



## Alcohol and Entertainment Licensing Sub-Committee (C)

**Friday 23 November 2012 at 10.00 am**

Room 208, Brent Town Hall, Forty Lane, Wembley,  
HA9 9HD

### Membership:

#### Members

Councillors:

Harrison (Chair)  
Sneddon  
Pavey

#### first alternates

Councillors:

Oladapo  
HM Patel  
Mrs Bacchus

#### second alternates

Councillors:

Beckman  
Matthews  
Jones

**For further information contact:** Lisa Weaver, Democratic Services Officer  
lisa.weaver@brent.gov.uk, 0208 937 1358

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**[www.brent.gov.uk/committees](http://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**

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 Ghimire Mantosh for a Temporary Event Notice (TENS) for 'Bombay Dreams 2-3 Sevenex Parade London Road HA9 7HQ' pursuant to the provisions of the Licensing Act 2003** **1 - 18**



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 for a Temporary Event Notice

#### 1. The Application

Name of Applicant:	Mr Ghimire Mantosh
Name & Address of Premises:	Bombay Dreams 2-3 Sevenex Parade London Road HA9 7HQ
Applicants Agent:	None

#### 1. Application

The application is for the supply of alcohol and regulated entertainment on 24<sup>th</sup> and 25<sup>th</sup> November from 10:00 hours until 05:00 hours.

#### 2. Background

None

#### 3. Promotion of the Licensing Objectives

None

#### 4. Relevant Representations

Representations have been received from Environmental Health on noise nuisance grounds

#### 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.

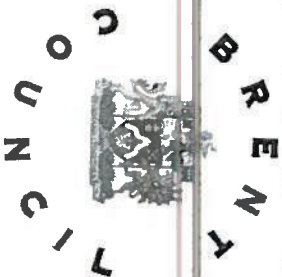
8.2 Where responsible authorities and interested parties raise relevant representations, the council may, if it is satisfied at a hearing or otherwise, impose conditions where considered necessary for the promotion of the licensing objectives.

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.

<b>1. The personal details of premises user (Please read note 1)</b>			
<b>1. Your name</b>			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Ghimire		
Forenames	Mantosh		
<b>2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)</b>			
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 21	Month 05	Year 1982
4. Your place of birth	Kathmandu, Nepal.		
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
49, Whitefields Avenue Harrow, Middx HA3 5RD			
Post town	Harrow	Post code	HA3 5RD
<b>7. Other contact details</b>			
Telephone numbers Daytime	02089023334.		
Evening (optional)			
Mobile (optional)	07534295244.		
Fax number (optional)			

E-Mail Address (if available)	bombaydreamsrestaurant@hotmail.com.	
8. Alternative address for correspondence (if you complete the details below, we will use this address to correspond with you)	2-3 London Road	
Post town	Wembley	Post code HA9 7HQ.
9. Alternative contact details (if applicable)		
Telephone numbers: Daytime		
Evening (optional)		
Mobile (optional)		
Fax number (optional)		
E-Mail Address (if available)		

<b>2. The premises</b>	
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)	
Bombay Dreams 2-3 Severox Parade London Road, Wembley. HA9 7HQ.	
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)	
Restaurant, Bar, Banquet.	
Please describe the nature of the event below. (Please read note 5)	
Dinner & Dance	

**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"/>
Are you giving a late temporary event notice? (Please read note 7)	<input checked="" type="checkbox"/>
Please state the dates on which you intend to intend to use these premises for licensable activities. (Please read note 8)	

**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)

<p>24<sup>th</sup> Nov 2012 25<sup>th</sup> Nov 2012</p>	
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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)

499

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 11)

On the premises only	<input checked="" type="checkbox"/>
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  No

If "Yes" please provide the details of your personal licence below.

Issuing licensing authority	Thames Valley Council
Licence number	LN/A0000568/2012/1
Date of issue	08/08/2012
Date of expiry	08/08/2012
Any further relevant details	

<b>5. Previous temporary event notices you have given (Please read note 13)</b>	
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"/>

<b>6. Associates and business colleagues (Please read note 14)</b>	
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"/>

<b>7. Checklist (Please read note 15)</b>	
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>Mantosh</i>
Date	16th Nov 2012.
Name of Person signing	Mantosh Ghimire.

For completion by the licensing authority

<b>10. Acknowledgement (Please read note 18)</b>	
I acknowledge receipt of this temporary event notice.	
Signature	
Date	On behalf of the licensing authority
Name of Officer signing	

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

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

☎ 020 8937 5359      Fax: 020 8937 5357  
Email: [environmentandprotection@brent.gov.uk](mailto: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 <sup>rd</sup> 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 Councillors 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](http://www.culture.gov.uk/entertainment/default.htm)) or from your local licensing authority.

**Official Use Only.**

Fee

Application

**General**

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second and fourth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person (the "premises user") may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person (the "premises user") may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 14 below explains the definition of an "associate".

When permitted temporary activities take place, a premises user must ensure that either:  
a copy of the temporary event notice endorsed as acknowledged by the licensing authority is prominently displayed at the premises; or that

the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine up to level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

#### Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user". Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

~~If you include an e-mail address in section 11(7) or 15(1), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.~~

#### Note 2

For the purposes of the Licensing Act 2003, "premises" means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

#### Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

#### Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

#### Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

#### Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for further details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

Regulated entertainment also includes the provision of "entertainment facilities" for:

- (a) making music;
- (b) dancing; and
- (c) entertainment of a similar description to that falling within (a) or (b).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 5 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (seven days).

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 13

As stated under Note 12, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 5 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 14 below sets out the definition of an "associate".

Note 14

An "associate" of the proposed premises user is:

- a. the spouse of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

These provisions will be subject to amendment by the Civil Partnerships Act. These amendments are due to take effect from 5<sup>th</sup> December 2005.

Note 15

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

Note 16

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 18

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of the receipt of the notice.



## Weaver, Lisa

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**From:** Viechweg, Dennis  
**Sent:** 22 November 2012 16:29  
**To:** Patel, Yogini  
**Subject:** FW: Application Consultation - EHO (ref: 1328991)  
**Attachments:** Notification.pdf

Regards

**Dennis Viechweg**  
**Business Support Officer**  
**Safer Streets/Licensing**  
**Tel (020) 8937 5359**  
**Fax (020) 8937 5357**

[www.brent.gov.uk](http://www.brent.gov.uk)

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**From:** Viechweg, Dennis  
**Sent:** 22 November 2012 09:50  
**To:** 'bombaydreamsrestaurant@hotmail.com'  
**Subject:** FW: Application Consultation - EHO (ref: 1328991)

Good morning

Please see below, an objection received, regarding your planned Temporary Event Notice.

Regards

**Dennis Viechweg**  
**Business Support Officer**  
**Safer Streets/Licensing**  
**Tel (020) 8937 5359**  
**Fax (020) 8937 5357**

[www.brent.gov.uk](http://www.brent.gov.uk)

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**From:** Wood, Martin  
**Sent:** 21 November 2012 23:01  
**To:** Viechweg, Dennis  
**Cc:** Hsl Mailbox; Barrett, Jennifer; Patel, Yogini; Wood, Martin  
**Subject:** FW: Application Consultation - EHO (ref: 1328991)

Dear Dennis

Safer Streets (Nuisance Control Team) have considered the TEN application in their capacity as "Responsible Authority" under the Licensing Act 2003 and object to the application based on our concerns of the potential for noise disturbance and possibly a public nuisance arising from patrons dispersing from the premises at noise sensitive times in a mixed commercial and residential area. The terminal hour is 5am. The stated capacity is the maximum for a TEN at 499.

If the applicant is able to provide details of the number of door supervisors and a written dispersal policy, detailing how noise from patrons exiting the premises and leaving the immediate vicinity will be managed, Safer Streets will consider removing their objection to the application.

Regards

Martin

Martin Wood  
Enforcement Officer

☎ : [+44 \(0\) 20 8937 5561](tel:+442089375561)

📠 : [+44 \(0\) 20 8937 5150](tel:+442089375150)

💻 : [martin.wood@brent.gov.uk](mailto:martin.wood@brent.gov.uk)

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



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**From:** Wood, Martin  
**Sent:** 16 November 2012 17:54  
**To:** Wood, Martin  
**Subject:** FW: Application Consultation - EHO (ref: 1328991)

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**From:** ENS Noise Team  
**Sent:** 16 November 2012 17:12  
**To:** Wood, Martin  
**Subject:** FW: Application Consultation - EHO (ref: 1328991)

MW – there were 3 applications today. I've taken 2 – are you ok taking this one?

KJ

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**From:** Environment and Protection  
**Sent:** 16 November 2012 16:16  
**To:** ENS Noise Team  
**Subject:** Application Consultation - EHO (ref: 1328991)

LICENSING ACT 2003  
Licence: Notification  
Reference: 1328991

Dear Sir/Madam,

Applicant: **Mr. Mantosh Ghimire**  
**Notification –Bombay Dreams 2-3 Sevenex Parade, London Road, Wembley, HA9 7HQ**  
**Saturday 24<sup>th</sup> November into Sunday 25<sup>th</sup> November 2012 from 10:00 to 05:00 & Sunday 25<sup>th</sup> November into Monday 26<sup>th</sup> November 2012 from 10:00 to 05:00**

An application was made to Brent Council under the Licensing Act 2003 by the above-named applicant who is required to submit a copy of the application to the responsible authorities. If you have received the application and would like to make a representation please use the link below. Representations must specify in detail the grounds of opposition and must relate to the promotion of the licensing objective.

In order that consideration of the application may not be delayed, it will be appreciated if a reply can be sent to us by **21 November 2012**.

[Click here to complete the form](#)

Yours sincerely,

Dennis Viechweg  
Business Support Officer  
Brent Council  
Safer Streets  
Environment and Neighbourhood  
Brent House  
349 - 357 High Road  
Wembley, Middlesex, HA9 6BZ  
Phone: 020 8937 5359  
Fax: 020 8937 5357

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