



Brent

**MINUTES OF THE ALCOHOL AND ENTERTAINMENT LICENSING SUB-COMMITTEE
(C)**

Thursday 19 November 2015 at 10.30 am

PRESENT: Councillor Long (Chair), Councillor and Councillors Harrison and McLeish

Apologies for absence were received from: Councillors Hylton

1. Declarations of personal and prejudicial interests

None.

2. Application by Mohammad Hashim Aryubi for a new premises licence at 225 Kilburn High Road, NW6 7JG to supply alcohol and remain open from 00:00hrs to 00:00hrs Monday to Sunday, pursuant to the provisions of the Licensing Act 2003.

Responsible Authority

Nick Mortimer

Paul Whitcomb

Brent Licensing Police

Brent Licensing Police

Applicant

Mohammad Aryubi

Fawood Ali Mujahid

Decision

That the application by Mohammad Hashim Aryubi for a new premises licence at 225 Kilburn High Road, NW6 7JG to supply alcohol and remain open from 00:00hrs to 00:00hrs Monday to Sunday, pursuant to the provisions of the Licensing Act 2003 be refused.

The full record of the Sub-Committee's decision and the reasons are as set out in the decision letter, sent to the applicant and the agent.

3. Application for a new premises licence by Mr Liakath Miah to supply alcohol and remain open from: 09:00hrs to 00:00hrs Monday to Sunday at Stadium Supermarket, (129 Wembley Park Drive, HA9 8HQ), pursuant to the provisions of the Licensing Act 2003.

Responsible Authority

No representation as no objections were made.

Applicant

Rajesh Jagtap

Liakath Miah

Pramod Singham

Licensing Agent

Premises Licence Holder

Supporter

Decision:

That the application for a new premises licence by Mr Liakath Miah to supply alcohol and remain open from: 09:00hrs to 00:00hrs Monday to Sunday at Stadium Supermarket, (129 Wembley Park Drive, HA9 8HQ), pursuant to the provisions of the Licensing Act 2003 be granted.

The full record of the Sub-Committee's decision and the reasons are as set out in the decision letter, set out below.

The application

The Sub-Committee has given careful consideration to an application by Mr Liakath Miah under section 17 of the Licensing Act 2003, for a new premises licence relating to Stadium Supermarket 129 Wembley Park Drive HA9 8HQ. Mr Liakath Miah is the premises licence holder. The application is for the premises to be licensed for the sale of alcohol and to remain open from 09:00hrs to 00:00hrs Monday to Sunday.

No representations were made by any of the relevant authorities.

The sub committee heard representations from local residents/a local resident Mr Alpesh Parekh and Mr Tarak Bhatti the owner of the Wembley Tavern.

In summary the representations raised concerns about the following licensing objectives: the prevention of crime and disorder and the prevention of public nuisance. Mr Bhatti informed the committee that there is already a problem with anti social behaviour from street drinkers in the area and that having a further off licence will fuel this problem. Mr Parekh stated that he had been punched in the face by a person who was drunk and had to call the police. Mr Parekh also stated that there is a very busy bus stop in front of Stadium Supermarket, that people congregate there to drink and his two young daughters are scared to use this bus stop.

Mr Bhatti stated that there are several off licenses along the parade and across the road, from which people purchase alcohol and consume it on the streets and in alleyways and that these people litter the streets and urinate in the doorways and alleys relating to his business premises. This problem increases on event days as people who have purchased alcohol elsewhere then insist on using his toilets facilities and are often rude and aggressive. Mr Bhatti also raised concerns that due to the number of retailers in the area selling alcohol there was a risk that prices would be lowered/reduced and this in turn would encourage even more people to drink on the streets.

The hearing

Mr Miah attended the hearing and was represented by his agent Mr Rajesh Jagtap. The sub committee heard evidence from Mr Jagtap that Stadium Supermarket had been in business for 30 years and that there had never been any issues with regard to how the business has been run. Furthermore conditions on the operating schedule had been agreed with the police. They had applied for 11 Temporary event Notices in the past under which alcohol was sold the most recent of which was for the England v France match on 17 November 2015. All of these events had taken place without any incidents. Mr Jagtap stated that the police were not objecting to a new premises licence being granted and that he had a letter from a resident living above the premises who likewise had no objections.

Mr Miah confirmed that there would be a new full time DPS in place who had undergone training in May 2015 and has previous managerial experience. Mr Miah went on to explain that he has been in business in the area for a long time and

recognises most of the street drinkers. He also stated that he and his staff would not sell alcohol to someone who was drunk. Both Mr Jagtap and Mr Miah informed the sub committee that the business had been professionally and responsibly run and managed for many years and ensured that this standard would continue. Mr Miah stated that he has never seen people congregating or drinking at the bus stop outside of the premises.

The decision

We have listened to all the representations made by a local resident and business and have read all the material.

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 took note of the fact that concerns were raised relating to the anti-social behaviour of street drinkers and social drinkers in the area.

However we found there was insufficient evidence to suggest that any of the licensing objectives would be undermined by the granting of this application. We were also satisfied that this premises is already very well run and will continue to be.

We have therefore decided to grant this application for a premises licence.

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.

4. **Application by Miss Samantha Johnson for provision of regulated entertainment, sale by retail of alcohol and late night refreshment on the premises on 28 to 29 November 2015 from 22:00 hours until 04:00 hours at Chesterfield House, 9 Park Lane, Wembley, HA9 7RH, pursuant to the provisions of the Licensing Act 2003.**

Responsible Authority

Nick Mortimer

Paul Whitcomb

Brent Licensing Police

Brent Licensing Police

Applicant did not attend the hearing.

The Sub-Committee were informed that the temporary event was for a party of 300 persons on a fifth floor of the building (Chesterfield House, Wembley) which was considered unsuitable. The landlord and the head leasee were not aware of the application nor had a risk assessment form been submitted for consideration.

Decision:

That the application by Miss Samantha Johnson for provision of regulated entertainment, sale by retail of alcohol and late night refreshment on the

premises on 28 to 29 November 2015 from 22:00 hours until 04:00 hours at Chesterfield House, 9 Park Lane, Wembley, HA9 7RH, pursuant to the provisions of the Licensing Act 2003 be refused.

5. Exclusion of Press and Public

The following report was not for publication as it related to the following category of exempt information as specified in the Local Government Act 1972 namely:

“3. Information relating to the financial or business affairs of any particular person (including the Authority holding that information)

6. Application by TK for a personal licence to enable him to authorise the sale or supply of alcohol or to become a Designated Premises Supervisor for licensed premises.

Responsible Authority
Nick Mortimer

Brent Licensing Police

Applicant did not attend the hearing.

Decision

That the application by TK for a personal licence to enable him to authorise the sale or supply of alcohol or to become a Designated Premises Supervisor for licensed premises be refused.

The full record of the Sub-Committee’s decision and the reasons are as set out in the decision letter sent to the applicant and the agent.

The meeting closed at 2.40 pm

J LONG
Chair