



Alcohol and Entertainment Licensing Sub-Committee (C)

Thursday, 17 December 2009 at 10.00 am
Committee Room 1, Brent Town Hall, Forty Lane,
Wembley, HA9 9HD

Membership:

Members

Councillors:

Corcoran (Chair)
Singh
Steel

first alternates

Councillors:

V Brown
Ahmed
HM Patel

Second alternates

Councillors:

Ms Shaw
Farrell
HB Patel

For further information contact: Toby Howes, Senior Democratic Services Officer
020 8937 1307, toby.howes@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:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

Item **Page**

1 Declarations of Personal and Prejudicial Interests (if any)

Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.

2 Application by Mahir Chawda for a Temporary Event Notice for 'Tonkey Bites' (539-541 Kingsbury Road, Kingsbury, London, NW9 9EG) pursuant to the Licensing Act 2003 1 - 12

The application is for a Temporary Event Notice on Thursday, 24th December 2009 from 19.00 until 03.00 the following day and on Saturday, 26th December 2009 from 19.00 until 03.00 the following day.



Please remember to **SWITCH OFF** your mobile phone during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.
- Toilets are available on the second floor.
- Catering facilities can be found on the first floor near the Grand Hall.
- A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

LICENSING ACT 2003

Application for a Temporary Event Notice

1. The Application

Name of Applicant:	Mahir Cawda
Name & Address of Premises:	Tonky Bites, 539-541 Kingsbury Road, Kingsbury, NW9 9EG
Applicants Agent:	Accu Price Licensing Services

1. Application

The application is for the sale of alcohol, provision of regulated entertainment and provision of late night refreshment.

The event is described as Dinner & Dance Bollywood Night from 19:00 hours on Thursday 24th December until 03:00 hours the following morning and from 19:00 hours on Saturday 26th December until 03:00 hours the following morning.

170 people are expected to attend.

2. Background

Only police officers may object to a temporary event taking place.

3. Promotion of the Licensing Objectives

None

4. Relevant Representations

Representations have been received from the police..

5. Interested Parties

None

6. Policy Considerations

Paragraph Nos: 8.1 – 8.4

8.1 Where responsible authorities and interested parties do not raise any relevant representations regarding the application made to the council, the council will grant the licence or certificate subject only to the conditions that are consistent with the operating

schedule or club operating schedule and any mandatory conditions prescribed in the Act itself.

8.2 Where responsible authorities and interested parties raise relevant representations, the council may, if it is satisfied at a hearing or otherwise, impose conditions where considered necessary for the promotion of the licensing objectives.

8.3 Any conditions attached by the council or submitted by the applicant must focus on the direct impact of the activities taking place at licensed premises, on those attending the premises and residents and persons working in the area.

8.4 Any conditions attached to licences will be tailored to the individual needs, style and characteristics of the particular premises and events concerned and will be drawn from a 'model pool of conditions' (where appropriate) to the particular premises.

7. Associated Papers

- A. Copy of Application Form
- B. Copy of Representation

Imperial Business Park
Unit 4
Maxwell Road, Borehamwood,
W19 1JN

Direct Telephone 077 25 41 84 39
Fax: 0208 845 5222

>accu price
licensing services

SPECIAL DELIVERY – ROYAL MAIL

Date
8th December 2009

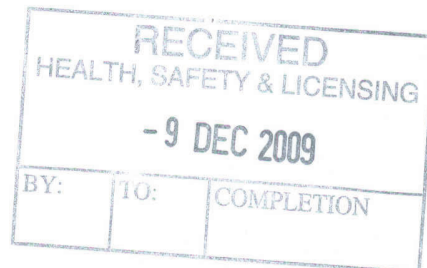
My Ref.
TONKY-BITES-TEN-DEC-09

Your Ref.
N/A

Addressee
Health Safety & Licensing Dept
Brent Council
PO BOX 411
Brent House
349-357 High Road
Wembley
Middlesex HA9 6EP

Please reply to
Joshua Simons
Principal Licensing Agent
Internet
www.accuprice.co.uk

Direct E-mail
Joshua.simons@accuprice.co.uk



Dear Sir or Madam

TEMPORARY EVENT NOTICE – Tonky Bites

Under the Licensing Act 2003 I enclose the following documentation for 1 x TEN:

- 1 x TEN application forms x 2 copies
- The prescribed fee of £21 via cheque payment

Note a copy has been sent to Brent Police on this day. I trust the application is in order however should there be an issue with the enclosed TEN would you kindly contact Joshua Simons on 07725418439.

Yours sincerely


Joshua Simons
Principal Licensing Agent

Visit us at www.accuprice.co.uk

☎ Office mobile: +44 (0) 7725418439

☎ Fax: +44 (0) 20 845 5222

✉ Email: joshua.simons@accuprice.co.uk

✉ Address: Suite 55, Imperial Business Park, 4 Imperial Place, Maxwell Road, Borehamwood, Herts. WD6 1JN

Cc: file

Encs: TEN Application – Cheque Payment

Temporary Event Notice

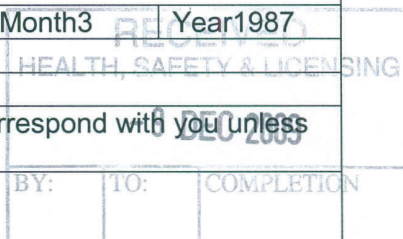
Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport (http://www.culture.gov.uk/alcohol_and_entertainment/default.htm) or from your local licensing authority.

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Chawda		
Forenames	Mahir		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day 23	Month 3	Year 1987
4. Your place of birth	Brent		
5. National Insurance Number	JK-355718C		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
7 The Dell			
Post town Pinner		Post code HA5 3EW	
7. Other contact details			
Telephone numbers			
Daytime	07930988887		
Evening (optional)			
Mobile (optional)	07930988887		
Fax number (optional)			
E-Mail Address (optional)			
8. Alternative address for correspondence (If you complete the details below, we			



will use this address to correspond with you)	
Accu Price Licensing Services Imperial Business Park Unit 4 Maxwell Road	
Post town Borehamwood	Post code WD6 1JN
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	0208 213 3001
Evening (optional)	
Mobile (optional)	07725418439
Fax number (optional)	
E-Mail Address (optional)	Joshua.simons@accuprice.co.uk
2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
539-541 Kingsbury Road Kingsbury NW9 9EG	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
Restaurant and Bar	
Please describe the nature of the event below. (Please read note 5)	

Thursday 24th, Friday 25th December - Dinner & Dance Bollywood Night.
 Saturday 26th Sunday 27th December - Boxing Day Event.

3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 7)

Thursday 24th, 25th December 2009,
 Saturday 26th, 27th December 2009

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 8)

24/12/2009 - 19:00 until 03:00 on 25/12/2009 the following morning.
 26/12/2009 - 19:00 until - 03:00 on 27/12/2009 the following morning.

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 9)

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If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 10)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>


Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Harrow Council	
Licence number	09MC-00AQ-TJ8L-CF4Q	
Date of issue	23/09/2009	
Date of expiry	23/09/2019	
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 12)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 13)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		

7. Checklist (Please read note 14)	
I shall (Please mark the appropriate boxes with an "X")	
Send two copies of this notice to the licensing authority for the area in which the premises are located	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are located	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
Make or enclose payment of the fee for the application	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 15)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 16)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	5/12/09
Name of Person signing	Mahir Curwala

Name of Person signing	
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For completion by the Licensing Authority

10. Acknowledgement (Please read note 17)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the Licensing Authority
Date	
Name of Officer signing	

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The Licensing Officer
Health Safety and Licensing
London Borough of Brent
PO Box 411
Brent House
349/357 High Road
Wembley
HA9 6EP

**QK - Brent Borough
QD - Licensing Department**

Wembley Police Station
603 Harrow Road
Wembley
HA0 2HH

Telephone: 020 8733 3206
Facsimile: 020 8733 3101
Email:
Adrian.Adolphus@met.police.uk
www.met.police.uk

Your ref:
Our ref: 01QK/569/09/LIC/10
9th Dec 2009

**Police Objection to the Temporary Event Notices for “Tonky Bites”,
539-541 Kingsbury Road, Kingsbury, NW9 9EG on the 24th and 26th
of December 2009.**

I certify that I have considered the notice shown above and I wish to make **representations** that the use of the premises for the temporary event would undermine the crime prevention initiative, for the reasons indicated below.

Officer: Adrian ADOLPHUS,

Licensing Sergeant 10QK

An officer of the Metropolitan Police, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

A Temporary Event Notice has been given under section 100 Licensing Act 2003 by Mr Mahir Chawda, received in this office on Wednesday 9th December 2009.

Police are formally objecting to the notice under section 104 Licensing Act 2003. The Police objection is primarily concerned with the crime and disorder objectives:

The application is to allow the use of the above premises for the sale of alcohol, regulated entertainment and late night refreshment at a number of dinner and dance events over the festive period, from 24th to the 27th December from 1900 to 0300hrs.

This premises has recently been subject to a formal licensing review by this department due to a large number of adverse incidents linked to the club including anti social behaviour and assaults. This culminated in a review hearing on 19th November 2009, i.e. only three weeks ago. This evidence is available if required.

On Saturday 5th December I witnessed a large fight (15+) outside the venue involving both men and women who were customers of this premises. I have spoken to the owner and father of the DPS Mr Naresh Chawda who has explained what happened on the night, but could not provide me with CCTV evidence as requested. His explanation leads me to believe that there is insufficient supervision at the premises. The current DPS has no previous experience of licensing. Mr Chawda has indicated that he has sold the club which will formally change hands on the 6th January 2010. He freely admits that he has no further interest in the club and just wants to get rid of it as soon as possible.

I strongly believe that it is their intention to run the club for as much profit as possible, with a resultant reduction in standards and consequent safety issues over the festive period which this TEN will allow them to do. I have witnessed similar situations in other establishments and I have no doubt that if allowed to go ahead that there will be more disorder and fights linked to this premises. I reserve the right to bring further evidence to amplify this objection should they come to light prior to any hearing or subsequent appeal.

Yours sincerely

Adrian ADOLPHUS 10QK
Licensing Sergeant
Brent Police