant authority or emergency service.

36 Toilets shall be checked every hour for the use of drugs and other illegal activities. This shall be logged in writing and made available for inspection.

Annexe 4 - Plans

See attached sheet.
London Borough of Brent

Decision of the Alcohol and Entertainment Licensing Sub-Committee (C) following a hearing on 04 May 2017 at Brent Civic Centre, Engineers Way, Wembley HA9 0FJ

NOTICE OF DECISION

PREMISES
Ruby Lounge
1 Poppin Commercial Centre
South Way
HA9 0HB

1. Members of the Sub-Committee

Councillors Long (Chair), Harrison, McLeish

2. The Application

The application was the return date for an expedited review. The first hearing took place on the 11 April 2017

3. Representation

The Police were represented by PC McDonald. from the SIA was also present.

The following were also present:
- Mr Kuppusamy Kirupakaran - licence holder
- 
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- 

4. The Hearing

PC McDonald explained that since the hearing of expedited review the police have had an opportunity to review the CCTV. The footage was played to the sub-committee. In summary the footage showed:

- Breach of re-entry conditions
- acting as security
- A door supervisor punching a patron to the ground
- Customers clearly intoxicated inside the premises.
- Chaos outside of the premises, which resulted in disorder and physical violence.

It was submitted that this was a very serious incident and the premises clearly had no control over what was happening.

The police suggested the following conditions:

- DPS to have remote access to CCTV.
- No sale of full bottles of champagne or spirits.
- DPS to complete Level 2 training.
- Comprehensive staff training
- Incident/refusals book

The police also sought a reduction in the hours.

Furthermore, it was submitted that the police have serious concerns about the continued involvement of [REDACTED] and [REDACTED] in the premises. The Police sought his exclusion from anything to do with the running of the premises.

The Licensing Authority spoke in support of the Police position.

PC McDonald was asked whether she was aware that [REDACTED] and [REDACTED] had been subjected to 15/20 mins of racist abuse caught on body worn footage prior to the footage the sub-committee had just seen. PC McDonald stated that she could not comment on an ongoing investigation but was not disputing that there had been cross allegations.

Councillor Long queried why Champagne could not be sold by the bottle. PC McDonald stated that she also sought a condition that wine is not sold by the bottle either.

[REDACTED] gave the background to the premises. He explained that the licence holder has had these premises for a number of years and prior to that, one of the previous operators was [REDACTED]

It was accepted that the problem with the premises was that the licence holder wasn’t exercising enough control. In the hope of correcting this, a list of draft conditions were provided to the sub-committee.
The DPS has completed the BIAB level 2 training and a certificate was provided to the sub-committee.

It was further explained that [redacted] had dispensed with the services of [redacted]. He no longer had anything to do with the preemies.

The licence holder submitted that, on the night in question [redacted] was subjected to appalling racial abuse. Quite clearly he should have walked away. He didn’t. He now says he will walk away. The sub-committee were asked to consider the context of this incident.

[redacted] explained that the clientele at Ruby Lounge were older, mostly over 40s. On the night in question, those younger men shouldn’t have been allowed in.

It was agreed that there needs to be a dispersal time and break between the sale of alcohol and the closing time. It was suggested that sale of alcohol cease at 04:00 and the premises should be closed by 04:30.

The licence holder accepted that the door staff needed to be 100% legitimate and steps were being taken in this regard with SIA contractor approval.

[redacted] was given permission to address the sub-committee. He explained that on the night in question, when the incident started, he had consumed 1 bottle of champagne. When he went outside someone spat in his face. I said to them to calm down. There followed 28 minutes of verbal abuse and assault. [redacted] asked security to call police.

It was suggested that this application was a personal vendetta against himself and [redacted] from PC Nicola McDonald.

Councillor Long confirmed that this was the first allegation of racial abuse at the premises. It had been recorded in the incident book.

PC McDonald asked if the premises had signed a contract with a SIA approved contactor yet – the answer of which was that it was pending.

It was explained during questioning that SIA company approval was voluntary. A company can apply and once a decision is made it can take up to a 6-month period before a final assessment being made.
In summing up the Police submitted that there was turmoil in these premises. This was not a one-off. What was needed was strong and clear management. The police suggested conditions would go a long way to help achieve this.

[Paragraph obscured]

It was accepted that things had gone wrong at the premises, but with the new conditions and clear leadership the licensing objectives could be upheld.

5. Determination of the Application

The sub-committee determined the application in accordance the provisions of the Licensing Act 2003. Further the sub-committee considered the matter with a view to promoting the licensing objectives, namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm.

In making its decision the sub-committee also had regard to the Guidance Issued under Section 182 of the Licensing Act 2003 and Brent’s licensing policy. In addition, the sub-committee took account of its obligations under section 17 of the Crime and Disorder Act 1998.

The sub-committee were mindful of the need to reach a decision that was necessary, proportionate, and justified on the evidence before them.

6. Decision

We have listened carefully to all of the submissions made by the parties.

This was a very serious incident. The sub-committee have grave concerns about the management of the premises. In particular, it appears to us that the Licence Holder plays absolutely no role in the running of this premise at all. We remind him that he has the ultimately responsibility under the Licensing Act.

However, we are satisfied that, with a moderate reduction in hours and the imposition of the proposed conditions, albeit with some amendments, the premises can continue to lawfully trade and uphold the licensing objectives.
Hours to be amended

The licensable hours will be reduced to
Mon – Sun : 10:00 – 03:00
The premises shall close by 03:30

Conditions to be added

1. An ID scanner shall be utilised at the premises to check all customers who wish to
gain entry to the premises. The persons once checked for concealed weapons or
drugs shall be required to present appropriate proof of identification. The
information collected shall include photo ID, the person’s name, address and date of
birth shall be added to the database. Any person refusing to allow their data to be
added to the database shall be refused entry.
2. Appropriate ID shall be a valid passport or a driving licence (photo card)
3. No licensable activity shall continue after 03:00 hours.
4. The premises including the staircase and entrance lobby must be cleared of all
customers by 03:30 hours.
5. The SIA security staff shall be sourced from a SIA approved door security
company/contractor. This said company/contractor shall belong to the SIA Approved
Contractor Scheme.
6. No bottles of spirits shall be sold at any time. All spirits & champagne shall be sold by
standard measures.
7. The Designated Premises Supervisor shall complete the BIIAB level 2 advanced DPS
course.
8. All staff training records, SIA door supervisor records, CCTV recordings, the customer
database, the refusal log & hourly toilet check records shall be available for
inspection throughout the times the premises are normally open for trading. Should
information be required outside these hours the information shall be provided to the
Police within 24 hours of the request.
9. There shall be no entry or re-entry to the premises after 01:00 hours.
10. A safety, marshal shall operate from 02:00 hours until all customers have left the
vicinity of the premises to ensure orderly and safe dispersal of customers.
11. A “Challenge 25” policy shall be adopted and adhered to at all times.
12. The premises licence holder shall have remote access to CCTV cameras at the venue
at all times.
13. An incident log shall be kept at the premises, and made available for inspection on
request to an authorised officer of Brent Council or the Police, which will record the
following:
   (a) all crimes reported to the venue
   (b) all ejections of patrons
(c) any complaints received
(d) any incidents of disorder
(e) all seizures of drugs or offensive weapons
(f) any faults in the CCTV system or searching equipment or scanning equipment
(g) any refusal of the sale of alcohol
(h) any visit by a relevant authority or emergency service.

13. Toilets shall be checked every hour for the use of drugs and other illegal activities. This shall be logged in writing and made available for inspection.

On the current licence:
Condition 19 shall be removed as being a duplicate for condition 9
Condition 17 [free drinking water] shall be removed as this now comes under the mandatory conditions.

Further we have considered under section 53D of the Act whether the interim steps imposed at the expedited review hearing should be modified or withdrawn. The interim suspension imposed shall be modified and replaced by the conditions imposed today. As such, they shall have immediate effect.

7. Right of Appeal

The parties have a right of appeal to Brent Magistrates’ court against this decision

If you wish to appeal you must notify Brent Magistrates’ Court within a period of **21 days** starting with the day on which the Council notified you of this decision.

**Dated 15 May 2017**
From: Paul.Whitcomb@met.pnn.police.uk

Sent: 16 November 2017 13:56

To: 
Cc: Business Licence; Patel, Yogini; Legister, Linda

Subject:*Further of Police Representation*  NKS EXPRESS LTD - 154 Ealing Road, Wembley


Dear Mr. Jordan,

Further to my letter of police representation, I attach a signed representation in the form of a statement from PC Jake BHANJI who is the designated ward police officer responsible for Ealing Road, Wembley.

Apologies for the printer quality but we had to redact the statement to remove the name of a business referenced by the officer.

Kind Regards,

Paul Whitcomb PC 782QK
Brent Police Licensing Officer
Brent Civic Centre
5th Floor
Engineers Way
Wembley
Middlesex HA9 0FJ
Tel: 0208 733 3206
Mobile:
Email: paul.whitcomb@met.police.uk
From: Whitcomb Paul - QK
Sent: 02 November 2017 13:03
To:
Cc: 'Business Licence'; 'yogini.patel@brent.gov.uk'; 'Linda Legister (linda.legister@brent.gov.uk)'
Subject: *Letter of Police Representation* NKS EXPRESS LTD - 154 Ealing Road, Wembley
Importance: High
Dear Robert,

Please find attached letter of police representation in relation to your client's application for a new premises licence at NKS EXPRESS LTD - 154 Ealing Road, Wembley.

Kind Regards,

Paul Whitcomb PC 782QK
Brent Police Licensing Officer
Brent Civic Centre
5th Floor
Engineers Way
Wembley
Middlesex HA9 0FJ
Tel: 0208 733 3206
Mobile:
Email: paul.whitcomb@met.police.uk

From: ROBERT JORDAN
Sent: 01 November 2017 11:30
To: Whitcomb Paul - QK
Subject: Re: NKS EXPRESS LTD - 154 Ealing Road, Wembley
Paul,
I think you have met with applicant and there are some issues

If you can let me know then I can speak to applicant

Many thanks
Robert Jordan
PR Retail Consultants Ltd
01279 850753

----Original message----
From : Paul.Whitcomb@met.pnn.police.uk
Date : 26/10/2017 - 13:25 (GMTDT)
To :
Subject : NKS EXPRESS LTD - 154 Ealing Road, Wembley

Dear Sir/Madam,

I would like to arrange an appointment to meet you at your premises in order to carry out a consultation visit in relation to your application for a new premises licence at NKS Express, 154 Ealing Road, Wembley. Can you confirm as soon as possible whether any of the following dates/times are suitable;

Friday 27th October 2017 at 6.00pm

Tuesday 31st October 2017 at 2.30pm or

Thursday 2nd November 2017 at 10.00am

I look forward to hearing from you.
Kind Regards,

Paul Whitcomb PC 782QK
Brent Police Licensing Officer
Brent Civic Centre
5th Floor
Engineers Way
Wembley
Middlesex HA9 0FJ
Tel: 0208 733 3206
Mobile:
Email: paul.whitcomb@met.police.uk

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WITNESS STATEMENT

C1 Act 1987, s 9; MC Act 1990, as SAG(3) and SB; Criminal Procedure Rules 2003, Rule 17.1

Statement of: [Name]

IRN: [Number]

Age if under 18: [Age] Over 18: [Age]

Occupation: Police Officer

I, the undersigned, declare that the statements made by me in this statement are 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 said anything in it which I know to be false, or have behaved to be false.

Signature: [Signature]

Date: [Date]

Tick if witness evidence is usually recorded:

This statement refers to issues regarding alcohol-related Anti-Social Behaviour on FALING ROAD, WEMBLEY. I am the above named person and am the Metropolitan Police Dedicated Ward Officer for WEMBLEY CENTRAL WARD, which covers FALING ROAD WEMBLEY, FALING ROAD and the adjoining streets. I have been in this post for over two and a half years. During this time I have been on call, and currently I am still dealing with alcohol-related ASB in the locality of FALING ROAD. There was an ongoing issue that was reported by the area and currently Brent Council and the Metropolitan Police are working together to be dealt with.

The ASB, in my view, is significantly dependent on the readily available alcohol from off-licences located at the location, and in my view having another premise that is a vendor for such activities will significantly impact the ASB of the area. The area suffers from a high level of crime related to ASB and hence this issue needs urgent attention in the area, which will require intervention by the police, estate, council, and other stakeholders. I believe that the actions taken by the police and the council in the past have helped in reducing the ASB in the area, but there is still a need to address the root cause of the issue.

This is an ongoing issue, and I believe that we need to work more closely with the council and the police to address this issue effectively. I have discussed this issue with the council and have received their support in addressing this issue. The council has also promised to look into the problem and take necessary action.

Signature: [Signature]

Date: [Date]

REstricted (when complete)
significant number of intelligence reports from members of the public states that the males who engage in this
ASB will purchase the alcohol, usually at venues such as this, and then take it directly outside in the areas,
residential roads, alleyways on ONE TREE HILL PARK and continue ASB mentioned above. It is based on these
intelligence reports and through experience of dealing with these issues at the location that I believe another
vendor of alcohol will significantly impact the levels of ASB. Proceedings are currently being taken against street
off licenses on BALING ROAD for breaches of licence and contributing to the ASB on EALING ROAD.

Over the recent months we have been receiving complaints from establishments such as WILLIAM HILL and
PADDY POWER on EALING ROAD which complain that drink males who have been banned from the store
will enter, cause disturbances at the location and in some case verbal abuse and threaten staff. On occasion
instances of criminal damage have occurred. I believe this in further evidence to suggest that the availability of
alcohol does contribute to the crime and ASB in the area.

To date we have done several steps to tackle the issue. The issue is still ongoing and the recent BSPO day has
been implemented on 30th October 2017 which makes the drinking of alcohol in a street park alleyway
illegal has been implemented. However, it is difficult due to police other resources and prevention will benefit
the community greatly as well as regular clean up of the area. We have been working in conjunction with the council, residents groups and volunteer groups to clean up the area and tackle this issue better.

Community groups such as Keep Weombly Tidy, have had input on cleaning up after people who are doing
this ASB.

On the basis of this, I strongly believe that another street vendor in the area will have a detrimental effect to
the community. Based on the volume of reports we are having currently...
From: licence@brent.gov
To: Licence@brent.gov
Sent: Saturday, 4 November 2017, 15:11
Subject: 154 Ealing Rd off license request

To whom it may concern

Ealing Rd has the potential to be a very attractive hot spot for not only shoppers but also tourism as a great example of cultures melting into each other, representing a vibrant and colourful place to visit, much like a mini Camden or Portobello Rd.

However it is sad that there has been a decline in the atmosphere and general environment due to the excess of not only betting shops but predominantly alcohol related issues such as gangs, large sinister male gatherings, urinating in public and the safety to all especially women and children in the area.

On one hand legal restrictions are put into place increasing the pressure on the police but then the an increase in applications for more off license premises.

There are ample retail shops with these licenses and it would be detriment to the area to grant another as it will encourage even more hot spots to monitor as well as increasing residents complaints.

It would be of great benefit that not only the Council Licensing Authority reject any more applications but also to realise that to grant a license equates to one more step to down grading the area from its potential attractive element.

I would urge you please to reject any more licenses and if anything engage with business to go in a direction which brings the area back to life and far more benefits from a positive contribution.

Your decisions impact on our daily lives and we ask that you help us have a harmonious neighbourhood free from anti social behaviour, littering, exposing, gangs and encouraging young people to drink.

Best Regards

[Redacted]

Sent from my iPhone-
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