



Alcohol and Entertainment Licensing Sub-Committee (C)

Wednesday 30 September 2015 at 10.30 am
Board Room 3 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

Long (Chair)
Hylton
McLeish

Substitute Members

Councillors:

Bradley, Chohan, Harrison,
Hector, Naheerathan and
Shahzad

For further information contact: Joe Kwateng, Democratic Services Officer
(020) 8937 1354; joe.kwateng@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:
democracy.brent.gov.uk

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 for variation to a premises licence held by HAKA International Ltd for the extension of the licence for late night refreshment to 05.00 hours, changes to the internal layout and amendment to condition 9 at "Cocoa", (271-273 Kilburn High Road, NW6 7JR), pursuant to the provisions of the Licensing Act 2003. 1 - 38

Conduct of the Hearing:

The hearing shall proceed as follows:

- General introduction by the Regulatory Services Manager
- Case for the Responsible Authority – Police/Regulatory Services
- Questioning of the Responsible Authority by Applicant and Members
- Case for the Applicant
- Questioning of the Applicant by the Responsible Authority and Members
- Summing up by the Responsible Authority
- Summing up by the Applicant

Members' Deliberation

The Chair will then ask the representatives of the Responsible Authority and the Applicant to leave the meeting room whilst the panel goes into close session to deliberate the application. The applicant and the representatives of the responsible authority will be recalled to the meeting room when the Sub-Committee has made its decision. The decision will be confirmed in writing to the applicant within 7 days



Please remember to switch your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.

LICENSING ACT 2003

Application for a Variation to a Premises Licence

1. The Application

Name of Applicant:	HAKA International Ltd
Name & Address of Premises:	Cocoa, 271-273 Kilburn High Road, NW6 7JR
Applicants Agent:	Berwin Leighton Paisner LLP

1. Application

The application is to:

- extend the licence for late night refreshment to 0500 hours
- change the internal layout
- To amend condition 9 on the current licence to read "After 2300 hours smoking areas shall be supervised at all times"

2. Background

The premises are currently licensed to supply alcohol from 0800 hours until 0030 hours and provision of late night refreshments from 2300 hours until 0100 hours.

On 25th June 2014, the Licensing Authority received a minor variation requesting the removal of sale of alcohol.

3. Promotion of the Licensing Objectives

None

4. Relevant Representations

Representations have been received from Metropolitan Police and Public Safety.

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
- C. Copy of Licence – Please note this is not the current licence - current licence waiting to be produced
- D. OS Map

Date: 23 June 2015
Our ref: CAB.36210.1
Your ref:
DDI: 020 3400 2326
e-mail: craig.baylis@blplaw.com



Licensing Section
Brent Council
Safer Streets
Environment and Neighbourhood Services
Brent Civic Centre
Engineers Way
Wembley HA9 0FJ

BY COURIER

Dear Sir

271/273 Kilburn High Road NW6

We enclose the following on behalf of our client:

- 1 Application for transfer of premises licence
- 2 Application for major variation
- 3 Local Authority fee of £338
- 4 Consent form from current licensee
- 5 Current licence
- 6 Plan of premises

Yours faithfully

BERWIN LEIGHTON PAISNER LLP

CC: The Responsible Authorities

dfen\42277148.1

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

Application to vary a premises licence 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/We HAKA International Ltd

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 542865
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
--

Cocoa 271/273 Kilburn High Road

Post town	London	Postcode	NW6 7JR
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	No rateable value at time of submission
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Part 2 – Applicant details

Daytime contact telephone number	
----------------------------------	--

E-mail address (optional)	
---------------------------	--

Current postal address if different from premises address	
---	--

Post town		Postcode	
-----------	--	----------	--

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
↓	↓	↓
↓	↓	↓
↓	↓	↓

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To permit a terminal hour for late night refreshment of 05.00 in certain parts of the premises

To change the internal layout

To amend condition 9 in Annex 2 to read "After 23.00 smoking areas shall be supervised at all times."

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) The terminal hour in the area hatched green on the deposited plan shall be 05.00.		
Mon	23.00	05.00			
Tue	23.00	05.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23.00	05.00			
Thur	23.00	05.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri	23.00	05.00			
Sat	23.00	05.00			
Sun	23.00	05.00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon								
Tue								
Wed								
Thur								
Fri								
Sat								
Sun								
						Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)	
Day	Start	Finish		
Mon	06.00		<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p>	
				05.00
Tue	06.00			
				05.00
Wed	06.00			
				05.00
Thur	06.00			
				05.00
Fri	06.00			
				05.00
Sat	06.00			
				05.00
Sun	06.00			
				05.00

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

No additional steps required

b) The prevention of crime and disorder

No additional steps required

c) Public safety

No additional steps required

d) The prevention of public nuisance

The external area marked “garden” and “Conservatory” on the deposited plan shall be cleared of customers by 01.00

e) The protection of children from harm

No additional steps required

Checklist:

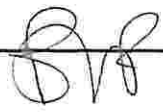
Please tick to indicate agreement

- I have made or enclosed payment of the fee. [✓]
- I have sent copies of this application and the plan to responsible authorities and others where applicable. [✓]
- I understand that I must now advertise my application. [✓]
- I have enclosed the premises licence or relevant part of it or explanation. [✓]
- I understand that if I do not comply with the above requirements my application will be rejected. [✓]

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	23rd June 2015
Capacity	Solicitors for applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
BLP Adelaide House London Bridge			
Post town	London	Post code	EC4R 9HA
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



The Licensing Officer
Health, Safety and Licensing
Brent Civic Centre
Engineers Way
Wembley
HA9 7FJ

Your ref: N/A
Our ref: 01QK/351/15/782

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

Brent Civic Centre
5th Floor
Engineers Way
Wembley
HA9 7FJ
Telephone: 02087333206
Mobile: 07500993899
Email:
paul.whitcomb@met.police.uk
Your ref: N/A

Date: **21st July 2015**

Police Representation to the Application for a variation of premises licence for Cocoa, 271-273 Kilburn High Road, Kilburn, London NW6 7JR.

I certify that I have considered the application shown above and I wish to make **representations** that the likely effect of the grant of the application is detrimental to the Council's Licensing Objectives for the reasons indicated below.

Officer: Paul Whitcomb PC 782QK

Brent Police Licensing Constable

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

The application has been made to vary the premises licence under section 34 of the act.

The following has been requested:

- 1. To permit a terminal hour for late night refreshment of 05:00 in certain parts of the premises.**
- 2. To change the internal layout.**
- 3. To amend condition 9 in Annexe 2 to read; "After 23:00 smoking areas shall be supervised at all times."**

The police representations are primarily concerned with **crime and disorder** and **public nuisance**.

Although planning is not a matter for the police, the following has come to my attention whilst looking at this application. Whilst speaking with Brent councils planning department, I have been made aware of the following restriction on this particular premise, in terms of planning hours.

“The premises shall not be used except between the hours of: 0700 hours and 2400 hours Mondays to Saturdays, 0800 hours and 2300 hours on Sundays and Bank Holidays and at no other time without the written consent of the Local Planning Authority.”

I shall leave the above for consideration by the London Borough of Brent.

271-273 Kilburn High Road, NW6 is located on the west side of the busy Kilburn High Road, NW6. Although situated within a busy commercial location, it can be said that the premise is also wholly within a residential area. To the right of the premise is The Tricycle Theatre and to the left is the Brondesbury Medical Centre, which houses numerous residential flats above it. Opposite, shops are located and other commercial units with flats above them. The rear of the venue is within very close proximity of back gardens which run from residential houses located on Dunster Gardens, NW6. I am led to believe that the applicant will also build residential properties above the venue too. My main concern is the use of the outside garden, outside front seating and conservatory areas. I fear that unrestricted use of these areas, late at night, will have a detrimental affect on the licensing objectives, particularly the impact this will have on public nuisance. All properties in the vicinity of this premise will be affected by noise from outdoor areas of the premises.

During a meeting between myself, Lord Haleem Kherallah and others, I asked Lord Kherallah whether it was his intention to carry out a shisha operation at the premise, either now or in the future. He informed me that this was not his intention at all. However, he went on to say that he would not rule out selling ‘premium shisha’ at the venue, if it was requested by a customer. I can only imagine that if this is allowed by the management, this activity would take place in the rear garden. Although not a licensable activity in itself, shisha and any form of smoking in the rear garden until 0500 would likely cause public nuisance late at night for local residents.

The applicant has requested that existing premises licence condition number nine (9) be re-worded to; ‘*After 2300 smoking areas shall be supervised at all times*’. However, police believe that any use of an outdoor area after 2300 hours, in a residential area undermines the public nuisance licensing objective. Use of such outdoor areas, in a residential area until 0500 hours, will likely result in complaints from residents on a regular basis. As such, police request this condition is not re-worded at all. Police request that condition 9 is removed and replaced with condition numbers 9, 10 and 11 listed below. I also have concerns with the proposed use of the conservatory area and the use of outdoor seating areas at the front of premises. I have added conditions below, to mitigate any adverse affects on the licensing objectives.

Police request that the following conditions be **removed**:

1. (Existing condition 10) A Challenge 21 policy shall be adopted and adhered to.
Outdated condition. To be replaced by an updated Challenge 25 condition below (See added condition 3).
2. (Existing condition 4) The licensee shall keep an incident book which shall be made available to the police and licensing authority.
Outdated condition. Replaced with a more thorough condition below. (See added condition 6).

3. (Existing condition 9) After 23:00 hours outside smoking areas shall be limited to 5 persons and each area shall be suitably supervised. *Replaced with a re-worded conditions (See added conditions 8, 9 and 10)*

4. (Existing condition 8) The outside drinking areas shall cease at 23:00hrs. *Replaced with re-worded conditions (See added conditions numbers 8, 9 and 10).*

Police request that the following conditions be **added**:

1. CCTV cameras shall be installed to cover the entrance of the premises, the conservatory, outside front seating and the rear garden areas.

2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises and that the correct time and date stamps are shown.

3. A 'Challenge 25 policy' shall be adopted and adhered to at all times.

4. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area/bar area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.

5. The DPS shall ensure all public areas within three (3) metres of the premises are cleared of litter arising from the premises daily.

6. An incident log shall be kept at the premises, and made available for Inspection on request to an authorised officer of Brent Council or the Police, which will record the following:

All crimes reported to the venue

All ejections of patrons

Any complaints received

Any faults in the CCTV system

Any refusal of the sale of alcohol

Any visit by a relevant authority or emergency service.

7. All deliveries shall take place during the normal working day (i.e. 09:00 to 18:00 daily).

8. Customers/staff shall not be allowed access/use of the outside rear garden from 22:30hrs Sunday - Thursday and 00:00hrs Friday-Saturday. Notices shall be displayed in appropriate locations to ensure that this information is brought to the attention of customers.

9. Tables and chairs within the outside front seating area are to be removed at 22:30hrs Sunday-Thursday and 00:00hrs Friday-Saturday. Customers/staff/members of the public shall not be allowed to use this area after these times, save for exit from or entry to the premises.

10. The conservatory shall not be used after 22.30hrs Sunday-Thursday and 00:00hrs Friday and Saturday. After these times, all doors and windows shall be fully closed.

11. All ventilation and extract systems shall be designed, installed and maintained so as not to cause a nuisance to nearby properties.

All other existing conditions to remain the same.

Yours sincerely,

Paul Whitcomb PC 782QK
Brent Police Licensing



REGENERATION AND GROWTH

Regulatory Services
Brent Civic Centre, Engineers Way,
Wembley, Middlesex. HA9 0FJ

Tel: (020) 8937 5252
Direct Line 020-8937 5190
Fax: (020) 8937 5150
Email: environmentandprotection@brent.gov.uk

Web: www.brent.gov.uk

Date: 06/08/2015

Craig Baylis
BERWIN LEIGHTON PAISNER
ADELAIDE HOUSE
LONDON BRIDGE
LONDON
EC4R 9HA

Your Ref:
Our Ref: SR/14766/15
Contact: Jill Nesbit

Dear Mr Baylis,

Licensing Act 2003
Application for a Premises Licence
271-273 Kilburn High Road, London, NW6 7JR

I refer to your application on for a Premises Licence for the above named premises. In accordance to the scaled drawings submitted to us in related to the Application, the Public Safety Team make a Representation to the Licensing Authority on the grounds of Public Safety.

Providing you are willing accept the proposed licence conditions the Public Safety Team would withdraw the Representation:-

Licence Conditions

- The maximum number of persons within the premises shall not exceed **60** including staff.
- Any locks or flush latches on exit doors shall be unlocked and kept free from fastenings other than push bars whilst the public are on the premises.
- The front door and 2 internal conservatory doors into the main restaurant shall remain fixed in the open position whilst the public are on the premises so as to ensure an unobstructed means of escape. Alternatively the doors can be changed to open in the direction of escape
- The furthest points in the rear garden are over the maximum travel distance of 18m to a storey exit therefore use of the garden is not permitted.
- Suitable emergency exit signage and emergency lighting shall be provided throughout the main premises and conservatory areas.

- Any socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).

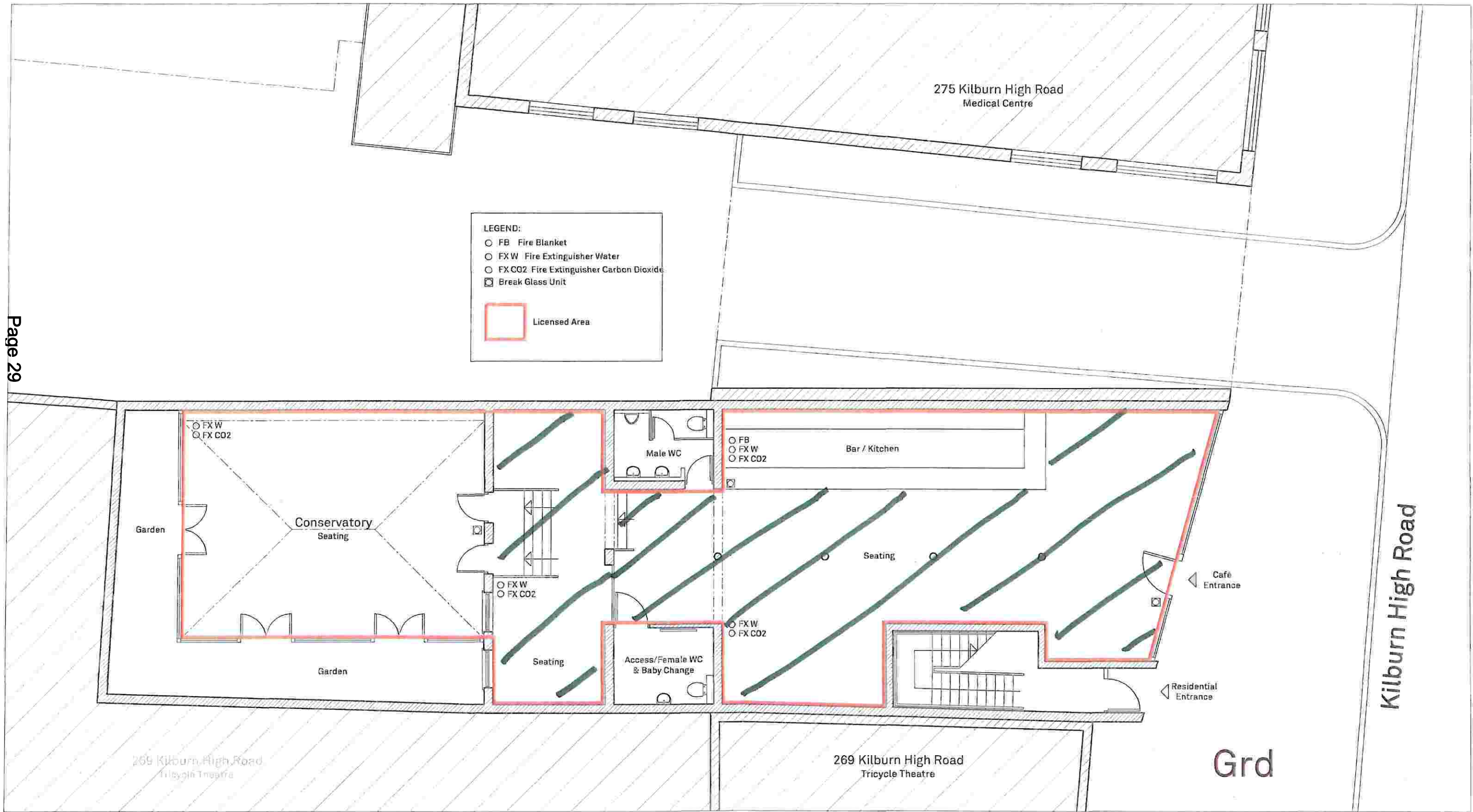
In order for the Public Safety Team to withdraw this representation, it will be necessary for you or your client to **confirm in writing** that the above works have been rectified and that you accept the above licence conditions.

We will require these conditions to appear on the licence schedule should the licence be granted.

If you or your client requires further clarification please do not hesitate to contact me.

Yours sincerely,

Jill Nesbit
Public Safety Officer
Regeneration and Growth



LEGEND:

- FB Fire Blanket
- FX W Fire Extinguisher Water
- FX CO2 Fire Extinguisher Carbon Dioxide
- Break Glass Unit

□ Licensed Area

Client
 Judith Taylor
 77 Baker Street
 London W1U 6RF

Project
 Mixed Use Development
 271-273 Kilburn High Road
 London NW6 7JR

Title
 Ground Floor
 Licensing Plan

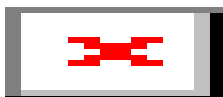
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15008	LIC - 100	L1	
Date	Scale	Stage	Dwn
May 2015	1:100 @ A3	C	SJL



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London Borough of Brent

Premises Licence

PART A

*This Premises Licence was granted by Brent Council, Licensing Authority for the area of the Borough of Brent under the **Licensing Act 2003**.*

Signed.....
Director of Environment and Neighbourhood

Date: 31 March 2015

Licence number 542865

Licence start date: 29/10/2009

Part 1 - Premises Details

COCOA, 271-273 Kilburn High Road, London, NW6 7JR

Licensable activities and the times authorised by this licence

Films:

Day	Start Time	End Time
Monday	08:00	01:00
Tuesday	08:00	01:00
Wednesday	08:00	01:00
Thursday	08:00	01:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	01:00

Seasonal variations: During the month of December extension of hours to 0300 including in to new years day.

Provision of Late Night Refreshment:

Day	Start Time	End Time
Monday	23:00	01:00
Tuesday	23:00	01:00
Wednesday	23:00	01:00
Thursday	23:00	01:00
Friday	23:00	01:00
Saturday	23:00	01:00
Sunday	23:00	01:00

Seasonal variations: During the month of December extension of hours to 0300 including into new years only.

Supply of Alcohol:

Day	Start Time	End Time
Monday	08:00	00:30
Tuesday	08:00	00:30
Wednesday	08:00	00:30
Thursday	08:00	00:30
Friday	08:00	00:30
Saturday	08:00	00:30
Sunday	08:00	00:30

Seasonal variations: During the month of December extensions of hours to 0200 including into new years days

Whether alcohol is authorised to be supplied on or off the premises: **On**

The Opening Hours of the Premises:

Day	Start Time	End Time
Monday	06:00	01:00
Tuesday	06:00	01:00
Wednesday	06:00	01:00
Thursday	06:00	01:00
Friday	06:00	01:00
Saturday	06:00	01:00
Sunday	06:00	01:00

Seasonal variations: During the month of December extension of hours of 0300 including into New Years day.

Part 2

Details of Holder of Premises Licence:

Name: Marina Gattash
Address: 77 Baker Street, London, W1U 6RF
Telephone: 07970 921202
Email: kherallah@aol.com

Details of Designated Premises Supervisor:

Name: Mr Shukri Ahmeti
Address: 159 Dollis Hill Avenue, London, NW2 6RG
Personal Licence Number: 191527
Issuing authority: London Borough of Brent

Annexe 1 - Mandatory Conditions

No Irresponsible Drinks Promotions

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

(a) games or other activities which

require or encourage,

or are designed to require or encourage, individuals to-

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Free Water

The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

(a) a holographic mark, or

(b) an ultraviolet feature.

Small Measures to be Available

The responsible person must ensure that-

(a) 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-

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available

Minimum Price of Alcohol

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1-

(a) —dutyll is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) —permitted price ll is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) —relevant person ll means, in relation to premises in respect of which there is in force a premises licence;

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) —relevant person ll means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) —value added tax ll means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (—the first day ll) would be different from the permitted price on the next day (—the second day ll) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Requirement for a DPS

(1) No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated

premises supervisor
does not hold a personal licence or
their personal licence is suspended.

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

Embedded Conditions

Not applicable

Annexe 2 - Conditions Consistent With the Operating Schedule

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.
2. 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.
3. A member of staff fluent in English shall be present on the premises throughout the permitted hours for the sale of alcohol.
4. The licensee shall keep an incident book which shall be made available to the Police and Licensing Authority.
5. A clear and unobstructed view into the premises shall be maintained at all times.
6. Substantial food and non-intoxicating beverages (including free drinking water) shall be available during the whole of licensed hours in all parts of the premises where intoxicants are provided.
7. 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.
8. The outside drinking areas shall cease at 23:00 hours.
9. After 23:00 hours outside smoking areas shall be limited to 5 persons and each area shall be suitably supervised.
10. A 'Challenge 21' policy shall be adopted and adhered to.
11. Notices asking customers to leave quietly shall be conspicuously displayed at all exits.

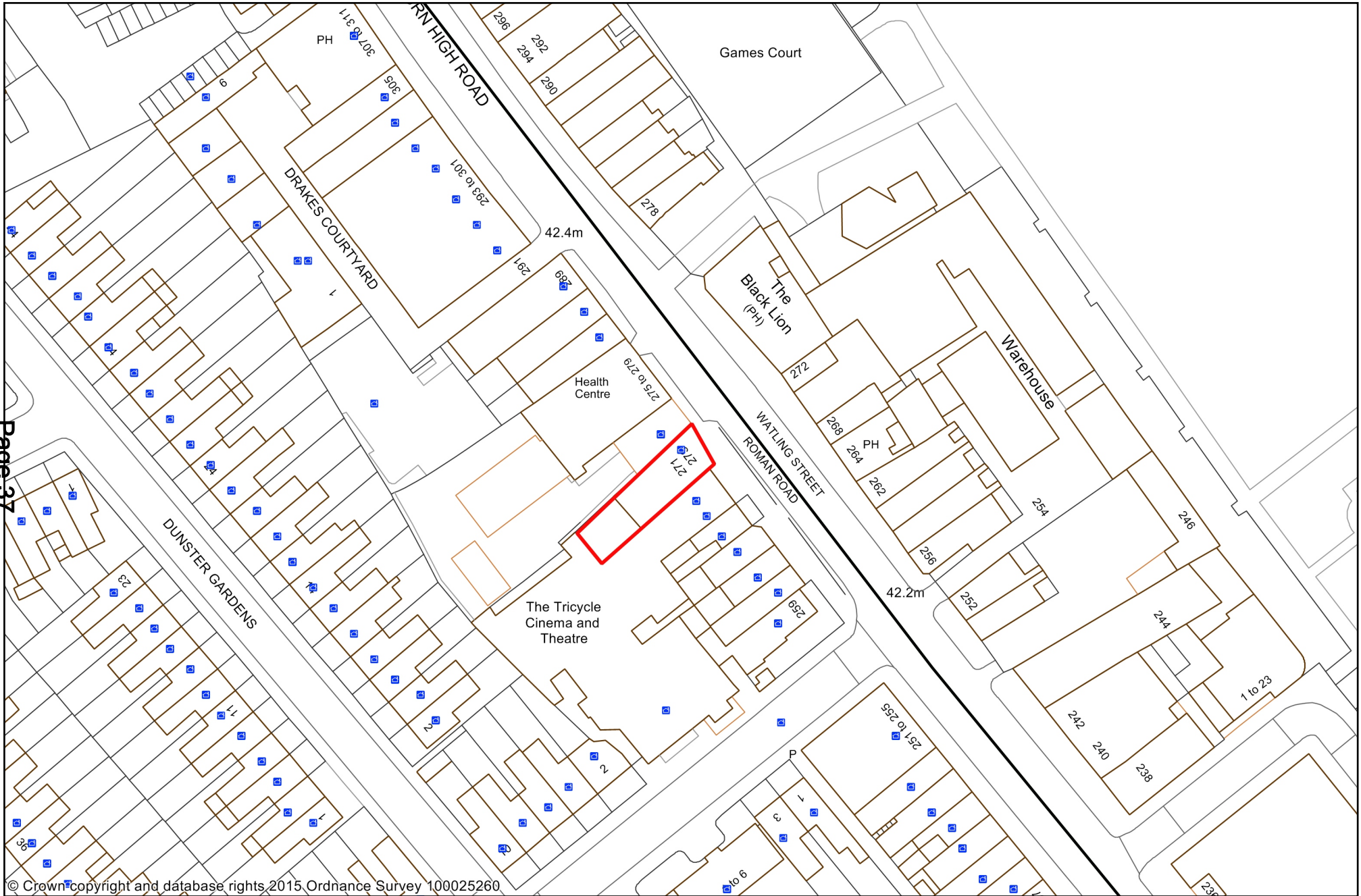
Annexe 3 - Conditions Attached After a Hearing by the Licensing Authority

Not applicable

Annexe 4 - Plans

See attached sheet.

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