



Alcohol and Entertainment Licensing Sub-Committee (A)

Tuesday 25 August 2015 at 11.00 am
Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Bradley (Chair)
Hector
Khan

Substitute Members

Councillors:

Aden, Eniola, Hylton, McLeish,
Shahzad and Ketan Sheth

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 the agenda.
2 Application by Timothy Sheahan for a Temporary Event Notice (TEN) for provision of regulated entertainment and the sale by retail of alcohol on the premises from 28th and 30th August 2015 from 23:00 hours until 03:00 hours on 28th/29th August and from 23:00 hours until 03:00 hours on 29th-30th August 2015 for the premises "Greenes", (362 Neasden Lane North, London, NW10 0BT) pursuant to the provisions of the Licensing Act 2003.	1 - 28



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 Temporary Event Notice

1. The Application

Name of Applicant:	Mr Timothy Sheahan
Name & Address of Premises:	Greenes 362 Neasden Lane North, London, NW10 0BT
Applicants Agent:	Mr Robert Dear, 17 Great North Way, Hendon, NW4 1PT

1. Application

The application is for provision of regulated entertainment and the sale by retail of alcohol on the premises from 28th and 30th August 2015 from 23:00 hours until 03:00 hours on 28th/29th August and from 23:00 hours until 03:00 hours on 29th/30th August.

2. Background

The current licensable hours for the premise are; The premises are licensed for the sale of alcohol on Mondays to Saturdays from 10.00 hours until 23.00 hours and on Sundays from 10.00 hours until 22.30 hours. The decision notice attached shows the conditions that have been added to the Premises licence as a result of the recent review held on 27th July 2015. The premises have previously applied for 2 TEN's in this calendar year.

3. Promotion of the Licensing Objectives

The following licensing objectives should be promoted;

- The prevention of public nuisance
- The prevention of Crime and Disorder
- Public Safety and
- The protection of children from harm

4. Relevant Representations

Representations have been received from Metropolitan Police. The Metropolitan Police are objecting because they believe the prevention of Crime and Disorder licensing objective would be undermined.

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. Decision Notice
- D. Copy of Current Premises Licence

Brent Council
Temporary Event Notice - Notification - Ref. 223405560

Agent

Title Mr
Forename 1 Robert
Surname Dear
Address 17 Great North Way
Town Hendon
County
Postcode NW4 1PT
Email address bd-c@hotmail.co.uk
Client Reference

Applicant

Title Mr
Forename 1 Timothy
Surname Sheahan
Address 362 Neasden Lane North
Town London
County
Postcode NW10 0BT
Email address
Daytime Phone 07816312695
Evening Phone
Mobile Phone
Fax
Date of Birth
Previous or Maiden Names

Premises

GREENES, 362-364 Neasden Lane North, London, NW10 0BT [Location Map](#)

Brent Council
Temporary Event Notice - Notification - Ref. 223405560

Premises Details

Postcode	NW10 0BT
Address Reference	202062585
Address	362-364 Neasden Lane North London NW10 0BT
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.	Whole Bar
Nature of the premises	Licensed Bar
Nature of the event	Bank Holiday celebrations

Licensable Activities

The sale by retail of alcohol	Yes
The provision of regulated entertainment	Yes
If the licensable activities will include the supply of alcohol, will the supplies be for consumption	On the premises

Operating Schedule

Please state the proposed period during which you intend to use these premises for licensable activities.

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

From 28/08/2015

To 30/08/2015

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, organiser or performers.
N.B. If you intend to have more than

Brent Council
Temporary Event Notice - Notification - Ref. 223405560

Operating Schedule

If 499 attending the event, you should obtain a premises licence for the event.

Operating Schedule

Start Date 28/08/2015

Start Time 23:00

End Date 29/08/2015

End Time 03:00

Start Date 29/08/2015

Start Time 23:00

End Date 30/08/2015

End Time 03:00

Personal Licence

Do you currently hold a valid personal licence? Yes

Date of issue 01/11/2013

Date of expiry 31/10/2023

Issuing licensing authority Brent

Personal licence number L/N 1454765

Any further relevant details All current conditions on the Premises Licence to be applied to this application
SIA door supervisors will be employed

Previous Temporary Event Notices You Have Given

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? Yes

Brent Council
Temporary Event Notice - Notification - Ref. 223405560

Previous Temporary Event Notices You Have Given

If Yes, please state the number of temporary event notices you have given for events in that same calendar year

2

No

Associates and Business Colleagues

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?

No

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?

No

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?

No

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?

No

Associated documents

No files attached

Brent Council
Temporary Event Notice - Notification - Ref. 223405560

About this form

Issued by	Brent Council Environment and Neighbourhood Services Regulatory Services Brent Civic Centre Engineers Way Wembley HA9 0FJ
Assigned to	Liquor Licensing
Contact email	environmentandprotection@brent.gov.uk
Contact phone	020 8937 5359
Channel	Customer Portal
Contact reference	223124904
Received on	14/08/2015
Form reference	223405560
Status	Submitted on 14/08/2015 13:46
Contact method	Self service
Type	Temporary Event Notice - Notification
Amount paid	£21.00
Payment method	Debit Card

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The Licensing Officer
5th Floor
Brent Civic Centre
Engineers Way
Wembley
HA90FJ

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

Brent Police Licensing
5th Floor
Brent Civic Centre
Engineers Way
Wembley
HA90FJ

Telephone: 020 8733 3206
nick.mortimer@met.police.uk

Our ref: 01QK/452/15/NM
17th August 2015

Police Objection to the Temporary Event Notice for Greene's Bar, 362 Neasden Lane North, NW10 on 28th and 29th August 2015.

I certify that I have considered the notice shown above and I **wish to make representations** that the use of the premises for the temporary event would undermine the crime prevention initiative, for the reasons indicated below.

Officer: Nicholas Mortimer

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

A Temporary Event Notice has been given under section 100 Licensing Act 2003 by Mr Timothy Sheahan, received in this office on Monday 17th August 2015. Police are formally objecting to the notice under section 104 Licensing Act 2003. The Police objection is primarily concerned with the crime and disorder and public safety objectives:

The notice is to allow for the use of the premises on the 28th and 29th August 2015 , the licensable activity is for the sale of alcohol and provision of regulated entertainment. The nature of the event is described as a Bank Holiday celebration.

The premise has the following history:

4th October 2013 2350hrs. PC's McDonald and Lewis-Evans visited Greenes Bar. Tim Sheahan was managing the bar, the designated premises supervisor (DPS) was not there. Mr Sheahan informed Police he was applying to become the DPS. There was a handful of customers and evidence that smoking was being permitted within the premises. There was a strong smell and haze of cigarette smoke and an ashtray on the bar containing cigarette butts. Mr Sheahan was advised of the Health Act legislation.

10th January 2014 0120 hrs PC's McDonald and Lewis-Evans visited Greenes Bar. The front external shutters were closed and the entrance door was locked. Officers knocked on the door and it was opened, before officers could identify themselves the unknown male who opened it said 'if you want a drink you had better hurry and come in before you are seen'. As officers entered the Bar they saw approximately seven customers drinking beer from pint glasses. Some customers were smoking cigarettes. There were three members of a band packing away their musical equipment. There was a white male behind the bar, Officers identified themselves and at this point the staff member began telling customers the premises were closed. Mr Sheahan was in bed, the member of staff went to wake him. Mr Sheahan was aware his licence was until 2300 hours. Officers advised him to operate the premises within the authority or apply to vary the premises licence or submit Temporary Event Notices.

A warning letter was posted to Mr Sheahan (See Attached)

9th March 2014 0415hrs

CRIS 1905687/14 CAD1856/09MAR14

Female member of the public phoned 999 that a group of men had come out of Greenes Bar and were fighting in the street. Upon Police arrival one Irish male was taken to hospital with a head injury. The remainder of the Irish males claimed he had fallen over. All the males were heavily intoxicated. The front door of Greenes Bar had been locked and Police could not get a reply from their knocking.

There was a TEN in place for the night of 8th to 9th March however the event was to finish at 0200 hours. (See attached)

21st March 2014

Complaint received from local resident and witness to the above incident.

Complaints refer to noise music, and drunkenness at Greenes Bar. Complainant spoken to by licensing Officers (see attached)

5th April 2014

CAD 1113/05APR 0212 hours 362 High Road, NW10.

Complaints from local resident A local resident reported a noise nuisance from the pub and he could hear glasses being broken. He confirmed that the pub was spilling out and the people were being very rowdy and very drunk. He stated there were approx 20 males and females gathered outside all very drunk. (see attached)

6th April 2014 0600hrs

Cris 1908116/14 CAD 2378

Police were called to a male who had been assault by other males. Witness saw the victim leave Greenes and walk along Neasden lane to the Cab office at 447 Neasden Lane . After a short time he came running back towards Greenes and was being chased by three other white males who attacked him. Victim was taken to hospital. He was heavily intoxicated. He refused to make a statement to Police. Officers visited Greenes and spoke to the female member of staff named Lee. She could not operate the CCTV. Mr Sheahan provided CCTV footage but it was an incorrect format.

15th April 2015-04-10 Nick Mortimer Brent Police Licensing made representations to a TEN submitted for 4th and 5th May 2014. this TEN was refused

19th April 2014

CRIS 1909279/14 CAD 1849/18APR14 time of origin 0703hrs

Cab driver phoned Police after collecting three males from Alperton area.

They requested to be taken to Greenes Bar Neasden Lane North and on arrival asked to be taken round the back of the pub as the door would be open. They were already drunk and presumably wanted to go drinking in the bar. They seemed to know that the back door would be open. Suspect asked driver to get out and knock on the door for them. He refused and then there was an argument which culminated in a scuffle where the driver was punched and kicked by suspect. Investigating Officer PC Cox spoke to staff at Greenes Bar on 9th May 2014 and he viewed the CCTV system. For the month of April there is footage available from 22nd onwards but no recorded footage available from 01 - 21st, therefore there is no footage available from the 18th. It is not known whether this was because of a faulty system or whether it is merely that footage is only kept for a short period of time. I outlined the fact that the national standard for CCTV footage being obtained is 31 days and that this falls below that. They are aware and will be ordering an engineer to solve this issue. There is insufficient evidence from this investigation to be able to identify the suspect of this assault.

CRIS 1909586/14 CAD 5648/21APR14

Victim and friend met up and decided to go for a drink at GREENES in NEASDEN. They arrived at approx 2220 hours and Victim states that between this time and approx 0010 hours they had 3 drinks and were in a jovial mood. Victim states that he was stood near the pool table in the corner of the pub when he noticed Suspect walk past him towards a pool cue that was stood up in the corner behind Victim. Victim suspected that he was getting it to play pool when Suspect picked it up in the middle and using the butt end of the cue hit Victim at eye level across the face. VIW states that this point he had not had any conversation with SUS at all and his nose exploded. He had blood pouring down his face and before he could react he had the two bouncers had grabbed him and was marching him towards the door. Closely followed by the Owner of GREENES. Victim was taken back to his H/A by a taxi where when he entered the premises he collapsed. He was then taken by friend to CMH where it was diagnosed he had concussion. Investigating officer spoken to the assistant manager Lee at Greenes 19/5/14. She was aware of the incident. She will speak to the manager when he returns to get the cctv burned. She has informed me that the cctv inside the pub has been temperamental recently so it may not have recorded. Investigating Officer spoke with Lee from Greenes on 31/5/14 She states they had lost my number. She has passed my details on to the manager to call me when he is free. Lee has told me that they did look through the footage to see if the incident had recorded but it does not appear to have recorded. The problem being that they had more cameras installed and the harddrive capacity remained the same so not all of the cameras footage has been retained. They are looking into getting a larger hardrive. I await confirmation of this from the manager. The manager of Greenes, Tim has called the investigating officer 5th June 14. He has explained that the CCTV is no longer available as the system was upgraded when 4 new cameras were added and this has affected the memory.

22nd July 2014

Meeting held with Tim Sheehan, Ray Hagan and Brent Police Licensing at Brent Civic Centre. Meeting to discuss recent assaults and late night opening without authority. Brent Police licensing have made representations to recent temporary event notices made by Mr Sheehan due to crime and disorder at the location. The licensing sub committee heard the evidence on 25th April and refused the TEN;s. It was agreed the following actions to be implemented by Mr Sheehan at the venue:

CCTV recording for 31day, door supervisors, and a 'members only' entry policy in the interim. Mr Sheahan would like to meet after a few months to discuss the venue extend the licensable activity times permanently.

8th Feb 2015
CAD 1684/08FEB15 0400 hrs.

Caller is complaining about noise at Greenes PH, Neasden Lane North. Caller states she called Brent Council noise team but they finished at 0200 hrs. She believes the pub knows this and they turn the music up louder.

8th Feb 2015 0415 hours
PC McDonald was driving past Greenes Bar off duty and saw the front entrance door open. Attention was drawn to the location by the verbal noise emanating from inside the premises; it looked very busy with customers. There was no Temporary Event Notice in place for this date, the premises should have been closed.

8th Feb 2015
CAD refers 2469 0800hrs
CAD refers 2478
Emergency calls made to Police from members of public concerned for the welfare of a drunken distressed female in the North Circular Road near the junction of Neasden lane North. Statements received from a Police traffic officer and local Brent Police Officer who attended this call and assisted the drunken female who alleged to have left Greenes Bar between 0630 - 0700hrs on 8th Feb.(Statements attached)

21st February 2015
Letter sent to Mr Sheahan requesting CCTV footage from 0200 to 0600 hours on 8th February 2014. Request also sent via Email to Mr Sheahan

27th February 2015
Email to Mr Sheahan requesting the CCTV footage as the above request.

20th March 2015 2300hrs
Premises visited by PC McDonald and PC Whitcomb, Mr Sheahan was expecting the visit and arranged for the above CCTV footage to be downloaded and available for collection.

There were approximately 30 customers, all but one was male. A high proportion appeared to have Irish accents and was in workman's clothes. One male wearing a high visibility jacket and trousers was drunk and due to his unsteadiness officers had problems walking around him in the small bar area. Officers spoke to the lone male member of staff, Frank, who provided a memory stick left by Mr Sheahan containing the CCTV footage from 8/2/15. As the officers left the bar, the drunk male in the high visibility jacket also walked out into the street. This male staggered to the nearby lamp post and urinated in full view of the public. At this point Frank also came out of the pub and called to the Officers that Mr Sheahan was coming downstairs to speak to them. Frank also saw the drunk male urinating, he spoke to him, the male staggered around on the pavement for a short while before unlocking a door adjacent to the lamp post and entered the premises. When Mr Sheahan appeared on the pavement the officers explained what they had witnessed pointing out the urine now in full flow down the street. Mr Sheahan could not understand and explained the male actually lives in the premises next to the lamp post. Officers told Mr Sheahan it was probably as he had been allowed to get drunk in his pub. Officers spoke briefly about the incident on 8th February and he openly said he had permitted licensable activities outside his authorised hours. Mr Sheahan is convinced he runs a 'tight ship' in a tough area. His members' ~~Page 12~~ keeping the Eastern European gangs

and travellers' out of the premises and such deserves a late licence.

24th March 2015

PC McDonald attempted to view the CCTV footage provided by Mr Sheahan of the events on 8th February. Unfortunately the memory stick contained two files that were empty. PC McDonald telephoned Mr Sheahan and left a voice mail and explained the problem. PC McDonald has taken the memory stick to the specialist CCTV unit at Wembley Police Station and they confirmed the files are empty. There is no reason to pursue this matter as there are no conditions attached to this premise licence requesting CCTV.

14th April 2015

More advertisements on social media highlighting late licence and music and entertainment at the venue.

19th April 2015

Cad 1537 at 0332 hours. Complaints from local resident to noise and music at Greenes Bar.

On 5th June 2015 the premise was reviewed by the Metropolitan Police and appeared before the Licensing Committee where the evidence shown above was tendered. The determination reached was that the DPS Mr Timothy Sheahan could no longer remain on the licence, to date this change has not been made.

In addition there was a further incident on 16th August 2015 at 1520 CRIS 1918983/15 refers, when a member of the public was assaulted. The current DPS was arrested as a result of this allegation.

I have also received an email dated 17th August 2015 from Ms J Nesbitt, a public safety officer of Brent Council stating the following :

Just a brief description of what was witnessed at Greene's over the last 2 weekends whilst undertaking proactive visits on the Noise Team shift.

Saturday 8th August - proactively walked past premises at 23.19 – the front door was open and there was a 2 piece band playing amplified music clearly audible from the street immediately outside and from further down the pathway. I went into premises and spoke with the barman who eventually got Mr Sheahan for me. We went into pool room to speak as there was no-one in there.

Advised that he was currently operating outside of the licence, he had no real explanation for this, said it was last song and then went and told them that. A couple of mins later whilst still talking the band started playing another song! There were a number of people in the premises between- 6-10.

I advised Mr Sheahan that this would provide us with evidence to be used against him if he appealed the committee decision. He then mentioned that he was applying for a late licence, we had a similar conversation again regarding the likelihood of that being accepted, also referred to a TENS for 22nd for a party as County Kerry football was on, asked what time, he said possibly 3am.

He then mentioned he did have security that night, he pointed to man at the end of the bar and then took me outside to the benches where a white male he called Dave was sitting. Mr Sheahan advised he was security. I asked the man if I could see his SIA badge to which he replied he didn't have one, advised Mr S that this was not considered security.

Saturday 15th August – walked past Greenes at 23.05 – Music clearly audible from outside (Irish fiddle type but amplified- though quieter than last week), 2 people

sitting at bench outside, no SIA or door supervisors in sight. Internal doors were closed over but outer lobby doors both open, people seen inside pub through window. Male vocal heard over microphone at 23.07, left area a couple of minutes later.

It is my opinion that should this TEN go ahead that the licensing objectives would be breached and further complaints about anti social behaviour and crime and disorder will take place.

I reserve the right to add any additional evidence should this go before the Licensing Committee.

Yours sincerely

Nick Mortimer

Brent Police Licensing

London Borough of Brent

Decision of the Alcohol and Entertainment Licensing Sub-Committee (C) following a hearing on 27 July 2015 at Brent Civic Centre, Engineers way, Wembley HA9 0FJ

Application by the police to review a premises licence relating to Greenes Bar, 362-364 Neasden Lane North NW10 0BT

Members of the Sub-Committee

Councillors Long (Chair); Hylton and McLeish.

The application

The Sub-Committee has given careful consideration to an application by the Police, under section 51 of the Licensing Act 2003, to review the premises licence relating to Greenes Bar, 362-364 Neasden Lane North NW10 0BT. Mr Timothy Sheahan is the premises licence holder and is also the designated premises supervisor (DPS). The premises are licensed for the sale of alcohol on Mondays to Saturdays from 10.00 hours until 23.00 hours and on Sundays from 10.00 hours until 22.30 hours.

In summary, the Police raised concerns about the following licensing objectives: prevention of crime and disorder, public safety and public nuisance. The Police alleged that Mr Sheahan failed to operate the premises within the limits of his licence, regularly breached the requirements of the Licensing Act 2003 (e.g. continuing to trade beyond authorised times), permitted alcohol sales to persons who were drunk and permitted smoking on his premises. According to the Police, advice, action plans and formal warnings have not been heeded by Mr Sheahan.

The Police requested that Mr Sheahan be removed as the DPS and that various additional conditions be added to the licence.

Representations were also made by the council's Public Safety Team seeking additional conditions to be added to the licence in the interests of public safety.

The full details of the application made by the Police and the representation made by the Public Safety Team, amongst other information, is contained within the document pack attached to the Agenda for our meeting. This information is publicly available and is therefore not repeated in detail in our decision notice. Mr Sheahan did not respond in writing to the complaints or allegations levelled against him and his premises in advance of the hearing.

The hearing

Timothy Oliver Sheahan attended the hearing and he was represented by his agent, Mr Bob Dear.

PC Nicola McDonald represented the police.

Jill Nesbit represented the Public Safety Team.

The decision

We have listened to all the representations and have read all the material.

We have had regard to the statutory guidance issued under section 182 of the Licensing Act 2003, and the Council's own licensing policy.

We have taken into account our duty under section 17 of the Crime and Disorder Act 1998 to have due regard to the likely effect of the exercise of our discretion on, and the need to do all we reasonably can, to prevent crime and disorder in our area and the misuse of alcohol.

We confirm that in making our decision we have sought to promote the licensing objectives.

We also confirm that we have imposed further regulation only if satisfied that it was necessary, proportionate and appropriate to do so and justified on the facts of this particular case.

On the facts of this application, it is particularly noteworthy that, according to statutory guidance, we should accept all reasonable and proportionate representations made by the Police unless we have evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the Police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

We found that the evidence submitted by the Police demonstrated that the premises have been badly managed and supervised by Mr Sheahan resulting in many complaints and police interventions. Examples of drunk customers on the premises, after-hours opening, smoking on the premises, alcohol related crime and disorder associated with the premises, noise nuisance were given by the Police. We also found that there has been a flouting of the law. The evidence demonstrated repeated and persistent failures on the part of Mr Sheahan to manage his premises properly and responsibly. This is unacceptable and harmful to the licensing objectives.

At the hearing, the Police asked Mr Sheahan to name the licensing objectives. He was unable to do so. We appreciate that the pressure of the hearing and being put on the spot might have been difficult for Mr Sheahan but we do not think that alone can account for, or excuse, his inability to even mention public safety or preventing crime and disorder at the very least. The police told us that they had lost trust and confidence in Mr Sheahan. Based on the information presented to us by the police and what we heard, we have arrived at the same conclusion.

We have therefore decided to remove Mr Sheahan as the Designated Premises Supervisor (DPS) in order to promote the licensing objectives.

During the course of the hearing we discussed the conditions the Police and Ms Nesbit requested be added to the premises licence. Not all the conditions were contested by Mr Sheahan. Mr Dear helpfully confirmed on behalf of Mr Sheahan that he did not object to the following Police conditions being added to the premises licence.

1. A CCTV camera shall be installed to cover the entrance and exit of the premises 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

authorised officers from Brent Council.

2. A "Challenge 21" policy shall be adopted and adhered to.
3. A refusal book detailing the date and time of any alcohol sale refusal as required by the "Challenge 21" policy, as well as the name of the person refusing the sale, shall be kept and maintained and made available for inspection.
4. 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 shall record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
5. No entry or re-entry shall be permitted after 2230 hours.
6. Customers shall not take open drink containers outside the premises as shown on the plan submitted to and approved by the Licensing Authority.
7. No drinks shall be served other than in plastic or toughened glasses.
8. Customers carrying open or sealed bottles or glasses shall not be admitted to the premises.

We also felt that the above conditions were necessary, proportionate and appropriate and we therefore decided to add them to the licence.

The following conditions were not agreed, either in part or in full, but based on the facts of this review application, are also necessary, proportionate and appropriate.

9. Every 6 months staff training on the Licensing Act 2003 and the premises operating procedures shall be provided. This training shall be documented and signed and dated. Training records shall be made available for inspection by the Police and Licensing Authority Enforcement Officers and copies shall also be provided on request.

Mr Sheahan objected to the requirement for 6 monthly training but otherwise did not object to this condition. We pointed out that there was no need for the training to be provided externally (and therefore need not incur disbursement costs) and given the turnover of staff at the premises, we felt that the regular training on a 6 monthly basis was justifiable.

10. That the hours the premises is open to the public be limited as follows:

Mondays to Saturdays: 10.00 hours until 23.30 hours

Sundays: 10.00 hours until 23.00 hours

Non-standard timings (if any): 30 minutes after the terminal hour for the sale of alcohol

The upshot of this condition is that the premises has to be closed to the public 30 minutes after the terminal hour for the sale of alcohol. This gap between the last sale of alcohol and the closure of the premises is still commonly referred to as 'drinking-up time'. The operating schedules of many premises impose a closing time restriction to prevent just the kind of problems reported to us by the Police. Namely, concerns about 'lock-ins', the carrying on of licensable activities after-hours, noise disturbances etc.

On the facts of this case, we are firmly of the view that the restriction proposed by the police is justified in order to promote the licensing objectives. Without such a restriction, customers could be allowed to remain on the premises long after licensing hours and for licensable activities to continue on an unofficial basis.

We, however, did not impose all the conditions proposed by the police.

The Police argued that there was a need for door supervisors to be employed at the premises in light of the incidents and problems at the premises they had brought to our attention. We felt that these problems (at these small premises) were attributable to poor management and supervision by Mr Sheahan and that the imposition of this condition was either unnecessary at this time or would be disproportionately costly.

Similarly, we were not satisfied that it was appropriate to treat music as a regulated activity i.e. reversing the default statutory position. The noise nuisance complaints the Police relied upon were just another manifestation of Mr Sheahan's failure to manage his premises properly and responsibly.

Ms Nesbit also proposed a number of technical public safety conditions (see conditions 2-5 on page 63 of the public document pack) which we, and Mr Sheahan, agreed should be added to the premises licence. We felt that the conditions were justifiable on the facts of this case and, in particular, necessary in the interests of public safety.

Mr Sheahan objected, however, to a safe capacity limit being imposed but because a limit has not been imposed through other legislation we accepted the expert advice of Ms Nesbit, which weighed heavily with us, that following her inspection of the premises such a condition (as set out below) was necessary and appropriate in the interests of public safety.

11. The maximum number of persons permitted on the premises (not including staff) shall not exceed 60.

Informative

During the course of the hearing, Ms Nesbit highlighted to us that since the grant of this premises licence, structural changes have been made to the premises. We are extremely concerned that the structural layout of the premises does not comply with the premises licence plan. It is imperative that Mr Sheahan ensures that any licensable activities provided at his premises relying on his premises licence are properly authorised. We remind Mr Sheahan that, otherwise, he is at risk of enforcement action.

The effective date of this decision

This decision does not take effect until the end of the period for appealing this decision or, if appropriate, the outcome of the appeal.

Right of Appeal

The parties have a right of appeal to Brent Magistrates' Court against this decision.

If you wish to appeal you must notify Brent Magistrates' Court within a period of **21 days** starting with the day on which the Council notified you of this decision.

18 August 2015

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Status

Arrange Hearing

Licensee

Sheahan, Mr. Timothy Oliver

Address: 362 Neasden Lane North
London
NW10 0BT

Email: timsheahangroup@gmail.com

Phone: 07816312605

Premises Details

Address Greene's Bar
362 - 364 Neasden Lane North
Neasden

Post Town London

Postcode NW10 0BT

Telephone number 020 8450 3739

Non-Domestic Rateable Value 17500.00

Operating Schedule

Desired Start Date 24/11/2005

Desired End Date

Number Expected

Activity Type Public House

Licensable Activities

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

Supply of alcohol Yes

M. Supply of alcohol - Standard Times

M. Supply of alcohol - Standard Times

Day Monday

Start Time 10:00

End Time 23:00

Day Tuesday

Start Time 10:00

End Time 23:00

Day Wednesday

Start Time 10:00

End Time 23:00

Day Thursday

Start Time 10:00

End Time 23:00

Day Friday

Start Time 10:00

End Time 23:00

Day Saturday

Start Time 10:00

End Time 23:00

Day Sunday

Start Time 12:00

End Time 22:30

M. Supply of alcohol - Further Details

On/Off Sales On the premises

M. Supply of alcohol - Further Details

Seasonal Variations

Non-Standard Timings Good Friday 12:00hrs - 22:30hrs
Christmas Day 12:00hrs - 15:00hrs and 19:00hrs - 22:30hrs

Premises Supervisor

Name Timothy Oliver Sheahan

Address 362 Neasden Lane North
London

Postcode NW10 0BT

Phone

Email

1454765

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

No details entered

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

Seasonal Variations

Non-Standard Timings

Mandatory Conditions

Mandatory conditions

- (a) No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended.
- (b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (c) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

Mandatory Conditions

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

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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:-

- (i) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - {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
 - {drink as much alcohol as possible (whether within a time limit or otherwise);
 - (ii) 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (iii) 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;
 - (iv) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - {the outcome of a race, competition or other event or process, or
 - {the likelihood of anything occurring or not occurring;
 - (v) 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) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- (f) The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Embedded Conditions

Embedded conditions (Late Night Refreshment):

Embedded conditions (Off Sales):

Embedded conditions (On Sales):	Alcohol On Sales Alcohol shall only be sold during the hours specified below:
	On weekdays, other than Christmas Day, Good Friday or New Year's Eve, between 10:00 and 23:00 hours.
	On Sundays, other than Christmas Day or New Year's Eve, between 12:00 and 22:30 hours.
	On Good Friday, between 12:00 and 22:30 hours.
	On Christmas Day, from 12:00 to 15:00 and 19:00 to 22:30 hours.
	When New Year's Eve is on a weekday, from 10:00 on New Year's Eve until 23:00 hours on New Year's Day, except when New Year's Day is on a Sunday, then the sale of alcohol shall cease at 22:30.
	When New Year's Eve is on a Sunday, from 12:00 on New Year's Eve until 23:00 hours on New Year's Day

Embedded conditions (Hotel):

Embedded conditions (Restaurant):

Embedded conditions (Entertainment):

Other Conditions

Conditions consistent with the operating schedule Not applicable

Conditions attached after a hearing by the licensing authority Not applicable

Whether access to the premises by children is restricted or prohibited Not applicable

Case history

24/04/2015 [Premises Licence - Premises Licence Review Application 223338979](#)

Case history

03/03/2014 [Premises Licence - Annual Payment 222053727](#)
03/02/2014 [Premises Licence - Licensee Transfer Application 222018515](#)
03/12/2013 [Premises Licence - Change of DPS 221930250](#)
11/01/2013 [Premises Licence - Change of DPS 1404881](#)
11/01/2013 [Premises Licence - Licensee Transfer Application 1404855](#)
19/12/2012 [Premises Licence - Annual Payment 1375601](#)
11/08/2011 [Premises Licence - Complaint 821046](#)
11/03/2011 [Premises Licence - Annual Payment 741107](#)
29/10/2010 [Premises Licence - Change of DPS 688621](#)
29/10/2010 [Premises Licence - Licensee Transfer Application 688596](#)
22/01/2010 [Premises Licence - Change of DPS 577931](#)
22/01/2010 [Premises Licence - Licensee Transfer Application 577824](#)
21/12/2009 [Premises Licence - Annual Payment 567069](#)
10/12/2008 [Premises Licence - Annual Payment 455555](#)
27/11/2007 [Premises Licence - Annual Payment 318683](#)
05/12/2006 [Premises Licence - Annual Payment 239099](#)
22/07/2005 [Premises Licence - Conversion Application 155412](#)

Inspections due

<u>Due on</u>	<u>Type</u>	<u>Assigned to</u>
11/08/2015	Service Request	Lavine Miller-Johnson

Inspections carried out

<u>Date</u>	<u>Type</u>	<u>By</u>	<u>Details</u>
08/05/2015	Service Request	Susana Figueiredo	Carried out review at premise. Spoke to employee Lee Dollin who has worked at the bar for a number of years. There were no issues at the premise other than

Inspections carried out

the fire exit signs that were missing. Lee was told that these signs needed to be put in place.

There was no smoking taking place in the premise and there was no strong smell of smoke. The notice outside had been taken down and EC replaced it whilst I carried out the visit.

The premise does not have any conditions due to it being a conversion licence and therefore there were no conditions to check. I checked the plans and there had been no changes since the application was originally made.

17/08/2015 Other

Esther Chan

Police Update:

Crimint : QKRT00450882. Police were called to an assault at The Greene Public House, 362-364 Neasden Lane, NW10 0BT.

Police arrived on scene and spoke to the victim who made an allegation of assault, he stated that he had been punched in the face by the landlord of the pub. The victim had a slight cut under his right eye which was bleeding and his clothing was torn. The landlord of the pub was extremely intoxicated and when asked if he was serving he stated that it was his day off.

The Landlord was arrested for ABH and taken to Wembley Police Station. Whilst in custody he was very aggressive and kept swearing at officers, he has then taken his trousers and pants down exposing his penis and urinated all over the floor, he has then squatted and tried to

Inspections carried out

defecate on the floor before
rolling around in his own urine. He
was then further arrested for
Criminal Damage before being
carried to the cell.