



Alcohol and Entertainment Licensing Sub-Committee (A)

Friday 14 June 2013 at 10.00 am

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

Membership:

Members

Councillors:

Long (Chair)
Cheese
Hector

first alternates

Councillors:

Harrison
Sneddon
Ogunro

second alternates

Councillors:

Allie
Ms Shaw
Jones

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
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1	Declarations of personal and prejudicial interests	
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Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on the agenda.

2	Application by Metropolitan Police for an expedited review of the premises licence for 'Masters Free House' (217 Kenton Road, Harrow, HA3 0HD)) pursuant to the provisions of the Licensing Act 2003	1 - 8
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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 the Expedited Review a Premises Licence

Name of Applicant:	Metropolitan Police
Name & Address of Premises:	Masters Free House, 217 Kenton Road Harrow HA3 0HD
Applicants Agent:	

1. Application

The application is for the expedited review of a premises licence held by Mr Stephen & Mr Lauriston Lorainey. The premises are known as Masters Free House, 217 Kenton Road Harrow HA3 0HD

2. Grounds for Review

The grounds for review are Crime and Disorder, Public Safety and Public Nuisance.

3. Relevant Representations

Representation has been received from PC Nicola McDonald and Sgt Adolphus of the Metropolitan Police at Wembley Police Station.

4. Background

These premises are currently licensed for the sale of alcohol from 10:00 hours until 03:00 hours Monday to Sunday, regulated entertainments and refreshments until 04:00 hours Monday to Sunday.

The Designated Premises Supervisor is Mr Christopher Augustine Alexis.

In May 2013, the licensing authority has received an application to vary the designated premises supervisor to Mr Lauriston Lorainey which is not yet granted.

Members should note that only police officers can apply for an expedited review and only where they consider the premises are associated with serious crime, serious disorder or both.

The expedited review may only be used where alcohol is sold or served.

When hearing an expedited review the Committee may take interim steps pending a full review of the licence which must take place within 28 days. The steps a Committee may take are:

- To modify, remove or add conditions
- To exclude the sale of alcohol or other licensable activity
- Remove the Designated Premises Supervisor
- Suspend the licence.

7. Associated Papers

- A. Copy of Review Application
- B. Copies of supporting evidence

C Copy of Current Licence



Certificate under Section 53A(1)(b) of the Licensing Act 2003

Form 693A

Working together for a safer London

Metropolitan Police Service
New Scotland Yard
8-10 Broadway
London
SW1H 0BG

I hereby certify that in my opinion the premises described below are associated with:

both serious crime and serious disorder

Premises (include business name and address and any other relevant identifying details):

Masters Free House
217 Kenton Road
Harrow
Middlesex
HA3 0HD

Premises licence number (if known): 201354

Name of premises supervisor (if known): Mr Lauriston Lorrainey

I am a Superintendent ¹ in the Metropolitan Police Service.

¹ Insert rank of officer giving the certificate, which **must be** superintendent or above.

I am giving this certificate because I am on the opinion that other procedures under the Licensing Act are inappropriate in this case because²:

The premises has a long history of crime and disorder attached to it.

Police Licensing, Council Licensing and Community Safety Officers have worked comprehensively with the management of the premises to address this. My Licensing team have given advice, pointed out offences on numerous occasions and in accordance with the Licensing Act Guidance produced an Action Plan with the management in order to reduce crime and disorder. However the management have failed to implement the Action Plan in full and the operation of this establishment still fails to uphold the licensing objectives culminating in the attempted murder on the 9th June 2013. Other procedures have been considered. Closures under sec 160 and 161 do not address the long term issues which have continued sporadically for over five years. A standard licence review could take months to reach a conclusion especially if taken to appeal and the evidence is that this premises will continue to contribute to serious assaults and disorder if the premises is not prevented from opening. This is crucial as the violent crime occurring at the premises is more prevalent during the warmer weather which we are now having. The expedited process is necessary to prevent further crime and disorder occurring pending the full review, giving the statutory authorities the ability to work with the management to address the issues behind the problems whilst ensuring public safety.

² Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

Signed:

G. SPRINGER

Date: 01.06.2013

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FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Health Safety and Licensing Department

Brent House; 349-357 High Road, Wembley, HA9 6BZ

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

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 the 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.**

I Nicola McDonald Police Constable 157QK [on behalf of] the chief officer of police for the London Borough of Brent police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Masters Free House
217 Kenton Road**

Post town: Harrow

Post code (if known): **HA3 0HD**

2. Premises licence details:

Name of premises licence holder (if known): Mr Stephen & Mr Lauriston Lorainey

Number of premises licence holder (if known): 201354

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for

the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm) ☒

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

Master's Free House is a small converted shop premises situated in a parade of shops on a main road. This venue was licensed under the old legislation by the Magistrates.

This venue has been reviewed previously on 21st May 2008 by Clive Dinsey Environment Health Dept Brent Council.

This premises has a record of violent crime and disorder that has become more prevalent over the last two years. The majority of the police reports relate to assaults or violent incidents committed in the premises or by their customers in the vicinity of the premises. There are also a number of thefts that occur in the premise.

Police and Local Authority Officers have offered advice and support on numerous occasions (information contained in supporting document). Police have also suggested an action plan to reduce the problems that this premises causes. Although the management appear to take the advice on board in the first instance, this is clearly not implemented long term.

It can be evidenced that drunkenness by their customers and failure to comply with the premise Licence conditions plays a substantial part in the offences and impacts directly upon the licensing objectives:

Prevention of crime and disorder

Prevention of public nuisance

Public safety

Police resources are regularly deployed to this premises to deal with their mismanagement.

A comprehensive list of evidence and incidents relating to Master's Free House is attached. Also attached is details of communication between the authorities and the management.

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.

Signature of applicant:

Date: 12th June 2013
Capacity: Licensing Constable Brent Police

Contact details for matters concerning this application:

Address: **Licensing department,
Brent Police,
Wembley Police Station,
603 Harrow Road,
Wembley
HA0 2HH**

Telephone number(s): 0208 733 3206

Email: nicola.mcdonald@met.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

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