



LONDON BOROUGH OF BRENT

MINUTES OF THE ALCOHOL AND ENTERTAINMENT LICENSING SUB-COMMITTEE (A)

Tuesday, 4 October 2011 at 7.00 pm

PRESENT: Councillor Kataria (Chair) and Councillors Cheese and Hector

1. Declarations of Personal and Prejudicial Interests (if any)

None declared.

2. Application by Javid Hussain for a premises licence for 'Cut & Save' (14 High Road, Willesden, London, NW10 2QG) pursuant to the provisions of the Licensing Act 2003

The sub-committee noted that this applicant failed to complete his application correctly in accordance with the requirements of the Licensing Act 2003 and as a consequence the police being an interested party in the matter had not been provided with the accompanying plans together with details in respect of the opening hours for the premises. Accordingly with these omissions it was deemed necessary that the application could not be considered.

3. Application by Artisan Energy Ltd for a premises licence for 'Queensbury Deli' (68 Walm Lane, London, NW2 4RA) pursuant to the provisions of the Licensing Act 2003

Interested party making a representation

Ben Scoggins (Local Resident) made a representation but was neither present nor represented at the meeting.

Applicant and representatives

John Pryor (Director of Artisan Energy Ltd)

Patrick Williams (Employee of Artisan Energy Ltd and licensee of The Queensbury public house)

Stephanie Peel (General Manager, The Queensbury Deli)

Yogini Patel (Senior Regulatory Service Manager, Health, Safety and Licensing) introduced the matter and drew Members' attention to the applicant's requests as

set out in the report. The sub-committee was advised that Ben Scoggins (Local Resident), the interested party who had submitted the representation, had confirmed that he would not be attending the meeting. It was noted that the applicant had agreed conditions from the police and the council's public safety officers and so their representations had subsequently been withdrawn.

Interested party making a representation

Members considered the written representation submitted by Ben Scoggins.

Case for the applicant

John Pryor began by describing the nature of the premises, which focused on providing a good range of food. In order to complement the food available, it was intended to supply quality wine from independent suppliers for either consumption with customers' meals or to take away. Any live music provided would be of the acoustic variety and the applicant supported Government guidelines in respect of operating a licensed premise. John Pryor stated that the premises was used by a wide variety of customers and was popular with families. He felt that the application if agreed would help enhance the local area. Members noted that only one resident had submitted a representation in respect of the application and every effort had been made to address the concerns he had raised.

Councillor Cheese sought clarification with regard to use of the garden at the rear of the premises and with regard to children being in the premises, what safety measures were in place for power sockets. He also sought further information concerning the nature of the front door entrance and was there any potential for noise breakout. Clarification was sought as to how and who could set a noise limit for the premises and whether a visit would be undertaken to ensure that the CCTV was fully operational.

Councillor Hector enquired who lived above the premises and sought a response in respect of the possibility of noise breakout from open windows and doors.

The Chair enquired whether there was any recommended noise limit for premises of this nature and sought clarification as to how all the necessary relevant parties would be informed that the applicant did not own the garden to the rear of the premises.

Horatio Chance (Legal Adviser, Brent Council) asked whether CCTV had been installed and also enquired whether there was any written policy and notices in respect of addressing unruly behaviour from customers.

In reply, John Pryor confirmed that the applicant did not own the garden to the rear of the premises and had no intention to make use of this area. He advised that all power sockets within reach of children had safety covers and all had been given the appropriate safety checks. Members noted that Stephanie Peel, the General Manager of the premises, lived above it. John Pryor stated that it was intended to play music at low noise levels for background music purposes and to complement the atmosphere and therefore noise breakout was unlikely to be an issue. However, he indicated that he would be willing to agree to a noise level limit as deemed appropriate by the licensing authority. He affirmed that customers would

also be required to be dining at the deli if they wished to consume alcohol on the premises.

Patrick Williams (Employee of Artisan Energy Ltd and licensee of The Queensbury public house) confirmed that CCTV had been installed inside of the premises and CCTV equipment was due to be added to the outside of the premises shortly. The CCTV was due to go live from 21 October 2011.

Stephanie Peel (General Manger, The Queensbury Deli) confirmed that the premises operated a Challenge 25 policy and it was also noted that there were notices requesting that customers leave the premises quietly and to respect the neighbourhood.

Yogini Patel, in answer to some of the queries raised by the sub-committee advised that a noise level limit could be set by the council's Noise Nuisance Team should the premises be subject to complaints in respect of this issue. She stated that either the police or Health Safety and Licensing could undertake visits to the premises to ensure that the CCTV was operational. Health Safety and Licensing would also communicate to all relevant parties that the garden was not owned by the applicant.

Decision

At this point, the applicant and representatives were asked to leave the room to allow the sub-committee to discuss the relevant issues concerning the application.

That the application by Artisan Energy Ltd for a premises licence for 'Queensbury Deli' (68 Walm Lane, London, NW2 4RA) ("the premises") pursuant to the provisions of the Licensing Act 2003 be **granted with conditions**.

- (i) that the following hours for the provision of licensable activities be agreed:-
 - (a) that the hours during which the applicant is permitted to provide plays as under Box A of the operating schedule be:

Monday to Sunday – 11.00 to 23.00
 - (b) that the hours during which the applicant is permitted to provide live music as under Box E of the operating schedule be:

Monday to Saturday – 11.00 to 23.00
Sunday – 11.00 to 22.00
 - (c) that the hours during which the applicant is permitted to provide recorded music as under Box F of the operating schedule be:

Monday to Friday – 08.00 to 23.00
Saturday – 09.00 to 23.00
Sunday - 09.00 to 22.00

(d) that the hours during which the applicant is permitted to supply alcohol as under Box M of the operating schedule be:

Monday to Saturday - 08.00 to 23.00

Sunday - 11.00 to 23.00

(e) that the hours during which the applicant is permitted to remain open to the public as under Box O of the operating schedule be:

Monday to Saturday – 08.00 to 23.00

Sunday – 08.00 to 22.30

(ii) that the following conditions be attached to the licence:-

(a) that all conditions as agreed with the police and the public safety officer in their representations be included on the premises licence

(b) that CCTV be installed and operating to the police's requirements before the premises licence comes into effect.

The Alcohol and Entertainment Licensing Sub-Committee (A) felt that there was insufficient evidence to suggest that the application would undermine the promotion of the licensing objectives (prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm). It felt that with the conditions agreed by the police and the public safety officer, along with an additional condition as set out above would help enable the applicant to meet the promotion of the licensing objectives and accordingly the application for a premises licence was approved. The sub-committee also reaffirmed the council's public safety officer's condition specifying that the maximum number of persons permitted on the premises at any one time, including staff, shall not exceed 60.

The meeting closed at 8.00 pm

D KATARIA
Chair