



Alcohol and Entertainment Licensing Sub-Committee

Tuesday 5 March 2024 at 2.00pm

Boardrooms 1 & 2 - Brent Civic Centre, Engineers
Way, Wembley HA9 0FJ

Please note that this meeting will be held in person with members of the Sub-Committee required to attend in person.

The press and public are also welcome to attend this meeting in person. Please note the meeting is not scheduled for live webcast

Membership:

Members

Councillors:

Ahmed (Chair)
Bajwa
Collymore

Substitute Members

Councillors:

Chohan, Ethapemi, Hack, Long, Mahmood, Lorber,
Rubin

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 6841; Email: devbai.bhanji@brent.gov.uk

For electronic copies of minutes and agendas please visit:
[Council meetings and decision making | Brent Council](#)

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 significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then 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 of 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 or 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 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 is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item	Page
1 Apologies for absence and clarification of alternate members	
2 Declarations of Interests	
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal 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 Indes Bar Ltd for the premises known as The Arch, 324 Harrow Road, Wembley HA9 6LL, pursuant to the provisions of the Licensing Act 2003	1 - 72

Date of the next meeting: Date Not Specified



Please remember to **SWITCH OFF** your mobile phone during the meeting.

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LICENSING ACT 2003

Application for a Variation to a Premises Licence

1. The Application

Name of Applicant:	Indes Bar Ltd
Name & Address of Premises:	The Arch, 324 Harrow Road, Wembley HA9 6LL
Applicants Agent:	George Domleo – Flint Bishop Solicitors

1. Application

The application is to vary the licence as follows:

- Amend the licensing plan
- Remove and amend existing Annex 2 & 3 conditions 10, 16, 18, 19, 20, 30, 31, 34c, 36.

2. Background

The premises are currently licensed for regulated entertainment, and late night refreshment from 7am to 01:30am Sunday to Thursday, and 2am Friday & Saturday. The sale and supply of alcohol from 10:00am to 1am Sunday to Thursday and 2am Friday & Saturday and to remain open from 7am to 1.30am Sunday to Thursday and 2.30am Friday & Saturday.

3. Promotion of the Licensing Objectives

See page 15 of the application

4. Relevant Representations

Representations have been received from the Police.

5. Interested Parties

None

6. Policy Considerations

Policy 1 – Process for Applications

Conditions on the licence, additional to those voluntarily sought/agreed by the applicant, may be considered. Conditions will focus on matters which are within the control of individual licensee and which relate to the premises or areas being used for licensable activities, the potential impact of the resulting activities in the vicinity. If situations arise where the licensing objectives may be undermined but cannot be dealt with by the use of appropriate conditions the Licensing Authority will consider whether it is appropriate for a licence to be granted or continue to operate.

7. Associated Papers

- A. Copy of Application Form & plan
- B. Copy of Police Representation
- C. Current Licence
- D. OS Map

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, Indes Bar Limited

(Insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under S34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number 202011
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Arch 324 Harrow Road
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Post Town Wembley	Postcode HA9 6LL
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Telephone number at premises	
Non-domestic rateable value of premises	£51,500.00

Part 2 - Applicant Details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	11-12 Hallmark Trading Centre Fourth Way
Post Town Wembley	Postcode HA9 0LB

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? Yes No

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 read guidance note 1)

The application proposes to:

1. Remove certain existing Annex 2 and Annex 3 conditions, and to add new conditions
2. Amend the licensing plan in accordance with the drawing which accompanies the variation

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

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 yes

- 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)

Supply 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 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 5)	
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

B – NO CHANGE

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

C – NO CHANGE

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>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</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 7)		
Sun					

E – NO CHANGE

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 7)		
Sun					

F – NO CHANGE

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

H – NO CHANGE

<p>Anything of a similar description to that falling within (e), (f) or (g)</p> <p>Standard days and timings (please read guidance note 8)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)</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 5)</p>		
Wed					
Thur					
Fri			<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 6)</p>		
Sat					
Sun					
			<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 7)</p>		

I – NO CHANGE

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Wed					
Thur			<u>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</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

J – NO CHANGE

Supply of alcohol Standard days and timings (please read guidance note 8)			<u>Will the supply of alcohol be for consumption (Please tick box)</u> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>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</u> (please read guidance note 7)		

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 10)</p> <p>NONE</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	No Change	No Change	
Tue	No Change	No Change	
Wed	No Change	No Change	
Thur	No Change	No Change	
Fri	No Change	No Change	
Sat	No Change	No Change	
Sun	No Change	No Change	<u>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</u> (please read guidance note 7) As existing

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

We seek to remove the following existing Annex 2 and Annex 3 conditions:

Annex 2

- 10. A copy of the premises licence summary including the hours during which licensable activities are permitted shall be visible from the outside of each entrance to the premises.
- 16. No noise or vibration shall be detectable at any neighbouring noise sensitive premises.
- 18. 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.
- 19. Exits shall not be obstructed (including by curtains, hangings or temporary decorations), and accessible via non slippery and even surfaces, free of trip hazards and shall be clearly identified.
- 20. 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 suitable protected by a residual current device (RCD having a rates residual operating current not exceeding 30 milliamps).
- 30. Alcoholic beverages shall not be sold or supplied one (1) hour before the designated kick off or start time of the event and will not resume until fifteen (15) minutes after the game, match or event has started. This only applies to Football matches.
- 31. The premises shall only take one set of football supporters on match days. (Details of the team splits will be communicated by the police / council on a game to game basis).

Annex 3

- 34 (c). Provided the overall capacity in (a) or (b) above is not exceeded, the number of customers in the outdoor area of the premises shall not exceed 100 at any time
- 36. The premises will not show live domestic or international televised football matches on football event days.

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

N/A

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,e) (please read guidance note 11)

[The information provided in this box is solely for information only and not intended to be converted into conditions on the Premises Licence]

Given the changes proposed, we have carefully considered the application, the effect on the licensing objectives and the council’s licensing policy. Existing Annex 2 conditions 10, 16, 18, 19 & 20 that we are seeking to remove are either now outdated or covered by primary legislation. For example, existing condition 10 stipulating for a copy of the premises licence summary to be displayed and visible is already a requirement under section 57 of the Licensing Act 2003, therefore a duplication.

We are also seeking to remove existing Annex 2 conditions 30 & 31 and Annex 3 conditions 34 & 36 to provide the premises with slightly more flexibility, and also as some of these are now outdated. For example, existing Annex 2 condition 31 stipulates that the premises shall only take one set of football supporters on match days. On England international matches our client is seeking for this condition to not apply to allow both set of supporters. On Friday 1 December 2023 England Women played the Netherlands Women at Wembley Stadium as part of the UEFA Women’s Nations League, and unfortunately with this existing licence condition our client was unable to accommodate both sets of supporters. We are therefore seeking to add more appropriate & proportionate conditions to allow this.

b) The prevention of crime and disorder

1. The premises shall only take one set of football supporters on match days except for all women’s football matches. (Details of the team splits will be communicated by the police / council on a game to game basis).
2. Provided the overall capacity in condition 34 (a) or (b) above is not exceeded, the number of customers in the outdoor area of the premises shall not exceed 180 at any time

c) Public safety

d) The prevention of public nuisance

3. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

e) The protection of children from harm


Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- 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 (See guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	12.01.2024
Capacity	Flint Bishop LLP – Solicitors for and on behalf of the 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 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 13)

George Domleo
Flint Bishop LLP
Pinnacle House
2 Prospect Place
Derby
DE24 8HG

Telephone number (if any)	01332 226192
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)

george.domleo@flintbishop.co.uk

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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the

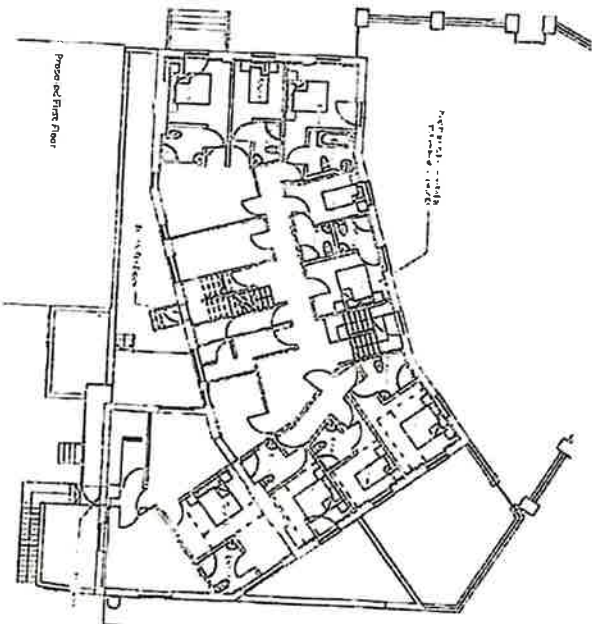
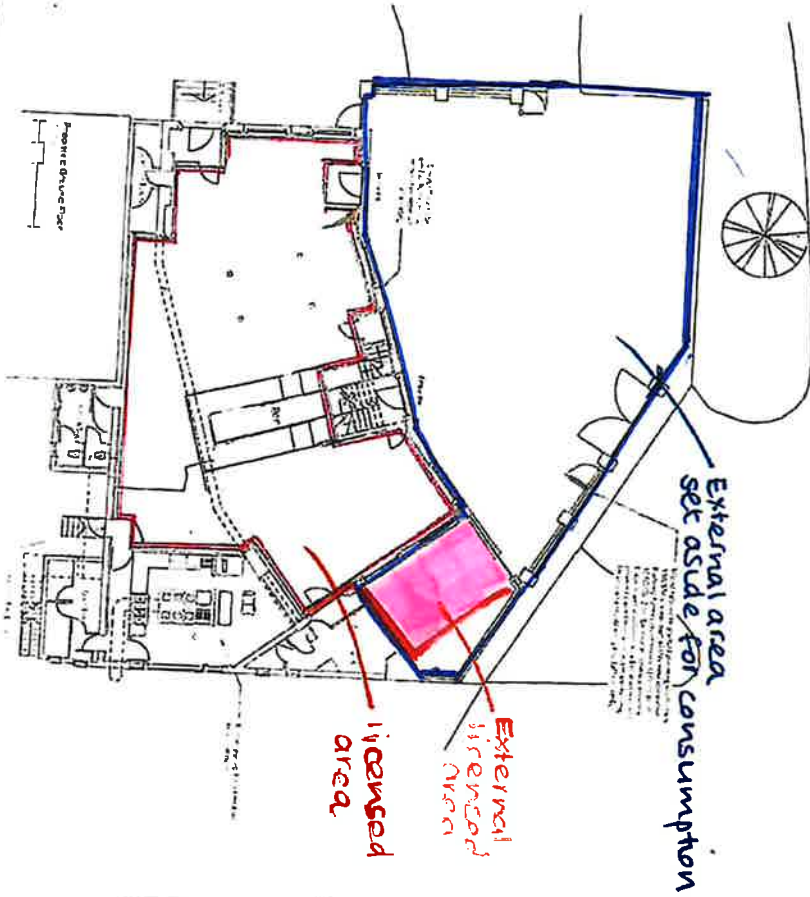
audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. 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.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. 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.
9. 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'.
10. 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.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application. to correspond with you about this application.

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LICENSING PLAN - THE ARCH

324 Harrow Rd
Wembley HA9 6LL



- External consumption area
- External licensed area

PROJEN 221 Harrow Road Wembley, Middx HA9 6LL Proposed Floor Plans	
NO.	1
DATE	12/11/11
SCALE	1:100
DESIGNER	PROJEN
CHECKED	PROJEN
DATE	12/11/11
SCALE	1:100
NO.	1

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**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

The Arch Public House
324 Harrow Road
Wembley
Middlesex
HA9 0FJ

NW BCU Licensing Department - Brent

South Harrow Police Station
74, Northolt Road
Harrow
HA2 ODN

Tel: 07500 087 115

Email: Phil.S.Graves@met.police.uk

Web: www.met.police.uk

Your Ref: 30551

Date: Friday 2nd of February 2024

Our ref: 01QK/042/23/3122NW

Police representations to the application to vary a premises Licence for 'The Arch Public House, 324 Harrow Road, Wembley HA9 0FJ'

Police certify that we have considered the application shown above and 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.

Police are of the opinion that the risk to the Council's objectives can be mitigated by removing the requested variations or attaching conditions to the Licence as shown below. If these conditions were accepted in full, police would be in a position to withdraw their representations.

Officer: Phil Graves
Licensing Constable 3122NW

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 a premises licence under Section 34 of the Licensing act 2003. The Police representations are concerned with all four of the licensing objectives.

- The prevention of crime and disorder;
 - Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

The Application

This variation is requesting the removal of numerous conditions from the existing premises license with a great deal of these are around match day restrictions, capacity and noise abatement issues.

Police have no issues with the removal of the following conditions:

18. 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.

19. Exits shall not be obstructed (including by curtains, hangings or temporary decorations), and accessible via non slippery and even surfaces, free of trip hazards and shall be clearly identified.

20. 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).

Police Objections / Issues

As many will know the existing Licensing conditions were only put into place on the 29th of March 2023 where a hearing was held at Brent Civic Centre. The hearing took place due to a very similar variation request from the licensee holder / DPS. The applicant had the opportunity to appeal against this decision but elected not to. This current variation is in effect an appeal against the decision made on the 29th of March 2023.

Police are opposing the applicant (except points 18, 19 & 20 above) for the same reasons that were detailed on the 29th of March last year. The reasons for these objections are as follows:-

Warning Letters

Warning Letter – 26th of March 2022 – Failing to close hours before on Match Day

Warning Letter - 1st of January 2022 – Breach of license, using outside area past authorised time

Warning Letter – 19 May 2018 – Over crowding of a TEN on match Day

Warning Letter – 26 May 2018 – Over crowding of a TEN on match Day

Warning Letter – 11 Sep 2018 – Failing to provide CCTV and nine (9) other breaches of license

Copy of Hearing Decisions – 20th February 2019 – application withdrawn during hearing

Copies of the above are all attached.

DPS Mr Patel

As you can see from the list of warning letters above there is a long history of licensing breaches at the Arch.

Mr Patel has been the DPS throughout this period and unfortunately does not fill police with confidence that he will uphold the licensing objectives. As detailed in the warning letter dated 26th of March 2022 Mr Patel had not even read his own premises license and was unaware that he should be closing the pub on match days one hour before kick-off.

With a DPS that appears unable to understand and enforce the conditions of his license, I don't see that the removal of key conditions around crime and disorder, public nuisance and public safety is the appropriate course of action to be taken.

Previous Hearing Result

This current hearing will be a repeat of that in March 2023 with the same points being discussed as before. Below is a cut and paste of the hearing result. As you can see from point two, the Cllr's shared the view of the police that Mr Patel has a history of licensing breaches.

6. Decision

The sub-committee listened carefully to the representations made by the parties at the hearing and took into account the written representations.

The sub-committee decided that it was appropriate to grant the variations sought in part, for the following reasons:

1) They felt that the licensing objectives would be achieved by the conditions to be imposed.

2) There was some concern stemming from the previous breaches of the licence and the licence holder's failure to be fully conversant with the terms of that licence but the sub-Committee noted, as pointed out by the agent, the existence and purpose of the review mechanism.

3) The sub-committee discussed the concerns raised by the Metropolitan Police about the playing of live/recorded music but noted that that is not a licensable activity provided it is played only between the hours of 8am and 11pm.

The committee have decided to impose the following conditions:

34) Subject to any updated and future risk assessment, the maximum number of customers allowed on the premises will be:-

(a) 300 on normal trade days;

(b) 380 on football event days;

(c) Provided the overall capacity in (a) or (b) above is not exceeded, the number of customers in the outdoor area of the premises shall not exceed 100 at any time.

35) No alcohol shall be served or consumed in the outdoor area of the premises past 12.00am (midnight) on any day of the week. After midnight, the following conditions apply:

(a) From midnight until 1.30am on any day no more than 100 customers, excluding staff, may be present in the outdoor area, e.g. whilst smoking; and

(b) On the nights/early hours of Fri-Sat and Sat-Sun, no more than 25 customers, excluding staff, may be present in the outdoor area from 1.30am until 2.30am.

36) The premises will not show live domestic or international televised football matches on football event days.

Removal of Conditions

The application is asking for the following points to be removed.

10. A copy of the premises licence summary including the hours during which licensable activities are permitted shall be visible from the outside of each entrance to the premises.

Mr Patel is the DPS that in March 2022 and 2015 has stated to the respective police licensing officer that he does not know the conditions on his own license. Taking this into account I would argue that it is a very sensible idea for a copy to be made available. Yes, section 57 does cover this but very few people will be aware of this legislation. Also, where is the harm of having this on your license as the majority of responsible license holders do?

I had taken prem licence dated 9/12/2015 with me.

Savan had no idea of the conditions except the football match day conditions.

I went through all the conditions Breaching

3. Door supervisors not working 4 hours prior to designated kick off

7. No incident log

9. Outside areas are open until 0100hrs

11. Not one visible

12. No noise limiter

14. Not sure if this is a true capacity, one fire exit locked and not in use as it leads on to a new structure.

Chris and Esther visiting tomorrow

15. No entry re-entry policy. People can come and go at will.

18. No notices

Nicola

The above shows that in 2015 PC Nicola McDonald has attended The Arch and spoken to Mr Patel. There is transpired that he was unaware of the conditions on his license apart from the Match Day restrictions.

Then in March 2022 I attended the venue and spoke to Mr Patel about his match day restrictions. There he had no idea of his match day restrictions (that the pub was meant to close).

This clearly shows a history of Mr Patel having no knowledge of the conditions of his premises License. How can Mr Patel operate as the DPS and support the licensing objectives when he either ignores or genuinely has no knowledge of the conditions on his license?

16. No noise or vibration shall be detectable at any neighbouring noise sensitive premises.

It concerns me that the DPS is asking to have this condition removed. What responsible license holder would not take his neighbours into consideration when running their business?

36. The premises will not show live domestic or international televised football matches on football event days.

Public houses within the footprint showing the game attract ticketless fans. It is then those fans that caused the riots in the Euro 2020 finals.

As detailed by PC Paul Jennings (attached statement) the showing of football games and ticketless fans on event days at the stadium is the route of crime, ASB, rioting and disorder at our National Stadium.

This is supported by the Baroness Casey Report. Link below, with a section highlighted emphasising the issues around ticketless fans.

<https://www.skysports.com/football/news/19692/12485109/euro-2020-fa-review-on-wembley-final-disorder-finds-series-of-crowd-near-misses-which-could-have-led-to-fatalities>

The review carried out by Baroness Louise Casey of Blackstock found that approximately 2,000 ticketless fans gained entry to the stadium, of which around 400 were ejected, for the showpiece between England and Italy on July 11.

Police Dedicated Football Officer – PC Paul Jennings

Below is a cut and paste from a statement written by PC Paul Jennings, the Met's Dedicated Football Officer giving his experience on ticketless fans and alcohol in and around the stadium

Premises not serving alcohol for an hour before kick-off greatly assists in the safe ingress of thousands of supporters. Without this, we would inevitably see a later walk up of large numbers of supporters, often under the influence of alcohol, putting increased pressure on the stewarding operation and on the turnstiles themselves increasing the rise to both supporters, staff and police officers.

The issue presented by the presence of ticketless supporters was highlighted in Baroness Casey review of the UEFA Euro 2020 Final. Licensed premises showing live football during matches at Wembley matches would only serve to attract ticketless supporters to the area.

Summary

Those that follow football and the events taking place at Wembley Stadium will be aware that the UEFA Champions League Final is being held at Wembley Stadium on Saturday 1st of July 2024

<https://www.uefa.com/uefachampionsleague/news/0278-15c59d96fb8d-876986ad6544-1000--2024-uefa-champions-league-final-wembley-stadium/>

The whole of the footballing world will be watching Wembley on this day with rival teams travelling from across Europe. Taking into account what happened at the last European final to be held at our National Stadium I would argue that now is not the appropriate time for any venue to relax its football licensing conditions. I would further argue that a venue such as the Arch with its long history of licensing breaches, all with the same DPS cannot be trusted to have conditions removed at this critical stage.

Police are of the opinion that the existing license, excluding the conditions stated above are appropriate for this venue. A public house within the Wembley footprint needs conditions in place to stop a repeat performance of the Euro 2020 riots. Any removal of the match day conditions or an increase in capacity would more than likely lead to a rise in crime and disorder.

Police strongly support the decision made by the committee in March last year and believe the existing conditions should remain in place. The removal of any conditions runs a high risk of a drastic increase in crime and disorder and will undermine all four of the licensing objectives.

Yours Sincerely,

PC Phil Graves 3122NW
NW BCU - Brent Licensing
Philip.Graves@met.police.uk

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**METROPOLITAN
POLICE**

Mr Savan Patel
The Arch
324 Harrow Road
Wembley
HA9 6LL

Brent Borough Licensing Department
South Harrow Police Station
74, Northolt Road
Harrow
Middlesex
HA2 0DN

E-mail: Gary.L.R.Norton@met.police.uk
Web: www.met.police.uk

Date: 06/01/2022

Dear Mr Patel,

On New Years Day, at approximately 0030hrs, police officers from the Town Centre Team conducted a visit to your premises as part of their duties that evening. PC Richard Campbell reported that there were around 20 people drinking alcohol in the outside enclosure and it was noisy due to music being played in the same area. Officers liaised with the manager, who requested customers to return inside and who then turned off the external amplified music.

One of your premises licence conditions states:

The outside drinking areas shall cease at 2330hrs.

You also have conditions relating to preventing a noise nuisance to local residents. Having music playing in the early hours of the morning in the outside area which should not have been in use is also questionable, no matter what the celebrations might be for.

Pursuant to section 136 of the Licensing Act 2003 it is an offence to carry on or attempt to carry on a licensable activity on or from any premises other than under and in accordance with an authorisation. A person guilty of this offence is liable to be imprisoned for up to 6 months and/or an unlimited fine.

You were not operating in accordance with an authorisation, due to breaching conditions on your premises licence. On this occasion, we have decided to take no further action other than to send this warning letter regarding the

breach. If further licensing issues arise in future, this incident will be taken into account should further action be deemed necessary.

Yours Sincerely,

Gary Norton 2965NW
Licensing Constable – Brent Police



**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

Mr Savan Patel
The Arch (Public House)
324 Harrow Road
HA9 6LL

Our ref: The Arch – Breach of License

NW BCU Licensing Department - Brent

Harrow Police Station
74, Northolt Road
Harrow
HA2 ODN
Tel: 020 8733 5008

Email: nwmailbox.licensingbrent@met.police.uk

Web: www.met.police.uk

Date: Monday the 4th of April 2022

Dear Mr Patel,

Further to our e-mail chains and the visits from myself and other officers to The Arch since the 26th of March 2022.

Uniformed officers attended The Arch on 26/03/2022 to conduct a licensing check due to the England V Switzerland friendly football match which was played at Wembley Stadium, with a kick off time of 17.30 hours.

The officers that attended on the 26/03/2022 informed me that the pub was still open with alcohol been served / consumed at 17.00 hours. As you know, your pub like the majority within the Wembley footprint must stop serving alcohol one hour prior to kick off, which would have been 16.30 hours.

Due to this report myself and Sergeant Clarke attended the Arch on 29/03/2022 where the three of us discussed this matter. There you confirmed that you had failed to abide with the conditions of your license on 26/03/2022. So there was no misunderstanding of your conditions you produced a copy of your premises license.

We read out the match day restrictions (section 10) which states *'The premises will close one hour prior to the designated kick off time and not to re-open until 15 minutes after kick off (football only)'*

When we read this out you didn't realise that the venue had to close, but were under the impression that you only had to stop serving / consuming alcohol. It is worrying that you, the DPS were unfamiliar with the conditions of your own premises license.

Due to this I asked you to provide me with CCTV from the 26/03/2022 from 16.30 to 18.00 hours. I received a USB stick via recorded delivery that you confirmed was from yourself. This footage would not play and the recordings showed the 29/03/2022 not the 26/03/2022 that I had asked for.

Due to this myself and Sergeant Clarke attended the Arch on 03/04/2022, which was another match day at Wembley Stadium. During this visit the venue was closed to customers with no alcohol been served, as per your premises license

There you showed me the footage of 26/03/2022 on your CCTV system. This footage showed that the pub was still busy with alcohol been served at 16.30 hours on 26/03/2022. The CCTV also showed that there were customers in your pub at 17.00 hours, with alcohol been consumed. I recorded your CCTV footage on my police issued body cam for evidential purposes.

Failing to stop serving and closing the venue at 16.30 hours on 26/03/2022 is a clear breach of your premises license.

A separate warning letter was sent to you on 06th of January 2022 by PC Norton

Please treat this e-mail / letter an additional warning letter.

If there are any other breaches of your license I will have no option but to consider reviewing your license

I have attached a copy of your premises license, so you have a digital copy which is dated 17th of August 2005. Please let me know if this is a different dated license than the one you have.

Moving forward, our visit on 03/04/2022 showed that the venue was closed with no customers inside one hour before kick-off at 15.00 hours (abiding by your match day restrictions). You state that you will be having a meeting with all your staff and SIA to explain the conditions of your license and the seriousness of this breach.

A special emphasis is put on all licensed premises to abide by their licensing conditions on match days at Wembley Stadium, with officers making licensing checks on these days. But please remind your staff that your licensing conditions apply all year round, regardless whether or not football is been played at our National Stadium.

If you have any questions or need any assistance please don't hesitate to contact me.

Yours Sincerely,

**PC Phil Graves 3122NW
NW BCU - Brent Licensing
Philip.Graves@met.police.uk**

QK - Brent Borough
QD - Wembley Police Station

Mr Savan Patel

Wembley Police Station
603 Harrow Road
Wembley
HA0 2HH
Telephone: 0208 733 3206
Facsimile:
Email:
Gary.L.R.Norton@met.pnn.police.uk
Your ref: FA Cup Final 2018/EFL
Championship/League 1 Finals 2018

12th July 2018

Dear Mr. Patel,

Sent via e-mail and post

I am writing this letter in response to two police visits to The Arch, Harrow Road, Wembley, which took place on 19th May and 26th May 2018. On each of these days there were major football events at Wembley Stadium, namely the FA Cup Final (Chelsea v Manchester United) and the EFL Championship Final (Aston Villa and Fulham).

I was present on both visits in the company of another colleague wearing body worn video. On both occasions, the venue was overcrowded and this clearly presented a concern for public safety. SIA security were present on the entrance and were utilising clicker counters to measure the flow in and out of the venue. On both occasions, the number of customers far exceeded the safe capacity of the premises as set out in your premises licence. For example, when asked how many fans were in when we attended at 1330hrs on 26th May 2018, security stated "650". Despite this, they were still allowing people in.

You applied for a TEN to allow licensable activities in the courtyard area, i.e. the sale of alcohol in the courtyard. However, having a TEN granted doesn't preclude the health and safety conditions in your licence, nor does it allow you to "add" to the safe number allowed. The safe capacity on your premises licence is 340 (not including staff). Having a TEN does not mean you can have as many as 499 in total to supersede your existing licensing conditions, nor 499 on top of the 340. When Security were asked how many were allowed in, he said 500. Either way, the premises clearly exceeded capacity.

Within your premises license, the following condition is present.

Annexe 2- Conditions consistent with the operating schedule, condition 14:

The maximum number of persons within the premises shall not exceed 340, not including staff.

By not complying to this condition you are breaching section 136 Licensing Act 2003, which carries a fine of up to £20,000 and/or up to 6 months imprisonment.

Operating a licensed premises on a major football event day is no easy task and requires a vast amount of responsibility. On this occasion the Police are prepared to give you a written warning for these breaches.

Yours Sincerely,

Gary Norton

Brent Police Licensing Officer

From: Esther.Chan@brent.gov.uk
Sent: Tuesday, September 11, 2018 1:14 PM
To: Nicola.McDonald@met.police.uk; Business Licence
Cc: Yogini.Patel@brent.gov.uk; Legister, Linda
Pearce, Chris <Chris.Pearce@brent.gov.uk>
Subject: RE: The Arch Harrow Rd Wembley

Dear Business Licence,

Please can you create a case and assign to me to investigate. Attached are images which PC Michael sent me.

I will be visiting the premise with Chris Pearce to check the plan and fire exits.

Kind Regards
Esther Chan

From: Nicola.McDonald@met.pnn.police.uk
Sent: 11 September 2018 13:09
To: Business Licence <business.licence@brent.gov.uk>
Cc: Patel, Yogini <>; Legister, Linda <>; Chan, Esther <>; Pearce, Chris <>
Subject: The Arch Harrow Rd Wembley

Dear team

Savan Patel DPS has not been forthcoming with CCTV for a serious crime that occurred outside the venue.

After my interference it became apparent the CCTV had only been recording for 14days breaching condition 1.

Savan contacted me on Friday to say CCTV engineer attended and now recording for 40days.

Visited premises today with Mike

Prem licence summary that was displayed was dated 2014 in the name of star pubs, it was to the side of the bar.

Asked to see the full part A, the one he produced was again the old licence from 2014 with no full set of plans.

I had taken prem licence dated 9/12/2015 with me.

Savan had no idea of the conditions except the football match day conditions.

I went through all the conditions

Breaching

3. Door supervisors not working 4 hours prior to designated kick off

7. No incident log

9. Outside areas are open until 0100hrs

11. Not one visible

12. No noise limiter

14. Not sure if this is a true capacity, one fire exit locked and not in use as it leads on to a new structure. Chris and Esther visiting tomorrow

15. No entry re-entry policy. People can come and go at will.

18. No notices

Annexe 3

4. No signs.

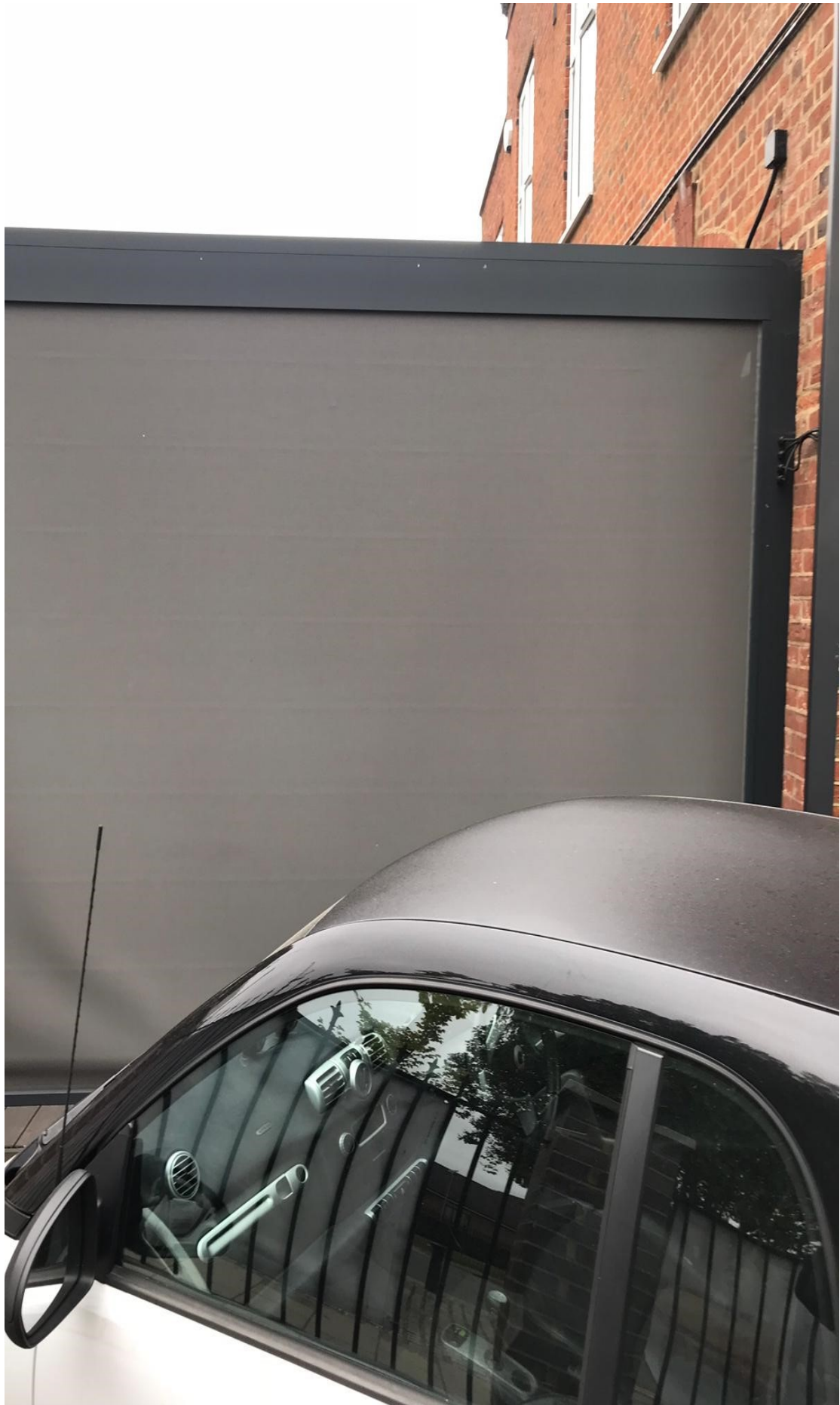
Told that until he complies with the licence conditions he will be committing an offence if he sells alcohol or has LNR and entertainment after 2300hrs.

Advised to contact licensing authority immediately to obtain the correct premises licence with plans. Without this he has no idea of his conditions.

He was still struggling to operate the CCTV.

There is a new structure outside the front of the premises (large retractable canopy) that has been subsidised by Heineken, the premises licence needs to be varied to include new plans.

Nicola



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WITNESS STATEMENT

Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9; Magistrates’ Courts Act 1980, s.5B

URN

Statement of: Paul Jennings

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: *Paul Jennings* (43000) Date: 22/02/2023

I am the Dedicated Football Officer for Wembley Stadium and Central London, working in the Central Football Unit of MO6 (Public Order and Resources Command) of the Metropolitan Police Service. I have been working regularly within Football Intelligence deployments since 2004 and have been working full time as a Dedicated Football Officer since 2010. I have been the Dedicated Football Officer for Wembley Stadium since November 2021. Since Wembley Stadium officially reopened in May 2007, I have been deployed at the majority of football fixtures there, in an intelligence or Operational Football Officer role.

For many years I have found the policing of Wembley Stadium to be a frustrating role due to the high levels of intoxication and the resulting elevated levels of antisocial behaviour that is a direct result of the alcohol consumption amongst a significant number of supporters. The correlation between levels of intoxication and patterns of behaviour including antisocial behaviour and pockets of disorder are clear to see.

Mixing of groups of opposing supporters is often the catalyst to spontaneous disorder occurring. This is why we consider it to be prudent for supporters not to mix in licensed premises around Wembley Stadium. It is also the reason for requesting a geographic split of the licensed premises taking different groups. The mixing of supporters both inside licensed premises and around the wider footprint of the event would require an uplift in resources. This not only puts great demands on the already stretched policing resources and operation but inevitably results in the officers being taken away from front line policing in communities around London.

Premises not serving alcohol for an hour before kick-off greatly assists in the safe ingress of thousands of supporters. Without this, we would inevitably see a later walk up of large numbers of supporters, often under the influence of alcohol, putting increased pressure on the stewarding operation and on the turnstiles themselves increasing the rise to both supporters, staff and police officers.

The issue presented by the presence of ticketless supporters was highlighted in Baroness Casey review of the UEFA Euro 2020 Final. Licensed premises showing live football during matches at Wembley matches would only serve to attract ticketless supporters to the area. This would increase the potential for antisocial behaviour in the area but also deprives those with tickets of the opportunity to find somewhere to drink before the match. This then has the knock-on effect of increasing the likelihood of supporters engaging in street drinking in breach of the council’s Public Space Protection Order.

Witness Signature: *Paul Jennings* (13000)

Signature Witnessed by Signature:

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London Borough of Brent

Decision of the Alcohol and Entertainment Licensing Sub-Committee following a hearing on 29 March 2023 at Brent Civic Centre, Engineers Way, Wembley HA9 0FJ, in Person

NOTICE OF DECISION

PREMISES

The Arch
324 Harrow Road
Wembley
HA9 6LL

1. Members of the Sub-Committee

Councillors Ahmed (Chair), Bajwa and Long.

2. The Application

The application is for a variation to a premises licence to (1) extend the terminal hour for licensable activities on Fridays and Saturdays until 2.00am the following day; (2) extend the opening hours on Fridays and Saturdays until 02.30am the following day; (3) permit the sale of alcohol externally; (4) remove and amend certain conditions; and (5) add a new condition, under section 17 of the Licensing Act 2003.

The existing licence, number 202011, was granted in 2005.

Written representations were received and remained outstanding from the Metropolitan Police.

3. Representation

The Applicant attended and was represented by George Domleo of Flint Bishop LLP.

The Metropolitan Police was represented by Phil Graves and Paul Jennings

The Licensing Authority was represented by Linda Legister.

4. The Hearing

Cllr. Ahmed opened the meeting and all attendees introduced themselves. Ms. Linda Legister introduced the application.

Mr Phil Graves, Licensing Officer for the Police, confirmed which conditions remained in dispute. He described his main concern as being the number of breaches at the venue in the past few years and the real and potential effect of breaches on neighbours, particularly on event days. The majority of the warning letters concerned events on stadium days and noise, both of which were what this application was for. The most recent warning letter on 26th March 2022 related to an event at the stadium where the existing licence requires the premises to be closed one hour beforehand. When Mr Graves spoke to Mr Patel, he was not aware that the pub was meant to be closed on event days. As DPS for many years, he should have known. There was a further warning in January 2022. In May 2022 on two occasions the venue exceeded its permitted capacity. On 11th September 2018 a warning related to the download of CCTV for the police, which was not done. There was a previous application almost identical to the one being made.

As regards capacity and noise, figures were already in place for the external and internal areas. There were no changes to the layout or plans. They had allowed the increase in hours to help a pub recovering from Covid and considering the impact on the hospitality industry but he could not see how, with multiple previous warnings and increased hours, an increased capacity would be fair on local residents. The main reason the police do not want games shown on event days is ticketless fans. They are the ones that go drinking and then cause problems around the stadium and around Wembley. Mr Graves referred to the “national shame” at the Euro finals and the damage caused which he said all went back to ticketless fans. The police have to pick up the pieces of crime and disorder. When pubs stop the drinking an hour before and stop showing football, and when that is enforced by the police, crime figures plummet. With alcohol in the streets when people turn up to watch the games in the Wembley footprint, there is crime and disorder. He wanted to control this so that when our games are shown across the world, it does not look like a riot.

In response to questions from Cllr Long, Mr Graves stated that the problem with more smokers outside in the garden area was the noise created. Having a smoking area within the confines of the garden made sense but he was concerned to limit the number of people out there late at night. He would not object to the number of persons permitted being increased to ten plus staff and SIAs rather than ten inclusive. He did not know whether music from inside the premises would be audible inside local residents’ houses. He did not know of any complaints about music generated from inside the pub but, to the best of his knowledge, residents complained about music and noisy drinkers outside. There were no representations from the Council’s Noise Team.

Any new licence within the Wembley footprint will not be allowed to show the game. What Mr Graves was keen to avoid was individuals loitering around drunk: fans inside the stadium do not cause problems. It would take about 10 or 15 minutes to get into the stadium from the Arch on an event day. Mr Patel confirmed that there was one entrance to the premises from the street and three entrances to the garden area from inside.

There was discussion concerning the two plans within the papers and the extent of the licensed premises and area where licensable activities may take place.

In response to questions from Cllr Bajwa, PC Jennings stated that spaces in pubs taken up by those not attending the game displaced those who are into the streets, leading them

to go further afield, go to off-licences and then drink in the Wembley footprint. The goal was trying to keep licensed premises for those with match tickets. Showing the game attracts ticketless fans to the area, causing double problems for residents and supporters. General admission to Wembley is 2 hours before and at that point supporters can get inside to have a drink. The Metropolitan Police were also trying to move to a lighter touch, freeing up police officers for duties in other parts of London. They are trying to avoid a repeat of the events during the Euros but that has not been the only incident. There have been incidents of throwing cans, fighting and disorder on a number of other occasions and the police want to continue with their policy of lower tolerance of such behaviour as that is working well for other residents.

Mr Graves confirmed that he would not object to 100 persons in the outside area provided that did not conflict with the overall capacity conditions.

Mr Domleo stated on behalf of the Applicant that there were four conditions that could not be agreed upon. The application is not for a review but for a variation. His client and the police had agreed 17 new conditions, the re-wording of some, and four conditions only were outstanding. He maintained the points in his written submissions on the live/recorded music. On the TV broadcasting point, acknowledging the police view that it only applied to Wembley matches, he again maintained the points in his written submissions. There are a substantial number of door supervisors on duty on match days.

On the question of capacity, the current wording is unclear and he took the view that it meant 100. They sought an increase to a maximum of 150 persons in the outside seating area. The actual capacity is more than 150 persons so his client was actually looking only to increase it to what would be reasonable. There was also no change in the overall capacity so the increase was sought for greater flexibility and flow between the interior and exterior. A capacity of 430 for the whole of the premises would be appropriate, given the previous confusion on the point, and simpler to enforce. Alternatively, he would seek the increase to 150 persons.

The final condition disputed was the number of persons smoking outside. The restriction on use after midnight was accepted but the restriction on smoking capacity would be disproportionate and his client would struggle to comply. At any one time, the number of smokers could be limited to as few as three people depending on the number of staff and that would be completely impractical given the overall capacity of the venue. At present, drinking is permitted outside until 11.30pm. The increase sought and not objected to is until 12.00am. Currently, smoking outside is permitted until 1.30am daily. Any limit on the number of smokers should be limited to the 1.30-2.30am period. There had been no complaints about smokers. Environmental Health had not objected, nor had any local residents.

The licence holder agreed with the need to update the conditions but the restriction on external capacity and on smokers after midnight would be a step too far. Licensing is a balancing exercise between the legitimate business interests of licence holders and the needs of the community. His client had cooperated with licensing authorities and with police in agreeing conditions. If problems arise, a review can be sought.

In response to questions from Cllr Long, Mr Domleo confirmed that the moveable bar will not be moved outside the covered area surrounded on the plan by the red line. Markers could be added on the floor if it assisted and an updated plan could be submitted to form part of the premises licence if that would assist. He confirmed, however, that there is no requirement to mark the location of the bar within the licensable area.

Mr Patel confirmed that around 80% of his customers smoke. If the Councillors were minded to impose a limit, notwithstanding that there is no current limit on the number of smokers, Mr Domleo suggested 25 customers as a compromise from 1.30am until 2.30am. At present, up to 30 or 40 people might be smoking or getting fresh air in the beer garden after 11.30pm. The number of security guards will vary from night to night: the licence holder will hire more for high-risk or very busy nights. Before an event the pub might be almost full to capacity depending on the nature of the match, then roughly half the numbers will come back to the pub after the match. The numbers do vary depending on who won or lost the match. Returning customers might stay for another two or three hours afterwards. More people will go home if the match is a Sunday and more will stay if it is a Saturday. It depends a lot on the nature of the event.

The licence holder has never had any issues with SIAs and gets security guards through an external firm. If one of them has to leave, the company will send another. They will work flexibly or the company will. It has never been a problem for him.

There are five screens outside and others inside. The Sky and BT Sports bills come to £3,000/month and that bill has to be paid. The number of people who will come to watch a local Wembley match varies depending on the day and the match. Not every match will be shown but he sought the flexibility to show matches if there were still fans in the pub who wanted to see it.

To control noise nuisance, Mr Patel said that staff in the external area and door staff would tell people to keep quiet. Noise is monitored consistently by door staff and staff on duty in the outside area. Mr Domleo stated that victorious fans currently return to the Arch and other pubs in the area yet there have been no complaints. On non-match days, the pub can be busy if it has a booking but might be quiet otherwise. The business is still trying to come out of Covid. The hotel is run by a housekeeper and receptionist only. There might be 20 total staff on a busy day but not on a quiet day.

In response to questions from Cllr Bajan, Mr Patel said that his previous lack of knowledge of the licence conditions was a mistake on his part as to the wording. Some licences say stop serving and others say close so he believed he could stop serving but still have individuals on the premises. Mr Domleo confirmed that his client has a good relationship with residents in the immediate area and reminded the sub-Committee that there have been no representations or objections from local residents or Environmental Health. There were mechanisms such as review to deal with any issues that might arise in future with the extended hours and potential increased outdoor capacity. Mr Patel accepted that he had gone into the hour when he was meant to be closed but there had been no crimes, no fights etc. on the premises for 7 years. He said he held his hands up and accepted that he should have known he had to close but this is his livelihood.

Mr Domleo pointed out that the application in 2019 was for longer hours and more days and said that he could understand why his client abandoned it. His client had since worked in consultation with the police and other bodies and the present application was more limited and more up-to-date.

No more toilets will be required because there is no proposed overall increase in capacity – only of the outside area – and there will be at least one personal licence holder on the premises at all times. Mr Patel has two authorised deputies but they are not personal licence holders.

By way of summary, Mr Graves confirmed that the police and Applicant were agreed on most points. He agreed that the capacity condition was confusing and needed to be rewritten but he did not think it should go over 100 otherwise that would have an impact on neighbours. He did not want to put the premises in a situation where problems might occur and require a review. He was content with 25 customers plus staff in the outdoor smoking area as a compromise. He had made his views on ticketless fans clear and they go into these premises. The police sought standard terms across all venues in the Wembley footprint to avoid the scenes that had happened before. They needed conditions in place to stop the problems escalating. The licence is very old. He accepted that showing TV is not a licensable activity but said that that did not mean it could not go on a licence, as many other conditions on licences are not.

By way of summary, Mr Domleo stated that the premises could have music outside up to 11pm in any event. The sticking point appeared to be the capacity request. The actual capacity is more than 150 persons but this is a compromise position and Mr Graves' concern was about potential noise. The evidence is that 100 people up to 11.30pm had not generated any noise complaints or objection from Environmental Health. They are the experts in noise nuisance and that is their remit. The 25-customer limit should be from 1.30am until 2.30am only, as presently there is no limit until the premises close at 1.30am. He was pleased that the police and licence holder had been able to work together to reach as many agreements as they had. Any breaches of the new conditions could engage the review mechanism or the Environmental Health noise abatement notice mechanism. Staff training can be looked at and Mr Patel will have to update staff in an event if there are any changes to the licence terms. He asked that his client be allowed the 150 customers outside until midnight.

5. Determination of the Application

Pursuant to section 18(3) of Licensing Act 2003, the sub-committee had regard to the representations and considered which of the steps listed in section 18(4) (if any) it considered appropriate for the promotion of the licencing objectives namely:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

In making its decision the sub-committee also had regard to the Home Office Summary Review Guidance and Brent's licensing policy. In addition, the sub-committee took account of its obligations under section 17 of the Crime and Disorder Act 1998.

6. Decision

The sub-committee listened carefully to the representations made by the parties at the hearing and took into account the written representations.

The sub-committee decided that it was appropriate to grant the variations sought in part, for the following reasons:

- 1) They felt that the licensing objectives would be achieved by the conditions to be imposed.
- 2) There was some concern stemming from the previous breaches of the licence and the licence holder's failure to be fully conversant with the terms of that licence but the sub-Committee noted, as pointed out by the agent, the existence and purpose of the review mechanism.
- 3) The sub-committee discussed the concerns raised by the Metropolitan Police about the playing of live/recorded music but noted that that is not a licensable activity provided it is played only between the hours of 8am and 11pm.

In order to promote the licensing objectives, the following conditions already agreed will be imposed:

- 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 upon request.
- 2) CCTV cameras shall be installed to cover the main entrance and exits, as well as the outside seating area, the entrance gates and the interior bars.
- 3) A member of staff trained in the use of the CCTV system shall be available at the premises at all times that the premises are open for trading.
- 4) The CCTV system shall display on any recordings the correct date and time of the recording.
- 5) The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulder image of every person entering or leaving the premises.
- 6) A 'Challenge 25' policy shall be adopted and adhered to at all times.
- 7) A sign stating "No proof of age - No sale" shall be displayed at the point of sale.
- 8) 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) any complaints received;
 - (b) any incidents of disorder;
 - (c) any faults in the CCTV system; and
 - (d) any visit by a relevant authority or emergency service.

- 9) A refusal book detailing date and time of the refused sale (of alcohol), the name of the person refusing the sale and a description of the person attempting to purchase alcohol, shall be kept and maintained and made available for inspection by authorised officers from Brent Council or the police.
- 10) A copy of the premises licence summary including the hours during which licensable activities are permitted shall be visible from the outside of each entrance to the premises.
- 11) Any staff directly involved in selling alcohol for retail to consumers and staff who provide training including managers shall undergo regular training of the Licensing Act 2003 legislation (at least every 12 months). The training shall be documented and signed off by the DPS and the member of staff receiving the training. This training log shall be kept centrally and made available for inspection by police and relevant authorities upon request.
- 12) Off-sales of alcohol in sealed containers only. This does not include the garden or any other area as defined in the plan submitted to Brent Council.
- 13) Customers shall not be permitted to take glassware or any other open drink container, save for recognisable soft drink containers, outside the premises as defined on the plan submitted to and approved by the Licensing Authority.
- 14) When SIA Security are deployed, they shall wear clothing that can be clearly and easily identified on CCTV.
- 15) A register.log containing the names, badge number, dates and times of duty security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.
- 16) No noise or vibration shall be detectable at any neighbouring noise sensitive premises.
- 17) Notices asking customers to leave quietly shall be displayed conspicuously at all exits/entrances.
- 18) 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.
- 19) Exits shall not be obstructed (including by curtains, hangings or temporary decorations), and accessible via non slippery and even surfaces, free of trip hazards and shall be clearly identified.
- 20) 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 suitable protected by a residual current device (RCD having a rates residual operating current not exceeding 30 milliamps).
- 21) The Premises Licence Holder shall produce proof of full compliance with the Home Office “AN EMPLOYERS GUIDE TO RIGHT TO WORK CHECKS” – April 2022 or any subsequent issue. This proof must be available to be produced on demand to an Authorised Officer of Brent Council, a Police Officer or Home Office Immigration Officer.
- 22) No entry or re-entry shall be permitted after 00.00 hours (midnight).
- 23) A noise limiter set at a level agreed by Brent Council’s Licensing Unit shall be used at all times during regulated entertainment
- 24) The sale of alcohol in the front outside area shall be permitted from 10.00hrs until 22.00hrs daily.
- 25) Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises.

26) All external doors and windows must remain closed at all times when amplified live or recorded music, karaoke or disc jockey is provided at the premises.

Match Day Restrictions

27) The DPS or deputy shall work in partnership with the Police and if necessary comply with any direction given by a senior Police Officer, or Licensing Authority, on duty at the event. These directions may include:

- (a) Ceasing the sale of alcohol for a period of time. This will be monitored and the supply of alcohol reinstated as soon as is possible.
- (b) Closing the entire premises for a period of time. This will be monitored and the premises reopened as soon as possible.

28) Customers shall not be allowed to congregate outside the premises / garden area.

29) No drinks shall be served in glass containers, but decanted into plastic, polycarbonate or toughened plastic drinking vessels.

30) Alcoholic beverages shall not be sold or supplied one (1) hour before the designated kick off or start time of the event and will not resume until fifteen (15) minutes after the game, match or event has started. This only applies to Football matches

31) The premises shall only take one set of football supporters on match days. (Details of the team splits will be communicated by the police / council on a game to game basis).

32) No children shall be admitted unless accompanied by a responsible adult.

33) The number and timings of SIA registered door staff required shall be risk assessed, but a minimum of two (2) SIA registered security shall be put in place at least 4 hours before the designated kick-off time. They will remain on site until at least 2 hours after the game has finished.

The committee have decided to impose the following conditions:

34) Subject to any updated and future risk assessment, the maximum number of customers allowed on the premises will be:-

- (a) 300 on normal trade days;
- (b) 380 on football event days;
- (c) Provided the overall capacity in (a) or (b) above is not exceeded, the number of customers in the outdoor area of the premises shall not exceed 100 at any time.

35) No alcohol shall be served or consumed in the outdoor area of the premises past 12.00am (midnight) on any day of the week. After midnight, the following conditions apply:

- (a) From midnight until 1.30am on any day no more than 100 customers, excluding staff, may be present in the outdoor area, e.g. whilst smoking; and
- (b) On the nights/early hours of Fri-Sat and Sat-Sun, no more than 25 customers, excluding staff, may be present in the outdoor area from 1.30am until 2.30am.

36) The premises will not show live domestic or international televised football matches on football event days.

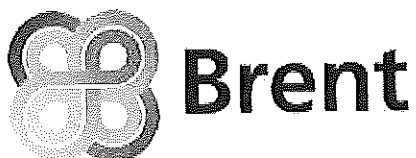
7. Right of Appeal

The applicant and any person who made relevant representations has the right to appeal against this decision pursuant to section 181 and schedule 5 of the Licensing Act 2003.

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.

Dated 4 April 2023

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Regulatory Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

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

Online Ref. No:
Application No: 27115
Date: 02 May 2023

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

Original grant date: 17 August 2005
Current issue date: 29 March 2023

A handwritten signature in black ink, appearing to be 'G. G. G.', written over a light blue grid background.

Authorised signatory

Premises licence number: 202011

Part 1 – Premises Details

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

The Arch
324 Harrow Road, Wembley, Brent, HA9 6LL

Where the licence is time limited the dates

Licensable activities authorised by the licence

Section B: Films
Section C: Page 61
Section D: Sporting events
Section E: Live music

Section F: Recorded music
 Section H: Anything of a similar description to that falling within (E), (F) or (G)
 Section I: Provision of late night refreshment: Indoors
 Section J: Sale of alcohol: Both

The times the licence authorises the carrying out of licensable activities

Section B: Films

Day	Start Time	End Time
Monday	07:00	01:30
Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	02:00
Saturday	07:00	02:00
Sunday	07:00	01:30

An additional hour to the standard and non-standard times on the day when British Summertime commences.

Section C: Indoor sporting events

Day	Start Time	End Time
Monday	07:00	01:30
Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	02:00
Saturday	07:00	02:00
Sunday	07:00	01:30

An additional hour to the standard and non-standard times on the day when British Summertime commences.

Section E: Live music

Day	Start Time	End Time
Monday	07:00	01:30
Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	02:00
Saturday	07:00	02:00
Sunday	07:00	01:30

An additional hour to the standard and non-standard times on the day when British Summertime commences.

Section F: Recorded music

Day	Start Time	End Time
Monday	07:00	01:30

Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	02:00
Saturday	07:00	02:00
Sunday	07:00	01:30

An additional hour to the standard and non-standard times on the day when British Summertime commences.

Section H: Anything of a similar description to that falling within (E), (F) or (G)		
Day	Start Time	End Time
Monday	07:00	01:30
Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	02:00
Saturday	07:00	02:00
Sunday	07:00	01:30

An additional hour to the standard and non-standard times on the day when British Summertime commences.

Section I: Provision of Late Night Refreshments: Indoors		
Day	Start Time	End Time
Monday	23:00	01:30
Tuesday	23:00	01:30
Wednesday	23:00	01:30
Thursday	23:00	01:30
Friday	23:00	02:00
Saturday	23:00	02:00
Sunday	23:00	01:30

An additional hour to the standard and non-standard times on the day when British Summertime commences.

Section J: Sale or Supply of Alcohol: Both		
Day	Start Time	End Time
Monday	10:00	01:00
Tuesday	10:00	01:00
Wednesday	10:00	01:00
Thursday	10:00	01:00
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	01:00

07:00 New Year's Eve - 01:00 on 2nd January.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

The opening hours of the premises

Day	Start Time	End Time
Monday	07:00	01:30
Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	02:30
Saturday	07:00	02:30
Sunday	07:00	01:30

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Both

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of the premises licence

Indes Bar Limited

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Savan Patel

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Licence Number: [REDACTED]
Issuing authority: [REDACTED]

Annex 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—

1. (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)—value 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).

Annex 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 upon request.
2. CCTV cameras shall be installed to cover the main entrance and exits, as well as the outside seating area, the entrance gates and the interior bars.
3. A member of staff trained in the use of the CCTV system shall be available at the premises at all times that the premises are open for trading.
4. The CCTV system shall display on any recordings the correct date and time of the recording.
5. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulder image of every person entering or leaving the premises.
6. A "Challenge 25" policy shall be adopted and adhered to at all times.
7. A sign stating "No proof of age - No sale" shall be displayed at the point of sale.
8. 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. any complaints received;
 - b. any incidents of disorder;
 - c. any faults in the CCTV system; and
 - d. any visit by a relevant authority or emergency service.
9. A refusal book detailing date and time of the refused sale (of alcohol), the name of the person refusing the sale and a description of the person attempting to purchase alcohol, shall be kept and maintained and made available for inspection by authorised officers from Brent Council or the police.
10. A copy of the premises licence summary including the hours during which licensable activities are permitted shall be visible from the outside of each entrance to the premises.
11. Any staff directly involved in selling alcohol for retail to consumers and staff who provide training including managers shall undergo regular training of the Licensing Act 2003 legislation (at least every 12 months). The training shall be documented and signed off by the DPS and the member of staff receiving the training. This training log shall be kept centrally and made available for inspection by police and relevant authorities upon request.
12. Off-sales of alcohol in sealed containers only. This does not include the garden or any other area as defined in the plan submitted to Brent Council.
13. Customers shall not be permitted to take glassware or any other open drink container, save for recognisable soft drink

containers, outside the premises as defined on the plan submitted to and approved by the Licensing Authority.

14. When SIA Security are deployed, they shall wear clothing that can be clearly and easily identified on CCTV.

15. A register.log containing the names, badge number, dates and times of duty security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.

16. No noise or vibration shall be detectable at any neighbouring noise sensitive premises.

17. Notices asking customers to leave quietly shall be displayed conspicuously at all exits/entrances.

18. 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.

19. Exits shall not be obstructed (including by curtains, hangings or temporary decorations), and accessible via non slippery and even surfaces, free of trip hazards and shall be clearly identified.

20. 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 suitable protected by a residual current device (RCD having a rates residual operating current not exceeding 30 milliamps).

21. The Premises Licence Holder shall produce proof of full compliance with the Home Office "AN EMPLOYERS GUIDE TO RIGHT TO WORK CHECKS" -- April 2022 or any subsequent issue. This proof must be available to be produced on demand to an Authorised Officer of Brent Council, a Police Officer or Home Office Immigration Officer.

22. No entry or re-entry shall be permitted after 00.00 hours (midnight).

23. A noise limiter set at a level agreed by Brent Council's Licensing Unit shall be used at all times during regulated entertainment

24. The sale of alcohol in the front outside area shall be permitted from 10.00hrs until 22.00hrs daily.

25. Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises.

26. All external doors and windows must remain closed at all times when amplified live or recorded music, karaoke or disc jockey is provided at the premises.

Match Day Restrictions

27. The DPS or deputy shall work in partnership with the Police and if necessary comply with any direction given by a senior Police Officer, or Licensing Authority, on duty at the event. These directions may include:

a. Ceasing the sale of alcohol for a period of time. This will be monitored and the supply of alcohol reinstated as soon as is possible.

b. Closing the entire premises for a period of time. This will be monitored and the premises reopened as soon as possible.

28. Customers shall not be allowed to congregate outside the premises / garden area.

29. No drinks shall be served in glass containers, but decanted into plastic, polycarbonate or toughened plastic drinking vessels.

30. Alcoholic beverages shall not be sold or supplied one (1) hour before the designated kick off or start time of the event and will not resume until fifteen (15) minutes after the game, match or event has started. This only applies to Football matches

31. The premises shall only take one set of football supporters on match days. (Details of the team splits will be communicated by the police / council on a game to game basis).

32. No children shall be admitted unless accompanied by a responsible adult.

33. The number and timings of SIA registered door staff required shall be risk assessed, but a minimum of two (2) SIA registered security shall be put in place at least 4 hours before the designated kick-off time. They will remain on site until at least 2 hours after the game has finished.

Annex 3 – Conditions attached after a hearing by the licensing authority

34. Subject to any updated and future risk assessment, the maximum number of customers allowed on the premises will be:-

- a. 300 on normal trade days;
- b. 380 on football event days;
- c. Provided the overall capacity in (a) or (b) above is not exceeded, the number of customers in the outdoor area of the premises shall not exceed 100 at any time.

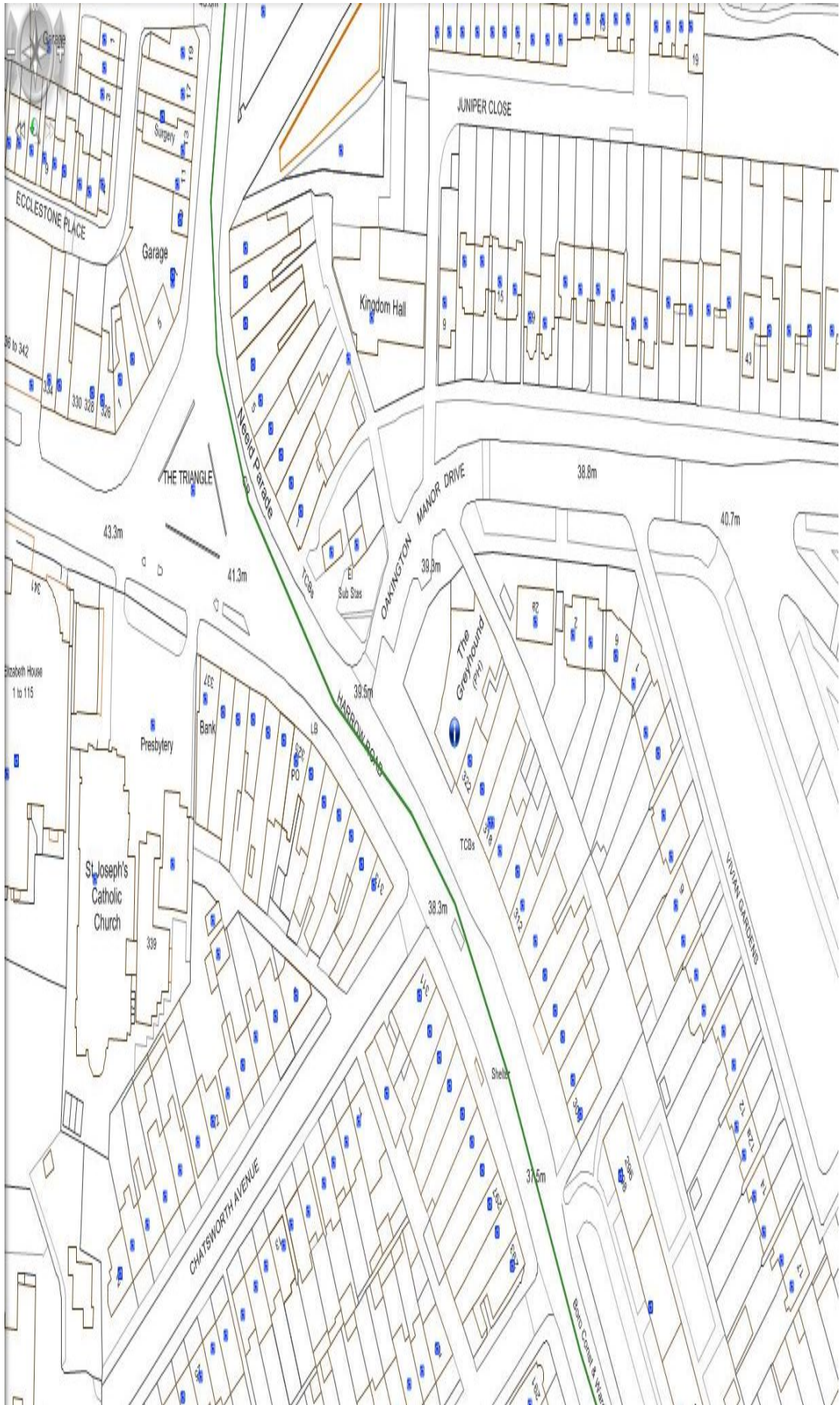
35. No alcohol shall be served or consumed in the outdoor area of the premises past 12.00am (midnight) on any day of the week. After midnight, the following conditions apply:

- a. From midnight until 1.30am on any day no more than 100 customers, excluding staff, may be present in the outdoor area, e.g. whilst smoking; and
- b. On the nights/early hours of Fri-Sat and Sat-Sun, no more than 25 customers, excluding staff, may be present in the outdoor area from 1.30am until 2.30am.

36. The premises will not show live domestic or international televised football matches on football event days.

Annex 4 – Plans

See attached



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