



Alcohol and Entertainment Licensing Sub-Committee (B)

Thursday 15 March 2018 at 10.00 am
Boardrooms 5-6 - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Allie (Chair)
Maurice (substituting for vacancy)
Ahmed (substituting for Pavey)

Substitute Members

Councillors:

Daly, Denselow, Duffy, Eniola,
Harrison, Jones, Khan, Long,
McLeish and Stopp

For further information contact: Nikolay Manov, Governance Officer
Tel: (020) 8937 1348; Email: nikolay.manov@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.

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also a Prejudicial Interest (i.e. it affects a financial position or relates to determining of any approval, consent, licence, permission, or registration) then (unless an exception at 14(2) of the Members Code applies), after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward affected by the decision, the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who employs or has appointed any of these or in whom they have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or any firm in which they are a partner, or any company of which they are a director
- any body of a type described in (a) above.

Agenda

Introductions, if appropriate.

Item	Page
1 Apologies for absence and clarification of alternate members To consider any matters arising from the minutes of the previous meeting.	
2 Declarations of interests Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.	
3 Application for a Variation to a Premises Licence by Max Reich for the premises known as Rubio (43 Park Parade NW10 4JD), pursuant to the provisions of the Licensing Act 2003	1 - 28

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
- Representations by interested parties (if any)
- Case for the Applicant
- Questioning of the Applicant by the Responsible Authority and Members
- Summing up by the Responsible Authority
- Summing up by a representative of interested parties (if any)
- 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.

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LICENSING ACT 2003

Application for a Variation to a Premises Licence

1. The Application

Name of Applicant:	Max Reich
Name & Address of Premises:	Rubio 43 Park Parade NW10 4JD
Applicants Agent:	

1. Application

The application is to vary the licence to increase the terminal hour for the sale of alcohol from 22:30 Monday to Sunday to 23:00hrs Monday to Sunday. Also, to include deliveries of alcohol with food via Deliveroo and UberEats. The delivery service will be from 16:30hrs to 22:00hrs Monday to Sunday.

2. Background

The premises are currently licensed for the sale of alcohol for 'On' sales from 08:00hrs to 22:30hrs Monday to Friday and from 09:00hrs to 22:30hrs Saturday and Sunday. The premises remains open until 23:00hrs Monday to Sunday.

3. Promotion of the Licensing Objectives

See page 11 of the application

4. Relevant Representations

Representations are received from the Police and Licensing Officers.

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 Police Representation
- C. Copy of Licensing Representation
- D. Copy of Licence
- E. OS Map



Received
18 JAN 2018
DIGITAL POSTROOM
1

APPLICATION TO VARY A PREMISES LICENCE

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.

We MAX REICH

..... [insert name of applicant(s)] 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

223561510

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
43 PARK PARADE

Post Town LONDON

Post Code NW10 4JD

Telephone number at premises (if any)

0208 9619630

Non-domestic rateable value of premises

£ 190

Part 2 - Applicant details

Daytime contact telephone number		[REDACTED]	
E-mail address (optional)		info@rubio.co.uk	
Current postal address if different from premises address		Same	
Post Town		Post Code	

Part 3 - Variation

Please tick Yes

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



If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

Yes

No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

We'd like to be able to sell Beer & wine via Deliveroo & UberEats together with our takeaway food that that we currently sell.

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.

	<u>Please tick ✓ Yes</u>
<u>Provision of regulated entertainment (please see guidance note 3)</u>	
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>
<u>Provision of late night refreshment (if ticking yes, fill in box I)</u>	<input type="checkbox"/>
<u>Sale by retail of alcohol (if ticking yes, fill in box J)</u>	<input checked="" type="checkbox"/>

In all cases complete boxes K, L and M

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [✓] (please read guidance note 4).	Indoors
Day	Start	Finish		Outdoors
Mon			Please give further details here (please read guidance note 5)	Both
Tue				
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)	
Thur				
Fri			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 7)	
Sat				
Sun				

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box ✓) (please read guidance note 9)	On the premises
Day	Start	Finish		Off the premises
Mon	8:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 6) Our delivery service starts at 4:30pm until 10pm,	Both <input checked="" type="checkbox"/>
Delivery	16:30	22:00		
Tue	8:00	23:00	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 7)	
- 11 -	16:30	22:00		
Wed	8:00	23:00	We currently would like to be able to supply alcohol to take-away customers via Deliveroo & UberEats, between 4 ³⁰ pm and 22:00 (daily)	
- 11 -	16:30	22:00		
Thur	8:00	23:00		
- 11 -	16:30	22:00		
Fri	8:00	23:00		
- 11 -	16:30	22:00		
Sat	9:00	23:00		
- 11 -	16:30	16:30		
Sun	9:00	23:00		
- 11 -	16:30	22:00		

IN ALL CASES PLEASE COMPLETE K, L, & M BELOW

K

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 10)

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variation (please read guidance note 6)
Day	Start	Finish	
Mon	8:00	23:00	We've already hold a alcohol license but looking to be able to sell to our take away customers between 4 ³⁰ pm and 10pm on a daily basis.
Tue	8:00	23:00	
Wed	8:00	23:00	
Thur	8:00	23:00	
Fri	8:00	23:00	
Sat	9:00	23:00	
Sun	9:00	23:00	
			Non-standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 7)

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

Don't
Don't believe it will affect
our current licence

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

Please tick ✓ Yes



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 failed to enclose the premises licence or relevant part of premises licence

M Describe any additional steps that 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, e) (please read guidance note 11)

A copy of the premises license including opening hours should be on display and visible.

b) The prevention of crime and disorder

An incident log upon request
All drinks served in toughened glasses
An unobstructed view into the premises at all times
An robbery and cash minimization training with staff

c) Public safety

CCTV cameras operating in all serving areas, with 30 days recording

d) The prevention of public nuisance

CCTV, and refuse the sale of alcohol to anyone under the influence.
Staff training in dealing with disorderly people

e) The protection of children from harm

A "challenge 25" policy
Ask anyone that looks younger than 25 of ID

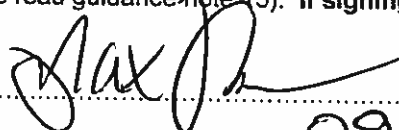
Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (Please read guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 09.01.17

Capacity

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 14). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 15)

Same as 1st page

Post town

Post code

Telephone number

If you would prefer us to correspond with you by e-mail your e-mail address (optional)



The Licensing Officer
Safer Streets
Brent Civic Centre
Engineers Way
Wembley
HA9 7FJ

Your re

Our ref

Wembley Police Station
603 Harrow Road
Wembley
HA0 2HH
Tel: 020 8733 3206

Email:
michael.sullivan3@met.police.uk

Date: 5th February 2018

Police Representation to the application to vary the Premises Licence for '43 Park Parade, London, NW10 4JD

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. I am of the opinion that the risk to the objectives can be mitigated by removing the requested variations or attaching conditions to the Licence as shown below.

.

Officer: Michael Sullivan
PC 368QK Licensing Constable

An officer of the Metropolitan Police, 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 Police representations are primarily concerned with Protection of Children from Harm

The applicant Mr M REICH has submitted an application to vary his licence to allow the sale of alcohol **off** the premises as part of a delivery service using Deliveroo and Ubereats, however the application makes no reference to how checks to verify the ages of the person ordering or taking delivery of the orders will be verified or checked.

The applications schedule refers to conditions the premise already have as conditions for on sales, but make no reference to how off sales will be adopted.

Police would need to know what checks the restaurant will conduct, and how this will be achieved with an external delivery company.

Deliveroo and Ubereats are a delivery company but I am not aware that any of their staff are trained in the sale and supply of alcohol.

It is the responsibility of the licence holder to uphold the licensing objectives, and he has made no reference as to how this will be done at the point of sale or when the delivery is made by either Deliveroo or Ubereats.

I would ask that this application be refused as it has no clear plan to uphold the licensing objectives and appears that no thought has been given to how to prevent the possible sale of alcohol to children.

Yours Sincerely

Michael Sullivan
PC368QK
Brent Police Licensing Team

From: Rubio London
Sent: 06 February 2018 19:32
To: Michael.J.Sullivan@met.pnn.police.uk
Cc: Patel, Yogini; Legister, Linda; Business Licence
Subject: Re: Application to vary Premises licence - ref 10864

Categories: Gillian

Hello everyone,

Thanks Michael for your feedback but I'd like to object to your recommendation and give you some more information regarding my application:

We're looking to offer our takeaway customers ordering food via Deliveroo and UberEats either a selection of two beers (Moretti 33cl 4.6% and Peroni 33cl 5.1%) and a red or white bottle of wine (75cl 12%) selling at £4 (Beer) and £20 (Wine)

I've checked a few surrounding companies that offer alcohol via Deliveroo and UberEats in the NW2 & NW10 area, including the sale of spirits above 40%.

Here's a list of a few establishments that currently offer sales of alcohol via the two delivery companies, in the very same area RUBIO is located.

The Whippet Inn
Mezzoroma
Beer+Burger
Jack's
Drink Supermarket
Singhsbury's Superstore
Bevy Portobello Market
Comptoir Mezza
Borough Wines
Firezza
Thai Rice

I've contacted both the delivery companies regarding how they check/control the ID/age checks, and this is the response they've given me:

"The safety steps we offer is the challenge 25 policy. The driver must ask the customers for identification to prove that they are **over** the age of 18 and can lawfully purchase alcohol."

Please let me know your thoughts.

All the best
Max

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On 9 Feb 2018, at 11:51, Michael.J.Sullivan@met.pnn.police.uk wrote:

Hello Max

Thank you for your reply, I am only concerned in dealing with your application and cannot discuss other venues licence conditions, it is for you to detail how you will uphold the licensing objectives, as the licence is in your name, and it's your responsibility to uphold the licensing objectives
I have concerns about how age verification is conducted and recorded as if there are any breaches it would be you as the licensee/DPS that we would be asking to explain.
It is not good enough to say that other venues do it so why can't I ?
You state that you have spoken to Deliveroo and UberEats about age verification, can you tell me what if any training their drivers have with regards to the supply of alcohol, and how they will record the ID shown to them.

Regards

PC368QK
Michael Sullivan
Brent Police Licensing Team

From: Rubio London
Sent: 13 February 2018 17:56
To: Sullivan Michael J - QK <Michael.J.Sullivan@met.pnn.police.uk>
Subject: Re: Application to vary Premises licence - ref 10864

Hi Michael,

Sorry for the late reply, I've now managed to speak with both the delivery companies (UberEats & Deliveroo) and they have the same training for their drivers, here's the response that I've been given:

"The Challenge 25 policy is part of the training that all our drivers receive before starting working with us. On a delivery job containing alcohol the rider app will automatically prompt the driver to check ID before handing over the alcohol. If they can't provide ID the delivery will be rejected and the alcohol will be returned to the establishment by the rider"

RUBIO will also record any failed ID checks and log it with the customers information in our incident book, that will be available to the police upon request.

My contact person at UberEats is called Libby and I'd be more than happy to put you in contact directly with her if needs be. Hope this clarifies it a bit more but do let me know if you need additional information.

Best regards
Max

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Max Reich
Rubio
43 Park Parade
London
NW10 4JD

19th February 2018

Dear Mr Reich,

Re: Licensing Representation to the Application to Vary the Premises Licence of 43 Park Parade, London, NW10 4JD

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

Officer: Esther Chan – Licensing Inspector

An officer of the Licensing Authority, 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 applicant has applied to vary the premise licence to permit 'off sales' in the form of a delivery service via Deliveroo and Ubereats.

According to the application, the applicant stated that 'Challenge 25' will be adopted in order to uphold the licensing objective primarily to protect children from harm. However the information is very vague. In light that the delivery service is provided by a third party, it is unclear how the staff within the premise and the delivery companies would be able to comply with age verification checks.

Summary

The Licensing Authority therefore rejects this application unless the applicant can provide further information on how it intends to implement age verification measures to ensure that alcohol is not sold/supplied to any person under 18.

Yours faithfully



Esther Chan
Licensing Inspector
Planning, Transportation & Licensing

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REGENERATION AND GROWTH
REGULATORY SERVICES
BRENT CIVIC CENTRE
ENGINEERS WAY
WEMBLEY
HA9 0FJ

TEL: 020 8937 5359
EMAIL: business.licence@brent.gov.uk

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.....
Operational Director, Planning and Regeneration

Date: 14 April 2016

Licence number 223561510

Licence start date: 01/06/2016

Part 1 - Premises Details

43 Park Parade, London, NW10 4JD

Licensable activities and the times authorised by this licence

Supply of Alcohol:

Day	Start Time	End Time
Monday	08:00	22:30
Tuesday	08:00	22:30
Wednesday	08:00	22:30
Thursday	08:00	22:30
Friday	08:00	22:30
Saturday	09:00	22:30
Sunday	09:00	22:30

Non standard timings:

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	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	09:00	23:00

Non standard timings:

Part 2

Details of Holder of Premises Licence:

Name: Mr Max Reich

Address: [REDACTED]

Telephone: [REDACTED]

Details of Designated Premises Supervisor:

Name: Max Reich

Address: [REDACTED]

Personal Licence Number: [REDACTED]

Issuing authority: [REDACTED]

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 must 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) —duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) —permitted price 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 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 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) —valued added tax 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) would be different from the permitted price on the next day (—the second day) 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.

Door Supervisors and Security Staff to be Licensed by the SIA (when required)

Where the licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions:

a) premises where the premises licence authorises plays or films

b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

Film Classification When required

(i) The admission of children to the exhibition of any film must be restricted in accordance with the recommendation of the designated film classification body unless section (ii) applies.

(ii) Where the licensing authority notifies the holder of the licence that this subsection applies the admission of children must be restricted in accordance with any recommendation made by the licensing authority.

In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority

under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

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 authorised Officers from Brent Council.

2 A 'Challenge 25' policy shall be adopted and adhered to.

3 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:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any refusal of the sale of alcohol
- (f) any visit by a relevant authority or emergency service.

4 The following crime prevention measures be implemented:

- A time delay safe with deposit slot and anti-fishing mechanisms must be used at the counter till area
- Regular robbery awareness and cash minimisation training given to all staff

5 No drinks shall be served in the outside area other than in plastic or toughened glasses.

6 A clear and unobstructed view into the premises shall be maintained at all times.

7 The front outside seated area shall cease to be used from 21:00 hours daily.

8 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.

9 A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.

10 Notices asking customers to leave quietly shall be conspicuously displayed at all exits

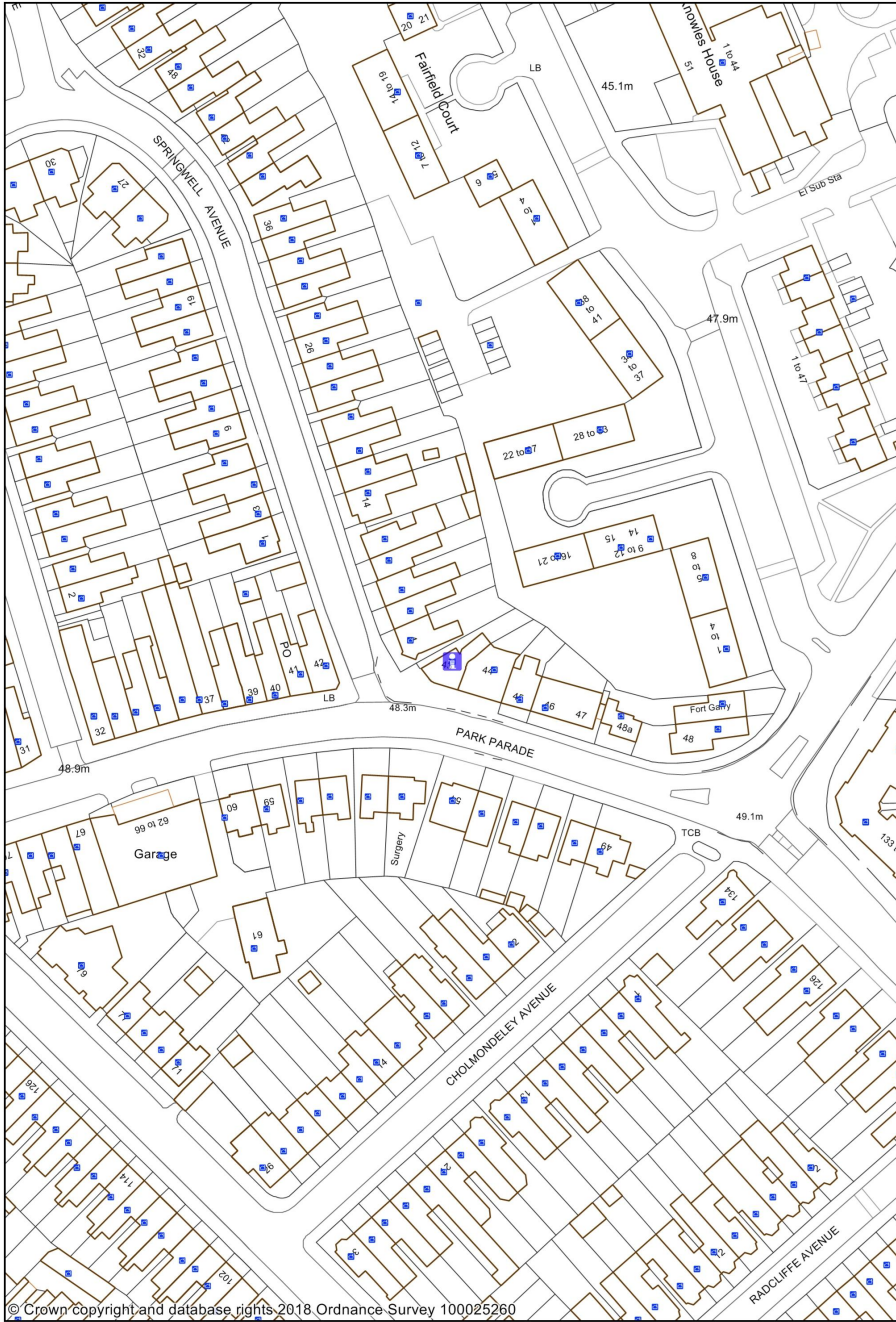
Annexe 3 - Conditions Attached After a Hearing by the Licensing Authority

None

Annexe 4 - Plans

See attached sheet.

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