



Alcohol and Entertainment Licensing Sub-Committee (B)

Friday 17 August 2012 at 10.00 am

Council Chamber, Brent Town Hall, Forty Lane,
Wembley, HA9 9HD

Membership:

Members

Councillors:

Chohan (Chair)
Jones
HM Patel

first alternates

Councillors:

Oladapo
Ogunro
Ms Shaw

second alternates

Councillors:

Daly
Mrs Bacchus
Matthews

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	1 - 46
Application by the Metropolitan Police to review the premises licence for 'The Shop' (75 Chamberlayne Road, Kensal Rise, London NW10 3ND) pursuant to the provisions of the Licensing Act 2003	
3	47 - 56
Application by Keith Anderson for a Temporary Event Notice for 'Tokyngton Community Association' (Sherrins Farm, St Michael's Avenue, Wembley, HA9 6SA) pursuant to the provisions of the Licensing Act 2003	



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 Paul Daisley Hall.
- A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

LICENSING ACT 2003

Application to Review a Premises Licence

Name of Applicant:	Metropolitan Police – Licensing Unit, Wembley
Name & Address of Premises:	The Shop, 75 Chamberlayne Road, Kensal Rise, London NW10 3ND
Applicants Agent:	None

1. Application

The application is for the review of a premises licence held by Mr Luke Allen. The premises are known as The SHOP, 75 Chamberlayne Road, Kensal Rise, London NW10 3ND.

2. Grounds for Review

The grounds for review are the prevention of crime and disorder and breach of conditions. The full grounds can be found on pages 3 &4 of the application.

3. Relevant Representations

Representation has been received from the Police, Environmental Health and local residents.

4. Background

The licence for these premises currently allows the sale of alcohol and late night refreshments from 10:00 until midnight daily. The licence was transferred to Mr. Luke Allen in June 2011.

7. Associated Papers

- A. Copy of Review Application and supporting evidence.
- B. Copy of Current Licence

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Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I Nicola McDonald on behalf of the Chief Officer of Police for Brent

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, Ordnance Survey map reference or description THE SHOP, 75 Chamberlayne Road, Kensal Rise	
Post town London	Post code (if known) NW10 3ND

Name of premises licence holder or club holding club premises certificate (if known) Mr Luke Allen

Number of premises licence or club premises certificate (if known) 244652
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Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Nicola McDonald Police Constable 157QK Brent Police Wembley Police Station 603 Harrow Road Wembley Middlesex HA02HH
Telephone number (if any) 020 8733 3206
E-mail address (optional) nicola.mcdonald@met.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

Please provide as much information as possible to support the application
(please read guidance note 2)

The SHOP has benefited from a premises licence since December 2006 firstly as an off licence and then on 27th February 2007 to supply alcohol to be consumed on the premises. This premises licence allows the licence holder to open to the public at 1000 hours daily and close to the public at midnight daily. The licensible activities permitted are supply of alcohol and late night refreshment only. The premises are not licensed for any entertainment. Since the current premises licence holder and designated premises supervisor began operating The SHOP on 24th June 2011, he has constantly allowed unauthorised licensible activities. These unauthorised activities have caused distress and anguish for local residents resulting in a negative impact on their homelife.

Police and the licensing authority have offered advice and support on numerous occasions (information contained in supporting document). Although Mr Allen appears to take the advice on board in the first instance, this is clearly not implemented long term.

Police and council Licensing Inspectors have worked hard to reduce the problems that this premises causes but it can be evidenced that poor management a substantial part in the offences and impacts directly upon all of the licensing objectives.

I reserve the right to produce evidence which amplifies the grounds for review which may take place at, or in the vicinity of the premises, between the service of this application and the hearing and / or during the time allowed for any appeal proceedings.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

1	3	0	3	2	0	1	2
---	---	---	---	---	---	---	---

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

Willie PC B7OK

Date

13-3-2012

Capacity Licensing Constable on behalf of the Chief Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

WITNESS STATEMENT

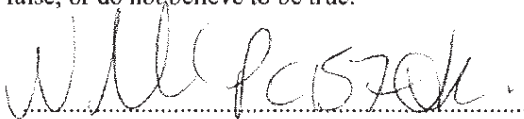
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Nicola McDonald**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Constable**

This statement (consisting of: **4**..... pages each signed by me) is 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 stated anything in it which I know to be false, or do not believe to be true.

Signature:  Date: 13th March 2012

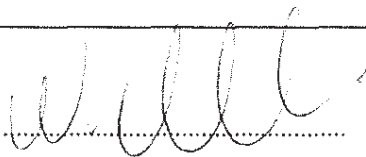
Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable of 22 years experience, the last 16 years I have worked on the London Borough of Brent, since 2005 I have been attached to the licensing unit for the borough. I have been authorised via a delegated authority to represent the Borough Commander for the London Borough of Brent and for the Commissioner of the Metropolitan Police Service to act on licensing matters.

One of the premises I supervise is The SHOP, 75 Chamberlayne Road, Kensal Rise, NW10 3ND. On 19th May 2011 Police received applications to transfer the premises licence and vary the designated premises supervisor from Mr Luke ALLEN 18/5/1980 from 37 Doyle Gardens NW10 3DB. Police made no representations to these applications.

On 16th July 2011 I was on duty in plain clothes although wearing my overt body armour, in company with PS 10QK Adrian Adolphus. At 0050 hours we were driving past The SHOP 75 Chamberlayne Road and I noticed there were four customers on external front decking drinking wine. The SHOP should be closed at 0000 hours. We had to deal with a prior commitment but returned to The SHOP at 0120 hours. The premises were still illuminated and there were four persons inside drinking alcohol. One of these persons was Luke Allen the DPS. I introduced myself, Luke explained he was having a drink with friends, I then informed him I had seen four customers drinking alcohol on the decking at 0050 hours when the bar should be closed. Mr Allen was very apologetic and said it would not happen again. The premises licence was not displayed. I explained that the premises were not licensed for entertainment which includes music and dancing and that I was not sure if the plans submitted with the premises licence application in 2007 included the external front decking area and that it maybe that the decking area can not be used for licensable activities. I told Mr Allen I would verify this for him.

One of the other persons in the bar was Ricky Broderick who I was told would be applying to become

Signature:  Signature witnessed by:

Continuation of Statement of **Nicola McDonald**.....

the DPS. I spoke to Mr Allen about the forthcoming Notting Hill Carnival and advised him that customers would not be allowed to congregate outside the premises and that glass drinking vessels were not permitted. I gave Mr Allen my contact details. Mr Allen did not appear confident in his knowledge of the premises licence conditions and I intended visiting him soon after to reinforce licensing legislation.

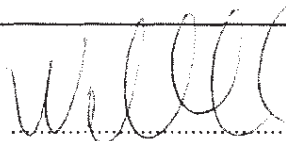
I made enquiries with the Licensing Authority and researched the initial premises licence application and discovered the external decking area on the front forecourt is not defined as the premises on the plans submitted to and approved by the Licensing Authority. Therefore licensable activities can not take place on the external front decking.

On 19th August 2011 I was on duty in plain clothes, at 2100 hours I visited The SHOP. Mr Allen was present in the bar. The external tables on the decking outside the front were in use by several customers drinking alcohol. I spoke to Mr Allen about my findings in relation to external decking area and told him from that point on he could not allow licensable activities out there. I also explained the procedure of applying to vary the premises licence to include the decking area for licensable activities. I re-iterated to Mr Allen the premises were also not licensed for entertainment. I examined the CCTV system, it was working adequately. I spoke to Mr Allen about Notting Hill Carnival weekend and he informed me he would be using plastic vessels throughout and he would have two door supervisors on both Sunday and Monday.

Mr Allen had submitted a Temporary Event Notice for the Sunday from midnight, allowing the bar to remain open to the public until 0200 hours on the Monday morning. The Monday would be the regular closing time of midnight. I reminded Mr Allen not to allow his customers to congregate outside and obstruct the public highway.

I was concerned about the sincerity of Mr Allen's response to me and not convinced he had taken my advise seriously, because at 2130 hours (15 minutes after I had left the bar) when I walked passed The SHOP again, there was still people drinking on the decking area drinking alcohol and Mr Allen just appeared to be socialising and not moving his customers inside.

On Sunday 28th and Monday 29th August 2011 I was on duty in plain clothes in company with PS 10QK Adrian Adolphus, we were on foot patrol conducting licensing visits during the Notting Hill Carnival. One of the licensed premises in the Brent carnival footprint is The SHOP, 75 Chamberlayne Road. At 2100 hours on Sunday 28th I saw the footpath outside the premises was totally obstructed by persons dancing to loud music emanating from The SHOP. At 2045 hours on Monday 29th August there were approximately 15 customers in the external decking area drinking alcohol. I spoke to the

Signature: 

Signature witnessed by:

Continuation of Statement of **Nicola McDonald**.....

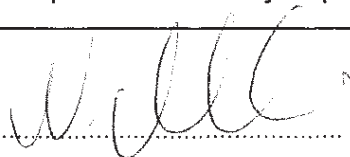
door supervisor and Mr Allen I advised him very strongly that the decking area was not covered on the plans for licensable activity and to get the customers inside the venue. I was aware that another licensing enforcement patrol also working the Carnival footprint had visited The SHOP within the previous hour and told Mr Allen the same. I waited nearby for the customers to go in to the building. I was later informed that a licensing enforcement officer had returned to The SHOP at 2130 hours and Mr Allen was back out on the decking with customers drinking alcohol.

On 22nd October 2011 I was on duty in plain clothes although wearing overt body armour in company with PS 10QK Adolphus. At 0045hrs we visited The SHOP. Mr Luke Allen was inside but I did not speak to him. There were five customers standing on the decking area outside the front of the venue. There were no chairs or tables on the decking. The customers were smoking and one male was drinking from a glass bottle of beer. There was a male member of staff outside the front of the venue sweeping the pavement. I spoke to him and he informed me that the bar was closing up for the night. He also informed me that the venue had been visited by the Environmental Health team earlier in the night due to complaints of noise.

Friday 2nd December 2012 I was on duty in company with PS 10QK Adolphus in an unmarked Police vehicle at 2340 hours we were travelling south along Chamberlayne Road when we stopped the vehicle near to The SHOP. I could hear muffled lively music with strong base sounds coming from the premises.

On 3rd February 2012 I was on duty in company with PS 10QK Adolphus in an unmarked Police vehicle. We were parked Station Approach at the junction with Chamberlayne Road between 0050 hours and 0100 hours I witnessed the following at The SHOP. Music was loud and muffled but with a deep base, the music was clearly audible when the front door of the venue was opened. I could see Mr Allen walking around within the Bar. I could see eight customers and two members of staff behind the bar and another who appeared to be collecting glasses. Some of the customers were enjoying dancing to the music at the front of the venue, in front of the window. One male customer came outside to have a cigarette on the decking area.

I am conscious that local residents have made complaints to responsible authorities of the council in regard to public nuisance at this venue since it was opened by Mr Allen. I am aware Mr Allen has been informed of these complaints and was due to attend a residents meeting in respect to the nuisance issues but Mr Allen cancelled at the last minute. Mr Allen appears to have total disrespect to both residents and responsible authority requests. After numerous attempts to advise Mr Allen he continues

Signature: 

Signature witnessed by:

Continuation of Statement of **Nicola McDonald**.....

to manage The SHOP so as to be a nuisance and permits licensable activities without authority. Mr Allen is failing to promote the licensing objectives.

Signature: W. Allen

Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Nicola McDonald URN: [] [] []

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of: ... 2 pages each signed by me) is 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 stated anything in it which I know to be false, or do not believe to be true.

Signature: [Signature] Date: 26-7-2012

Tick if witness evidence is visually recorded [] (supply witness details on rear)

This statement is in additional evidence to the Police premises licence review application dated 13th March 2012.

On Wednesday 25th July 2012 I was on duty in plain clothes and attended Brent Council CCTV operation room, Brent House, 349 - 357 High Road, Wembley. It had been brought to my attention from one of the CCTV operators that in the evening of 5th July 2012 the pavement in Chamberlayne Road, Kensal Rise, had been totally obstructed for several hours by customers believed to have been from a licensed premises. I attended the CCTV operation room to view the relevant footage and investigate this allegation.

I was assisted in the CCTV operation room by Alvin Wakeman control room manager. Footage was retrieved from camera 241 at 2020 hours on 5th July 2012 facing north along Chamberlayne Road, Kensal Rise. I witnessed the pavement outside of The Shop, 75 Chamberlayne Road, NW10 3ND was totally blocked by customers from The Shop. There were approximately 40 customers of that venue drinking from bottles of beer and glasses, they were using road side furniture to balance their drinking vessels. The customers were spilling from the pavement on to the road. I watched pedestrians walking in to the road to get around the volume of customers. The Shop was open, these customers outside sporadically would go in to the shop and come back outside. Alvin Wakeman has produced a still of the footage at 2020:52 hours 5/7/12, I exhibit this still as NM/1. As the evening passed the customers behaviour became more party like, with people unsteady on their feet, skipping and dancing in the street, the volume of customers outside the venue remained the same, still going in and out of The Shop. Alvin Wakeman has produced a still of the footage at 23:16:18 hours 5/7/12. I exhibit this still as NM/2. The final still produced by Alvin Wakeman at my request is 23:47 hours 5/7/12. I exhibit this as NM/3. At this time customers began dispersing; empty drinking vessels can be seen on the barrier and on the pavement. At 0020 hours on 6th July there was a handful of customers still outside, I could see balloons tied to the decking area indicating a 23rd birthday. A member of staff came outside and began sweeping the pavement and collecting

Signature: [Signature] Signature witnessed by:

Continuation of Statement of

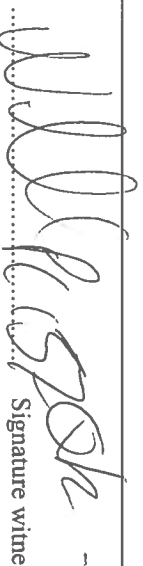
drinking vessels. The last customers dispersed from outside the venue at 0026 hours 6th July 2012 leaving in a black cab.

Throughout the whole footage I watched (from 2020 hours 5/7/12 to 0030 hours 6/7/12) I did not see anyone clearly identifiable working as a door supervisor, or any person that was attempting to do the role of a door supervisor. I did see persons who I believed to be members of staff collecting empty drinking vessels from the pavement, roadside barrier and kerb, but they never attempted to clear the pavement or usher customers inside.

This incident again shows lack of supervision at the premises and disregard to the local community. This clearly is not promoting the licensing objectives of public safety and public nuisance.



Signature:



Signature witnessed by:

.....

Witness contact details

Home address: Postcode:

Home telephone number: Work telephone number:

Mobile/pager number: Email address:

Preferred means of contact: Date and place of birth:

Male/ Female (delete as applicable) Ethnicity Code (16+1): Religion/belief:

Former name: Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? **No.** If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? **No.** If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): **PC 157QK Nicola McDonald** Station:

Time and place statement taken:

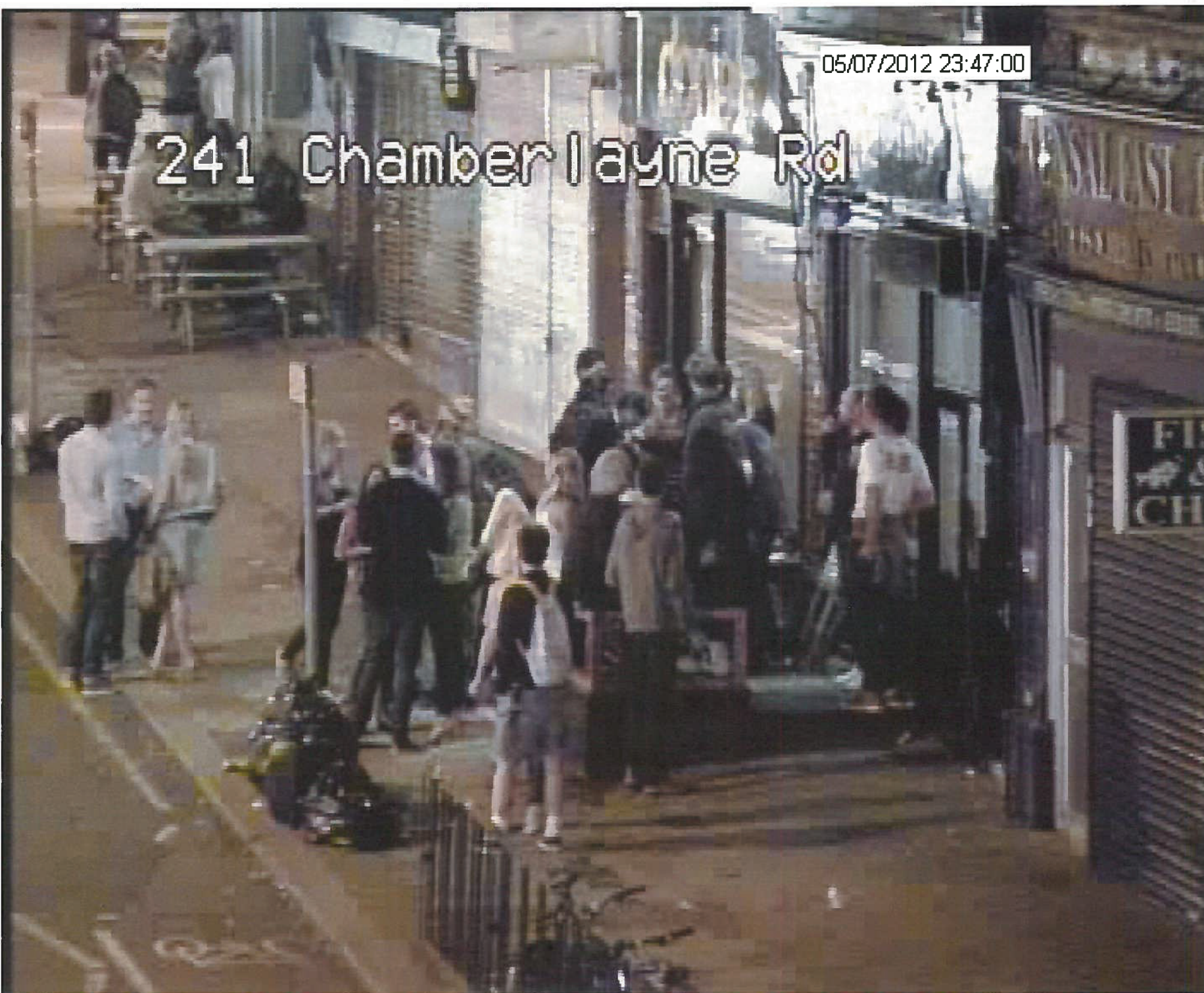
05/07/2012 23:16:18

241 Chamberlayne Rd



05/07/2012 23:47:00

241 Chamberlayne Rd





MEMORANDUM

LICENSING CONSULTATION -INTERNAL MEMO

To: Estelle Lendore
From: Juhaina Junaid
Date: 10/04/2012
Premises: 75 Chamberlayne Road, London, NW10 3ND
Type of Application: Review

I would like to confirm that I have undertaken case review with regard to the prevention of public nuisance. I would like to make representations on grounds of public nuisance.

On the following grounds:

The Noise Control Team had received numerous complaints regarding loud music coming from the premises and causing disturbance to local residents. In response to these complaints NCT officers made 3 detailed investigatory visits and had found evidence of music being played for entertainment purpose and that the premises was open beyond the hours permitted by the license.

A log of the complaints received by NCT since June 2011:

<u>Date</u>	<u>Time</u>	<u>Note</u>
09/03/12	23.55	visit confirmed music being played
25/02/12	23.00	Complaint received
28/01/12	22.45	Complaint received
14/01/12	22.35	Complaint received
06/12/12	00.18	Complaint received
02/12/12	23.05	Complaint received
21/10/11	23.39	visit confirmed music being played and open after midnight
15/10/11	22.50	Complaint received
18/09/11	00.29	Complaint received
28/07/11	21.08	visit confirmed music being played

Considering the above I would recommend the following condition to the operating schedule:

Operating hours

- That the premises closes no later than 23.00

If however the authority is minded to allow the site to operate beyond 23.00 hrs the operator should apply for entertainment license where the following conditions should be included to address the prevention of public nuisance:

Prevention of nuisance from noise/vibration

Airborne

- All doors and windows will remain closed during the licensed activities. Where a door is used for patrons to enter or leave the premises the door will be fitted with a self-closing device and staff told to ensure that it is not propped open. [if necessary] A

member of staff shall be positioned at the door to ensure it is opened for as brief a period as possible

- The rear windows/ door will be fitted with an electronic device that cuts the power to the audio-system/stage/performers area when the window/door is opened
- Entrance/exit from the premises whilst licensable activities are on-going shall be via a lobbied door to minimise noise breakout

Structure borne

- All speakers are mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties
- No noise or vibration shall be detectable at any neighbouring noise sensitive premises

Sound limits

- The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property
- The level of amplified entertainments shall be controlled by means of limiting device set at a level agreed with the licensing authority

Outside Areas

- The playing of live or recorded music shall not be permitted in any garden or external area
- No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises

Patrons entering/exiting premises.

- There will be no queuing outside the premises.
- When the premises turn out a licensed door supervisor shall supervise patrons and ensure the leave in a prompt and courteous manner, respecting the neighbours
- Notices asking customers to leave quietly shall be conspicuously displayed at all exits.
- A licensed door supervisor will be positioned on the exit door to ensure, as far as reasonably practical, that patrons leave drinks within the premises



Witness Statement

CJ Act 1967, s9;

MC Act 1980, ss5A(a) and 5B;

MC Rules 1981, r70;

UPRN:

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Statement of:Lavine Miller-Johnson

Age of if under 18..... (if over 18 insert 'over 18').....

Occupation:Licnesing Enforcement Officer.....

This statement (consisting of ...1.. page(s) each signed by me) is 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 stated anything which I know to be false or do not believe to be true.

Dated the:.....14th March 2012.....

Signature:

I am employed by the London Borough of Brent as a Licensing Officer. My duties include enforcing the Licensing Act 2003. On the 6th September 2011 I carried out a post carnival visit after the carnival update was sent out by my colleague Susana Figueiredo. Susana had asked me to advise Mr Luke Allen who is the Licensee of The Shop 75 Chamberlayne Road London NW10 3ND on the issues which were found. As stated in the update there were issues regarding, persons spilling onto the road, obstructing the footpath, persons that seemed intoxicated, alcohol outside the premise, noise nuisances and Health & Safety issues. Luke Allen does not have facility on his license for alcohol to be consumed outside of the premise. During the visit I reiterated what Susana had already explained to Luke Allen over the carnival days. I advised Luke Allen to, on event nights when there is a Temporary Events Notice in place to have the DJ decks at the back of the premises in a more suitable location. I also advised him not to have anyone standing outside at the front of the premise until he had varied the license accordingly. On 17th November 2011 I visited Luke Allen to discuss complaints regarding issues of noise. He is aware that they do not have a licence to play music and that they are to close at 00:00 as stated on the licence which is displayed at the entrance of the premise. I advised Luke Allen to address the noise issues with all staff members. On 8th December 2011 I visited Luke Allen regarding more complaints about noise disturbance. On 16th December 2011 at approximately 00:30, whilst out on visits, my colleague Susana Figueiredo and I went past the premise of Luke Allen and noted that there were approximately 17 people standing outside of The Shop. The Customers directly outside of the premise were smoking and drinking. On 7th February 2012 I visited The Shop to request a meeting with Luke Allen, the residents within the vicinity and myself to discuss and address the issues raised. This meeting was to take place on February 16th 2012 at The Shop premise at 10:30am. A letter was sent out on 10th February confirming this meeting. This was cancelled by Luke Allen on 14th February 2012 as his business partner was unavailable on this day. Another meeting was not rescheduled due to availability of all parties involved. As agreed by residents, Luke Allen was sent a copy of the log of events when residents had been disturbed. This was sent on 12th March 2012.

Signature:.....

Signature Witnessed by:.....



Witness Statement

CJ Act 1967, s9;

MC Act 1980, ss5A(a) and 5B;

MC Rules 1981, r70;

Continuation of Statement of

Page No: of

Signature.....

Signature Witnessed by:.....



Witness Statement

CJ Act 1967, s9;

MC Act 1980, ss5A(a) and 5B;

MC Rules 1981, r70;

Witness Name:

Home Address:

Telephone No: Home: Business:

Mobile: E-mail:

Male/Female (delete as applicable)

Date of Birth

Dates to be avoided. Delete dates of non-availability of witness to attend court.

January

1 2 3 4 5 6 7 8 9 10 11 12 13
4 15 16 17 18 19 20 21 22 23
24 25 26 27 28 29 30 31

February

1 2 3 4 5 6 7 8 9 10 11 12 13
14 15 16 17 18 19 20 21 22 23
24 25 26 27 28 29

March

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14 15 16 17 18 19 20 21 22 23
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April

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24 25 26 27 28 29 30

May

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June

1 2 3 4 5 6 7 8 9 10 11 12 13

July

1 2 3 4 5 6 7 8 9 10 11 12 13

August

September

11 12 13
14 15 16 17 18 19 20 21 22 23
24 25 26 27 28 29 30

October

1 2 3 4 5 6 7 8 9 10 11 12 13
14 15 16 17 18 19 20 21 22 23
24 25 26 27 28 29 30 31

November

9 10 11 12 13
14 15 16 17 18 19 20 21 22 23
24 25 26 27 28 29 30

December

1 2 3 4 5 6 7 8 9 10 11 12 13
14 15 16 17 18 19 20 21 22 23
24 25 26 27 28 29 30 31

STATEMENT TAKEN BY (Print name)

Job Title:


Date/Time Statement taken


Place statement taken:

STATEMENT OF WITNESS

Statement of Susana Figueiredo
(Date of Birth) 30/07/1977
Occupation of witness Licensing Inspector

This statement consisting of 2 pages each signed by me, is 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 stated in it anything that I know to be false or do not believe to be true.

Signature.......... Date..... 13.03.12.....

[.....being unable to read the above statement I,.....
read it to him before he/she signed it. Signature ..... Date 13.03.12.....]

I am employed by the London Borough of Brent as a Licensing Officer within the Safer Streets Department. My duties include enforcing the Licensing Act 2003. On Sunday 28th August 2011 at approximately 23.00hrs I visited The Shop, 75 Chamberlayne Road, NW10. On arrival there were people stood on the private forecourt, on the pavement and in the road, some of which were drinking alcohol. It is not certain whether the alcohol had been bought in The Shop but it would suggest to me that it had because it was in plastic cups. There were also a number of Red Stripe (beer) bottles being drunk which are also sold on the premise. The crowd were blocking the footpath making it difficult for anyone to walk by. There was loud music playing which was very audible from the street. This was due to the sound system being set up at the front of the premise. I spoke to the owner and Designated Premises Supervisor who I now know to be Luke Allen. I asked

Health and Safety At Work Etc. Act 1974


Under Section 20(2)(j) of the Health and Safety at Work Etc. Act 1974, an inspector has the power to require any person whom he has reasonable cause to believe to be able to give any information relevant to any examination or investigation under Section 20(2)(d) of the Act to answer (in the absence of persons other than a person nominated by him to be present and any persons whom the Inspector may allow to be present) such questions as the Inspector thinks fit to ask and sign a declaration of the truth of his answers. No answer given by a person shall be admissible in evidence against that person or wife of that person or the husband or wife of that person in any proceedings.

him why there were so many people out on the street and he replied by saying that they were waiting to go into the premise. He also stated that some of the people were not his customers and were just hanging around. I explained to Mr Allen that the reason why people were hanging around was because they were enjoying the music that was audible outside. At this point I pointed to a female that was dancing on the pavement. The SIA staff did not seem to know what they were doing at the door. There was no queuing system and when asked how they knew how many people were inside they replied by saying that they had a door clicker. It then became apparent that they only had one door clicker because they had leant the other one to a neighbouring premise. This therefore enabled them to click their customers in but not click them out. Myself and my colleague Sergeant Stuart Jenkins entered the premise. It was very overcrowded in the first half of the bar and impossible to walk through. The back of the bar was empty but this was because the sound system had been put at the front of the premise. On this occasion the premise was operating under a Temporary Events Notice which meant that none of the licensed conditions applied. This meant that people were allowed to drink outside in the private area, recorded music could take place in the form of a DJ and the premise could remain open later than usual. I asked Mr Luke Allen to remove everyone from outside the premise and to ensure the door remained closed so as not to allow music to be audible outside. There was a lot of confusion about who should be doing what and the premise did not seem to be managed well. Myself and my colleague then left the premise. On Monday 29th August 2011 at approximately 20.00hrs I visited The Shop again with Sergeant Stuart Jenkins during my Notting Hill Carnival duties. The premise was now operating under their normal licensed conditions which prevented any alcohol from being consumed outside the premise. On arrival there were persons in the private area drinking alcohol. I spoke to Mr Luke Allen and told him that he was not to allow the consumption of alcohol outside his premise as he was now operating under his normal licence. I told him that I had explained this to him the day before and that it seemed that he was purposely not listening and doing what he so wished as opposed to what his licence stated he should do. I also spoke to the SIA staff and told them not allow anyone to come outside with alcohol. Myself and my colleague left the premise. At approximately 21.30hrs as I was driving past The Shop again I noticed that Mr Allen was sitting with his back to me in the private area with a group of approximately 5 other males. One of the SIA staff were also sat at the table. One of the males was holding a bottle of Red Stripe and the others had plastic cups in their hand filled with drink. I cannot say if this drink was alcohol. As Mr Allen saw us approaching he kept his back to us and one by one each of the males stood up, hid the drink inside their jackets and moved into the premise. Mr Allen was then left sat on his own outside. I approached Mr Allen to ask why he was allowing people to drink outside his premise when I had told him twice previously that he was not entitled to do this. He replied by saying

Signature.......... Date..... 13.03.12.....

STATEMENT OF WITNESS

that no one was drinking alcohol outside. I told him that I saw the bottle of Red Stripe to which he had no reply and told him that it looked very suspicious when everyone in the group got up, hid their drinks and went inside just as we arrived. Mr Allen could not give me a reason why this happened. I told Mr Allen that I would be reporting him to the Licensing Sergeant Adrian Adolphus because he was not managing his premise in a way that meets the four Licensing objectives and that he wasn't abiding by the conditions of his licence. I then left the premise with my colleague.

Signature.......... Date 13.03.12.....

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London, 25th March 2012

Dan & Kevine Stora
Flat 2
77 Chamberlayne Road
London NW10 3ND

Object: Representation for Premises Licence Review Application 963462

Since their opening in July 2011, The Shop have proved to be extremely bad neighbours. Our main complaint is that we have been regularly subjected to noise nuisance, resulting in a state of sleep deprivation and a clear degradation of our quality of life. Added to that, The Shop have demonstrated on several occasions that they either do not care about or are unable to control the behaviour of their staff and customers.

Please find below more details grouped according to the objectives of this review.

PREVENTION OF CRIME AND DISORDER

- There have been several occurrences of The Shop's customers getting to a rather advanced stage of drunkenness and then wandering outside shouting and sometimes breaking glasses and bottles.
- We also witnessed in the night of 04/05 February 2012 customers starting a snowball fight at around 00:30 in front of The Shop and along the street. Snowballs were thrown at people, parked cars and scooters, and over the road. While it may sound like fun, it was clearly out of control and could have ended up badly.

PUBLIC SAFETY

- We rather frequently can see customers stagger out of The Shop and then directly cross the road instead of walking down the street to use the pedestrian crossing. We don't know whether The Shop could do anything about it (apart from making sure customers do not get drunk...), but this is obviously dangerous for both the customers and the traffic.
- There have been many occurrences of The Shop's customers outside occupying the whole width of the pavement, forcing us and other pedestrians to walk on the road and thus putting us in danger.
- There have been several occurrences of broken glass left on the pavement in front of The Shop and also in front of our property, as well as along the side of the road. It also appears that some customers and/or staff take a habit of smoking and drinking in front of our doorstep as we are often polluted with cigarette butts and traces of glasses (or sometimes even empty glasses).

PREVENTION OF PUBLIC NUISANCE

Noise nuisance from The Shop started as early as the evening of their opening day and quite often extends beyond their licence opening times.

It consists of:

- loud music with deep bass propagating through the party wall,
- the use of microphones when The Shop organizes parties with DJ,
- occasionally very loud customers, mainly when The Shop hosts private parties.

We contacted The Shop's manager (Luke Allen) directly on multiple occasions to let him know about the nuisance. Every time he was friendly, apologized and promised to improve the situation, but the nuisance just kept going on.

After several weeks of efforts trying to manage the issue with The Shop directly, we resorted to contacting Brent Council: the Environmental Health department, the Brent Noise Team and the Health, Safety and Licensing department.

The Licensing Enforcement Officer got in touch with The Shop several times to warn them about the situation but unfortunately without success.

More recently the Licensing Enforcement Officer tried to arrange a meeting between the residents of 77 Chamberlayne Road (i.e. us and miss Janet MacDonald) and The Shop's DPS (Luke Allen) so that the problem could be discussed; a date was agreed and we made arrangements with our works to be able to attend but the DPS cancelled on a short notice and no alternative date was set.

Please find below a log of some of the disturbances we have been through.

This log has been sent to the Licensing Enforcement Officer and we believe has also been passed on to the Police.

Notes:

- We only started logging things in September 2011 when we finally realised that trying to solve the issue by talking to The Shop's manager was pointless.
- There are a number of occasions where, although annoyed, we were far too tired to check things out and take notes.
- "until after" indicates the last time we took note of the clock; quite often things continued for some time but we just tried to get asleep despite it.

* 10-11/09/2011: Until after 01:30.

* 17-18/09/2011: Until 00:20.

* 22-23/09/2011: Until 00:20 (Note: we went downstairs to chat with the manager).

* 04-05/10/2011: Until after 01:00 (Note: we sent a text to the manager about the music at around 23:36 to which he replied at 01:18 apologizing; we also called the Brent Noise Team but they wouldn't be able to help).

* 06-07/10/2011: Between 22:00 and 23:00 (Note: we sent a text to the manager).

* 07-08/10/2011: Until after 03:00 (Note: we sent a text to the manager; he replied the next day apologizing, saying he wasn't in at the time and that he had had "a massive go" at the shift manager; we also called the Brent Noise Team but they were closed at that time).

* 14-15/10/2011: Until after 03:45 (Note: we sent a text to the manager as early as at 21:00 as the music was already annoying at that time).

* 15-16/10/2011: Until after 00:30 (Note: we called the Brent Noise Team but no follow-up).

- * 20-21/10/2011: Until 00:55 (Note: we called the Brent Noise Team but they were closed early).
- * 21-22/10/2011: Until 00:30 (Note: we were woken up at 23:35 by stupidly loud music; we called the Brent Noise Team, but unfortunately they visited at 00:40 when the music had gone - but the bar was still open and about to close).
- * 29-30/10/2011: From 22:00 to midnight.
- * 02-03/11/2011: Until after 00:20.
- * 04-05/11/2011: Until after midnight (and particularly between 23:45 and 00:05).
- * 05-06/11/2011: Between 23:00 and midnight (Note: we sent a text to the manager).
- * 11-12/11/2011: Until 01:30 (Note: we called the Brent Noise Team but they were closed early).
- * 12-13/11/2011: Bar still open at 01:00 (Note: we were not disturbed as we were out until 01:00 and there was no loud music when we came back; just recording it as the bar being open beyond official hours).
- * 23-24/11/2011:
 - Repeated bouts of loud music from 22:50 to 00:10.
 - Bar still open with customers inside and in the street consuming alcohol at 00:20.
- * 25-26/11/2011:
 - We passed in front of The Shop at 23:45, loud music.
 - We passed again at 00:15, bar still open with customers inside and in the street consuming alcohol.
 - Still music and people talking loudly at 01:10.
- * 30/11/2011-01/12/2011:
 - Loud music + shouting + use of a microphone from before 21:00 until 22:30.
- * 02-03/12/2011:
 - 22:45: Music with bass getting louder.
 - 22:55: We called the Brent Noise Team but asked not to be called back as we were trying to sleep (so we don't know if anybody visited The Shop).
 - Still music past 01:00.
- * 03-04/12/2011:
 - Music with bass the whole evening with regular bouts at very high volume.
 - Last bout with customers in from 00:00 to 00:10.
 - Staff still playing loud music until around 01:40 when they closed.

Note: We called the Brent Noise Team at 00:55 but they wouldn't take any more complaints...
- * 06-07/12/2011:
 - Outrageously loud music + people shouting.
 - 23:20: We called the Brent Noise Team.
 - 00:10: Music stopped.
 - 00:20: We called the Brent Noise Team again to let them know the music had stopped.
 - 01:00: Music again until beyond past 02:00.

* 07-08/12/2011:

- 23:10: Music + people laughing very loudly on the terrace.
- 23:50: Music gets louder until midnight + people shouting outside.
- 00:40: Still people outside drinking; some loud and drunk people; broken glasses.

* 09-10/12/2011:

- Loud music with deep bass from 22:30 until 00:10.
- 00:10: Music volume down but bar still open.
- 01:05: Music gets louder.
- 02:00: Music still on.

* 10-11/12/2011:

- 00:25: We passed in front of The Shop, bar still open with customers inside and outside.
- 00:50: Music on.

* 17-18/12/2011:

- 00:35: We passed in front of The Shop, front door open and a few people inside seated around the bar.

* 06-07/01/2012:

- 23:00: Loud music with bass; it also sounded like a microphone was being used.
- 23:30-23:50: Louder bouts.
- 00:10: Music still on and loud; we called the Brent Noise Team but we were told that the team wasn't taking any more calls and our complaint couldn't even be logged.
- 00:15: Music stopped, but bar still open and terrace packed and noisy.
- 00:35: Terrace being cleaned, a lot of noisy people on the pavement in front of our building.
- 00:45: Music again (less loud) until beyond 01:00.

* 07-08/01/2012:

- Relatively loud music from before 21:00.
- Heavy bass from around 22:30.
- 23:15: We took the garbage out and The Shop's music could be heard from the building's entrance even with the door closed.
- 00:30: Bar still open.- 01:10: Bar seemingly closed to customers but music on.

* 14-15/01/2012:

- 23:20: Music with banging bass.
- 23:35: Called the Brent Noise Team (reference number: 6621808).
- 00:18: The Brent Noise Team called on mobile but we missed the call, so we called them back at 00:20 to let them know the music had stopped.

* 20-21/01/2012:

- 23:45: Woken up by loud music.
- 00:15: Music gets even louder.
- No idea when the music stopped; we were so tired that we managed to get asleep with ear plugs.

* 21-22/01/2012:

- 23:40: Music gets louder with deep bass.
- Music stopped at about midnight.

* 25-26/01/2012:

- 23:40: Music gets louder with deep bass.

- 00:15: Music volume goes down.
- 00:30: Bar apparently still open and still some music.
- 00:50: Still music with bass.

* 27-28/01/2012:

- 21:20: We took the garbage outside. The Shop's music and bass could be heard from the corridor even with the front door closed.
- Loud music all night long (and loud people) until midnight.
- Bar then still open with (relatively loud) customers until 00:30.

* 28-29/01/2012:

- 22:00: Customers shouting repeatedly. After that, music gets louder.
- 22:15: Bass get louder.
- 22:30-22:45: More shouting and very loud singing. Looking at their Twitter page, it's a private party.
- 22:45: We called the Brent Noise. The agent said there was some delay due to workload.
- 22:45: Music and singing/shouting get even louder.
- 00:20: The Brent Noise Team called; we told them the music was lower than before but the bar should be closed by now; she replied they were on their way.
- 00:25: The music stopped and it looks like the bar is finally closing. We called the Brent Noise Team to let them know so that they can inform their agents who were on their way.
- 00:40: Two agents from the Brent Noise Team arrived; we told them the bar stopped the music about 5 minutes after their call and that we had called their central number to inform them; they said that they passed in front of The Shop and could see people leaving; they recorded our statement that the music stopped at 00:25.

* 03-04/02/2012:

- Loud bass until 00:05.
- 00:30: Bar still open and people still drinking at terrace.
- 00:35: Some music again.
- 00:55: More music with deep bass.

* 04-05/02/2012:

- Music as early as 19:30.
- From 21:45: Bass get much louder.
- 22:30: We called the Brent Noise Team but due to "the sheer volume of demand" they have closed their line.
- 00:00: Music stops.
- 00:15: Still people drinking and smoking at terrace.
- 00:20: Loud music again briefly.
- 00:30: Still some customers at terrace, shouting until 00:45 and starting a snowball fight in front of the bar.

* 07-08/02/2012:

- 23:00: Music with bass.
- 00:10: Music gets pretty loud. It seems to be the staff.
- 00:20: Bass get more insisting.
- 00:30: Music stops.

* 11-12/02/2012:

- From 20:35: Music with loud bass.
- No idea when music stopped as we managed to get asleep with ear plugs.

* 17/02/2012-24/02/2012: We were away so can't tell about that period.

* 25-26/02/2012:

- Some bouts of loud music from 21:50.
- 23:20: Bass make it hard to get asleep.

* 29/02/2012-01//03/2012:

- The Shop organized a "Leap Year Show" party with DJ.
- 20:40: Music with bass + use of a microphone.
- 21:40: Music gets louder + still microphone.
- 22:15: Music pretty loud and very annoying
- 22:30: Noise level goes down, apparently no more music.
- 23:10: A bit of music relatively briefly.

* 01-02/03/2012:

- 22:00: Music with bass.
- 23:00: Volume down a bit.
- 23:40-23:50: Bout of music with loud bass.
- 00:05: Music stops.
- 00:15: Bar still open with customers at terrace.

* 02-03/03/2012:

- Music with bass until 22:45.
- After that still music at lower volume.
- 23:45: Bass make it hard to get asleep.

* 03-04/03/2012:

- 22:00: Back home, music with bass (not extremely loud but annoying).
- 22:40: Bass get louder.
- 23:35: Bass get even louder.

* The Shop have been quieter since the Met Police have applied for the licence review; this confirms our previous experiences that only pressure from officials has an effect on them...

CONCLUSION

The Shop seem to base their business model along the lines of a night club. However, such an approach has absolutely no place in a residential area.

They have also proved many times that they do not care about the neighbourhood. The rare occasions when they have shown some restraint were due to pressure from the borough or the police rather than real goodwill, and even then it never lasted for very long.

We therefore ask that their licence be amended to include an explicit ban on music, microphones and any other sources of potentially excessive noise, as well as a clear obligation to control the behaviour of their staff and customers.

Status

Licence Review Instigated

Licensee

Allen, Mr. Luke

Address: 75 Chamberlayne Road
London
NW10 3ND

Email: admin@innconfidence.co.uk

Phone: 0845 4591973

Premises Details

Address F & J Wines,75 Chamberlayne Road, London, NW10 3ND

Post Town

Postcode NW10 3ND

Telephone number

Non-Domestic Rateable Value 5700.00

Operating Schedule

Desired Start Date 27/02/2007

Desired End Date

Number Expected

Activity Type Off Licence

Licensable Activities

Is a variation of the premises licence while it is converted from the existing licence(s) under section 34 or 37 of the licensing act 2003 being applied for? No

Provision of late night refreshment Yes

Supply of alcohol Yes

L. Late night refreshment - Standard Times

L. Late night refreshment - Standard Times

Day Monday

Start Time 10:00

End Time 00:00

Day Tuesday

Start Time 10:00

End Time 00:00

Day Wednesday

Start Time 10:00

End Time 00:00

Day Thursday

Start Time 10:00

End Time 00:00

Day Friday

Start Time 10:00

End Time 00:00

Day Saturday

Start Time 10:00

End Time 00:00

Day Sunday

Start Time 10:00

End Time 00:00

L. Late night refreshment - Further Details

Seasonal Variations

L. Late night refreshment - Further Details

Non-Standard Timings

M. Supply of alcohol - Standard Times

Day Monday

Start Time 10:00

End Time 00:00

Day Tuesday

Start Time 10:00

End Time 00:00

Day Wednesday

Start Time 10:00

End Time 00:00

Day Thursday

Start Time 10:00

End Time 00:00

Day Friday

Start Time 10:00

End Time 00:00

Day Saturday

Start Time 10:00

End Time 00:00

Day Sunday

Start Time 10:00

End Time 00:00

M. Supply of alcohol - Further Details

On/Off Sales Both?

Seasonal Variations

Non-Standard Timings

Premises Supervisor

Name Luke Allen

Address 37 Doyle Gardens
London

Postcode NW10 3DB

Phone

Email

Licence Number 766314

Issuing Licensing Authority London Borough of Brent

O. Hours premises are open to the public - Standard Times

Day Monday

Start Time 10:00

End Time 00:00

Day Tuesday

Start Time 10:00

End Time 00:00

Day Wednesday

Start Time 10:00

End Time 00:00

Day Thursday

Start Time 10:00

O. Hours premises are open to the public - Standard Times

End Time 00:00

Day Friday

Start Time 10:00

End Time 00:00

Day Saturday

Start Time 10:00

End Time 00:00

Day Sunday

Start Time 10:00

End Time 00:00

O. Hours premises are open to the public - Further Details

Seasonal Variations

Non-Standard Timings

Mandatory Conditions

Mandatory conditions

(a) No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended.

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

All persons present on the premises who are required to carry out a security activity must be licensed by the Security Industry Authority.

(d) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in

Mandatory Conditions

relation to the premises.

(e) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

(f) The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

(g) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(h) The responsible person shall ensure that-

(i) 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-

- beer or cider: half pint;
- gin, rum, vodka or whisky: 25ml or 35ml; and
- still wine in a glass: 125ml; and

(ii) customers are made aware of the availability of these measures.

Embedded Conditions

Embedded conditions (Late Night Refreshment):

Embedded conditions (Off Sales):

Embedded conditions (On Sales):

Embedded conditions (Hotel):

Embedded conditions (Restaurant):

Embedded conditions (Entertainment):

Other Conditions

Conditions consistent with the operating schedule

1. CCTV shall be installed and maintained in a working condition.

Other Conditions

2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.
3. 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.
4. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
5. *¿Raid Control¿* crime prevention measures shall be installed and all staff given suitable training.
6. 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.
7. Photographic proof of age shall be required from all persons appearing to be under the age of 21.

Conditions attached after a hearing by the licensing authority

Whether access to the premises by children is restricted or prohibited

Case history

- 25/06/2012 [Premises Licence - Annual Payment 1055372](#)
- 13/03/2012 [Premises Licence - Premises Licence Review Application 963462](#)
- 24/10/2011 [Premises Licence - Complaint 856366](#)
- 08/09/2011 [Premises Licence - Complaint 834237](#)
- 23/05/2011 [Premises Licence - Change of DPS 775104](#)
- 23/05/2011 [Premises Licence - Licensee Transfer Application 775053](#)
- 16/03/2011 [Premises Licence - Annual Payment 742610](#)

Case history20/05/2010 [Premises Licence - Annual Payment 618331](#)28/11/2008 [Premises Licence - Annual Payment 451204](#)10/01/2007 [Premises Licence - Initial Application 244652](#)**Inspections due**

<u>Due on</u>	<u>Type</u>	<u>Assigned to</u>
08/09/2012	Annual Inspection	Lavine Miller-Johnson

Inspections carried out

<u>Date</u>	<u>Type</u>	<u>By</u>	<u>Details</u>
08/09/2011	Annual Inspection	Lavine Miller-Johnson	Annual visit was made today. This annual visit also ties in with carnival post visit after the update was sent out by Susana. During carnival the licensee allowed member from his establishment to drink alcohol outside on the forecourt. He does not have this facility on his license. He also had the DJ decks at the front of the premises which enticed the party goers to stand and congregate in the door way and outside on the forecourt and footpath. During the visit I reiterated what Susana had already explained to. Luke (licensee) said that he has learned from his mistakes and on Party nights he will have the DJ decks at the back of the premises in a more suitable location. He has also said that he will not have anyone standing outside until he has varied the license and fixed up the outside seating area. License was displayed by the front door entrance and CCTV is in working order.
01/02/2012	Other	Lavine Miller-Johnson	Have tried to contact Luke Allen

Inspections carried out

			<p>Via phone and email. Both contact details are unavailable. Visit to be made Tuesday 7th to arrange meeting with Him and residents.</p>
15/03/2012	Check Visit	Esther Chan	<p>Joint visit with Sgt Adolphus at 23:41hr. We observed the premises directly o/s premise, there were 7 customers sitting around the tables outside √ the customers were taking loud, laughing and drinking alcohol. At 23:42hrs a female opened the premises door and we hear loud amplified music. At 23:43hrs there were 2 females chatting outside the premises √ a male came out the premises and again we could hear loud music. The 2 females that were chatting then walked into the premises at 23:44hrs. A SIA member of staff known to be Joseph Young was managing the external area of the premise.</p> <p>At 23:45hrs a female walked out the premises and we could hear a song called √What√s My Name √ by a singer called Rihanna√. At 23:46hrs a female walked into the premise and we could see people dancing and waving theirs hands in the air. At the same time there was another female outside the premises making a telephone call on her mobile.</p>
22/02/2012	Other	Lavine Miller-Johnson	<p>Just a quick note to see if anyone will be available for the proposed date Friday 24th February 2012 re-scheduled meeting with Luke Allen at 10:30am? I know that the op is also on this day and was actually wondering if I should even still go ahead at this late stage?</p>

Inspections carried out

			<p>The reason for the re-scheduled meeting is due to his business partner not being available for this Thursday and Luke feels that it is important for all parties to be present.</p> <p>Let me know your views and availability please.</p> <p>Kind Regards</p> <p>Lavine Miller-Johnson</p> <p>message which was sent to rearrange meeting with luke. There was no one available for this meeting.</p> <p>After Speaking with the police we decided not to go ahead with the meeting just before Op Condor.</p>
14/02/2012	Other	Lavine Miller-Johnson	<p>Luke Allen has called the office to re-schedule the meeting which should have been on 16th Feb 2012. He stated that he wants to have his business partner present at the meeting. He had know of this meeting since 7th Feb 2012 when I visited him at the premises. A letter was also sent out to him confirming the meeting on 10th Feb.</p>
17/12/2011	Check Visit	Lavine Miller-Johnson	<p>Night visit carried I have previously spoken with Luck Allen and he stated that they do not open past 00:00. Visit was made after trading hours and the doors were open music was heard from premises. There was around 15-17 people standing outside drinking and smoking also making a fair bit of noise. I will email Nicola and see if they can review the license.</p>

Inspections carried out

16/03/2012	Other	Lavine Miller-Johnson	Notice has been displayed for the shop review.
08/12/2011	Check Visit	Lavine Miller-Johnson	Spoken to Luke Allen again regarding the noise issue. He still states that they do not open past 00:00 and that the noise of music is from the staff when they are cleaning up they play music. The email he gave me was not correct and he has now given me another one. Night visit will be carried out next week to observe.
17/11/2011	Service Request	Lavine Miller-Johnson	Spoken with Luck Allen regarding the noise issues and opening past trading hours. He said that the staff will be made aware of the issues and that they will keep the noise down. I explained to him that if this continues then his license will be up for review and this will also affect his application for music and dancing. I he also gave me an email address that I will be able to send to a log which I was given from the residences. I will continue to monitor this premise.
30/06/2012	Special Initiative Inspection	Lavine Miller-Johnson	The Shop 75 Chamberlayne Road NW10@ 21:45 Luke Allen was present on site. There were a number of customers drinking outside on the decking area and on the pavement. I addressed this with Luke and advised him accordingly. Fire exits checked and cleared. Fire extinguishers last checked 6/11 due to be redone very soon. The male and female toilets tested positive for cocaine. There was one door supervisor present SIA (0130013759636805) Joseph Young
17/12/2011	Check Visit	Susana Figueiredo	Visit due to noise complaints. Front door open, noise from

Inspections carried out

			music escaping premise. Approx 15 persons standing outside. Owner has been previously warned by myself during Carnival because of noise issues. Lavine to contact owner
07/02/2012	Service Request	Lavine Miller-Johnson	Visit was made to Luke Allen. I have now obtained another set of contact details. I have also discussed and arranged a meeting with him and residents for 16th Feb 2012 @10:30am.
07/03/2012	Other	Lavine Miller-Johnson	had various conversations with Dan (resident) giving permission for me to forward edited log to Luke Allen. please see attached document. resident log edited for luke allen
10/02/2012	Other	Lavine Miller-Johnson	letter to luke regarding meeting with residents letter regarding resident meeting
19/03/2012	Other	Lavine Miller-Johnson	received an email from Dan (resident) he has asked for some info on how to go about putting objections. He stated that he does not think that the notice on the lamp post was enough to attract the attention of residents who wish to put in objection. I have advised him on some things he can do to make awareness within the neighbourhood.

LICENSING ACT 2003

Application for a Temporary Event Notice

1. The Application

Name of Applicant:	Keith Anderson
Name & Address of Premises:	Tokyngton Community Association. Sherrins Farm, St Michael's Avenue, Wembley HA9 6SA
Applicants Agent:	None

1. Application

The application is for the sale of alcohol, regulated entertainment and late night refreshment from 22:00hrs on 25th August to 04:00hrs on 26th August 2012

2. Background

None

3. Promotion of the Licensing Objectives

None

4. Relevant Representations

Representations have been received from Environmental Health on the grounds of prevention of public nuisance.

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.

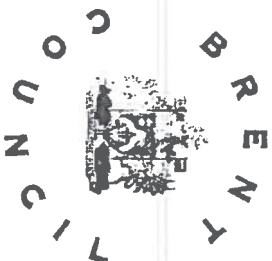
8.2 Where responsible authorities and interested parties raise relevant representations, the council may, if it is satisfied at a hearing or otherwise, impose conditions where considered necessary for the promotion of the licensing objectives.

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



Temporary Event Notice

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 at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

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	ANDERSON		
Forenames	KEITH		
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 17	Month 1	Year 1948
4. Your place of birth	JAMAICA		
5. National Insurance Number	YS 24 65 08 A		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
128-134 MAYFAH VALE (SILKIVIAN COURT) W9 1PZ			
Post town	LONDON	Post code	1PZ
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)	07950 859 978		
Fax number (optional)			

E-Mail Address (if available)		
8. Alternative address for correspondence (if you complete the details below, we will use this address to correspond with you)		
Post town	Post code	
9. Alternative contact details (if applicable)		
Telephone numbers:		
Daytime		
Evening (optional)		
Mobile (optional)		
Fax number (optional)		
E-Mail Address		
(if available)		

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)

TOKYNGTON COMMUNITY ASSOCIATION
 SHERINS FARM
 ST MICHAELS AVE Wembley H.A9 6SA

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number

Club premises certificate number

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)

Community CENTRE

Please describe the nature of the event below. (Please read note 5)

JAMAICA 50TH INDEPENDENCE FOR Big People
 TRIBUTE TO THE LATE Reggae ICONS

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 checked="" type="checkbox"/> NO
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>
Please state the dates on which you intend to intend to use these premises for licensable activities. (Please read note 8)	25-9-12
	26-8-12

PLEASE NOTE THAT ANY EVENT BEGINNING BEFORE MIDNIGHT AND CONTINUING INTO THE NEXT DAY WOULD COUNT AS TWO DAYS TOWARDS THE 21 DAY LIMITATION.

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 9)

10PM — 04AM

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 10)	On the premises only	<input checked="" type="checkbox"/> 250 / 300
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

4. Personal licence holders (Please read note 12)

Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
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If "Yes" please provide the details of your personal licence below.

Issuing licensing authority	
Licence number	
Date of issue	
Date of expiry	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 13)		
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 14)		
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	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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.		
Has any person with whom you are in business carrying on licensable activities 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"/>

7. Checklist (Please read note 15)		
I shall (Please mark the appropriate boxes with an "X")		
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated		<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated		<input checked="" type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated		<input checked="" type="checkbox"/>

If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input 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 type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Make or enclose payment of the fee for the application	<input type="checkbox"/>
Sign the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 16)

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 17)

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	<i>K. Anderson</i>
Date	18-7-12
Name of Person signing	KEITH ANDERSON

For completion by the licensing authority

10. Acknowledgement (Please read note 18)

I acknowledge receipt of this temporary event notice.

Signature	<i>G. Murray</i>
Date	20/7/12
Name of Officer signing	G. MURRAY

Please return two copies of the completed form with your payment to:-

Brent Council
Safer Streets
Brent House, 3rd Floor West
349-357 High Road
Wembley
Middlesex
HA9 6BZ

☎ 020 8937 5359 Fax: 020 8937 5357
Email: environmentandprotection@brent.gov.uk

Cheques should be crossed and made payable to London Borough of Brent.

Please send one copy of the completed form to:

Chief Officer of Police	Brent Council
Wembley Police Station 603 Harrow Road Wembley Middlesex HA0 2HH	Safer Streets/Licensing and Pollution Brent House, 3 rd Floor Wembley Middlesex HA9 6BZ
Tel: 020 8733 3206	Tel: 020 8937 5252

Data Protection: The London Borough of Brent will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine the application form on request. In addition, this information may be disclosed to the Police, The London Fire and Emergency Planning Authority, relevant ward Councilors and other Council departments.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with law enforcement agencies and other bodies responsible for auditing or administering public funds for these purposes. For further information, see Brent Council's privacy statement <http://www.brent.gov.uk/privacy>.

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.

Official Use Only.

Fee

Application

Nuisance Team representation Temporary Event Notice:

Reference: 1078201

Start Date 25/09/2012

Start Time 22:00

End Date 26/09/2012

End Time 04:00

Applicant: Mr Keith Anderson

Premises: Tokyngton Community Centre, St Michaels Avenue, Wembley, HA9 6SA

Officer: Juhaina Junaid,

Title: Enforcement Officer, *in whose area the premises are situated purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.*

I certify that I have considered the application shown above and **I wish to make representations** that the likely effect of the approval of the Temporary Event Notice is detrimental to the Licensing Objectives with regards to the prevention of public nuisance.

Case history

There is a history of complaints received by the team in relation to playing of loud music and causing disturbance to local residents at early hours of the morning.

Recommendation

I recommend the following conditions to be attached to the TENs approval

Prevention of Nuisance

Condition: No noise or vibration shall be detectable at any neighbouring noise sensitive premises.

Condition: Licensed door supervisors shall ensure queuing potential patrons and patrons leaving the site behave in an acceptable manner and do not cause disturbance to the neighbours.

Condition: The playing of live or recorded music shall not be permitted in any garden or external area of the building.

Condition: The name and contact number(s) for person(s) in charge of the event shall be made available to Council and shall be contactable during the full duration of the event.

Yours sincerely

Juhaina Junaid
Enforcement Officer
Environment and Protection
London Borough of Brent
Tel: 02089375252

Email: juhaina.junaid@brent.gov.uk , ens.noiseteam@brent.gov.uk

Address: London Borough Of Brent, Safer Streets, 3rd Floor, Brent House, 349 High Road, Wembley, HA9 6BZ

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