



# APPLICATION FOR A REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in **block capitals**. In all cases ensure that your answers are inside the boxes and written in **black ink**. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I...Police Constable Nicola McDonald, on behalf of the Commissioner of the Metropolitan Police Service.....

..... *[insert name of applicant]* **apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable).**

### Part 1 – Premises or club premises details

<b>Name and postal address of premises or, if none, ordnance survey map reference or description</b> Masters 217 Kenton Road,	
<b>Post Town</b> Harrow	<b>Post Code (if known)</b> HA3 0HD
<b>Name of premises licence holder or club holding club premises certificate (if known)</b>	
<b>Number of premises licence or club premises certificate (if known)</b> 201354	

## Part 2 - Applicant details

I am

Please tick ✓ Yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

### (A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

Surname

First names

Please tick ✓ Yes

I am 18 years old or over

Current postal  
address  
if different from  
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

### (B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Nicola McDonald Police Constable on behalf of the chief officer of Police for Brent Borough Wembley Police Station 603 Harrow Road Wembley HA0 2HH
Telephone number (if any) 020 8733 3206
E-mail address (optional) Nicola.Mcdonald@met.police.uk

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input type="checkbox"/>            |

**Please state the ground(s) for review** (please read guidance note 1)

The premises licence for Masters has been reviewed previously in July 2013 by means of an expedited review, just eight months prior to the most recent assault. Since the previous review when the licensing hours were reduced the management has continued to fail to uphold the licensing objectives of the prevention of crime and disorder and public safety.

The following breaches of licensing legislation and criminal offences that have been committed at the premises:

Assault occasioning actual bodily harm

Conducting licensable activities without authority: The premises were open to the public and supplying alcohol after 0100 hours on 29th March 2014. The premises were supplying alcohol on 29th March 2014 whilst CCTV was not recording (breach of premises licence condition). The designated premises supervisor recognised that the CCTV was not operating correctly but failed to take action and still authorised sales for several different days.

The designated supervisor failed to complete the door supervisor's log, but allowed the door supervisors to complete the log themselves. He did not challenge or supervise the dates, times or Security industry authority badge numbers entered on that log. This lack of supervision has permitted incorrect if not fraudulent entries.

The designated premises supervisor has been employing a door supervisor directly without a Non Front Line Licence from the Security Industry contrary to the Private Security Act 2001.

Despite the previous premises licence review the management have failed to step up their performance, nothing has changed. In order to maintain their business it would appear that the management have been opening the premises to the public without authority and neglecting

their duty to public safety and as a result crime as occurred. By failing to maintain the CCTV, or make it available for authorities to view, Police believe the assault could be denied by management.

The operators of this venue have been given advice on numerous occasions and the opportunity to improve missed. Police now consider the only option to secure the promotion of the licensing objectives is to revoke the premises licence.

**Please provide as much information as possible to support the application** (please read guidance note 2)

**12th June 2013**

Brent Police Licensing make an application for an expedited review of the premises licence for Master in response to a serious assault

**9th July 2013**

Licensing sub committee hearing for the review application, resulted in premises having to stop licensable activities at 0100 and close to the public at 0130 hours, in addition there are some new operational conditions.

**7th March 2014**

**Temporary Event Notice (TEN)** logged with Brent licensing authority for an event described as 'Masters Anniversary Party'. Notice made by Mr Louriston Lorainey, the designated premises supervisor (DPS), for licensable activities (sale of alcohol, regulated entertainment, late night refreshment) at the premises on 30th March 2014 from 2100 hours to 31st March 2014 at 0300 hours.

This TEN was responded to by a formal **letter of representation** written by Nick Mortimer Brent Police. Mr Mortimer requested to see an event plan for the functions and that if the function were to be permitted the venue operate in accordance with the existing premises licence conditions.

**10th March 2014**

An email received from Josie White on behalf of Mr Lorainey agreeing to Mr Mortimer's representation requests and it also included a copy of the event plan/**risk assessment**. In reply to this Mr Mortimer withdrew his representations.

**29th March 2014**

**CRIS 1907475/14**

Allegation of assault and robbery made to Police, initially to Herts Police at Watford Hospital at 0400 hours and then in person to at Harrow Police Station (Met Police) at 2000 hours on the same day. Victim alleged he had entered Masters Bar Kenton Road at about 0300 hours on 29th March 2014 with a friend. He paid to enter the premises. Within a short time of been in the bar he was set upon by another male who assaulted him and stole his mobile phone and money. The victim managed to get out of the bar, the assault continued outside. The victim managed to get away to his car and get to hospital.

**1st April 2014**

PC McDonald e mailed Mr Lorainey. The allegation of assault was made to him and a copy of the CCTV from the premises at the time of the assault was requested. PC McDonald received an **email** back from Mr Lorainey saying he was out of the country until 3rd April.

**4th April 2014**

Telephone conversation between PC McDonald and Mr Lorainey. Mr Lorainey informed PC McDonald that the CCTV was not operating on 29th March 2014, that the hard drive was not recording correctly. **Email** detailing the conversation made during the phone call.

PC McDonald sent a **formal letter** to Mr Lorainey and his bar manager Mr Kelvin Piper appealing for clarification of the date of the TEN, to examine the SIA door supervisor log and the incident book. Police requested a meeting with both males.

**9th April 2014**

At 1200 hours PC McDonald and Mr Mortimer attended Masters Bar while the premises were closed to the public. At the meeting was Mr Lorainey, Mr Piper and Ms White. I asked if the TEN was on 29th March. Mr Piper said no, that the TEN was definitely on 30th March 2014. Mr Piper said the premises were closed at 0300 hours when the victim alleged the assault had taken place. I asked was there anyone in the premises at 0300 hours. He said he was still at the venue with a DJ 'Ed Master' and two door security officers, one of them was Wayne. Police explained on 29th March the venue should have been closed to the public at 0130 hours and asked why door supervisors were still on the premises at 0300 hours when they would not be

getting paid. Mr Piper said he was cleaning the music equipment and that he gives lifts to the door supervisors. Police asked if there was any customers still on the premises at 0130 hours on 29th March, Mr Piper replied there was about five girls waiting for a cab. Police then spoke about the failure of the CCTV. Mr Lorainey told Police he knew it was not working on the Tuesday before that weekend. PC McDonald then explained to permit licensable activity otherwise than with authority was an offence and conditions of the premises licence are to be adhered to. Police explained that the victim of the assault had specifically stated a female security officer had taken the money from them when entering Masters, and the same female had said to the assailant 'leave him now, that's enough', when he was still being attacked on the pavement outside the bar.

Police asked to see the SIA door supervisor log (**see photos NM/1 & NM/2**). Mr Lorainey informed Police upon request, the security officers complete the log There is no entry i.e. no door supervisors working on the night of the TEN (29-30th). However there are two door supervisors working on the night of the assault (28-29th). One is female logged as Kay and the other D Berhane both shown as working for Evoke Security. Disappointingly the door supervisor log has been over written on numerous occasions including this particular date. The two door supervisors are shown as booking on duty at 2100 hours 28th March and booking off duty 0300 hours 29th March. This is very doubtful when the premises close to the public at 0100 hours. Police do not know of any premises that retain the door supervisors for work when the venue is closed to the public. Mr Piper confirmed Kay is a female and her surname is Kalpana Gokulara, and the second supervisor is Daniel Berhane The manager of Evoke security is called James Noel and his business phone number was provided.

The toilet check log (**NM/3**) again clearly shows checks on the night of the assault but no checks carried out on the night of the TEN.

Refusals book (NM/4) show no refusals on either night.

Mr Lorainey was advised Police would be viewing other CCTV recordings in the area to establish the correct events, and that if his CCTV system had been operating correctly the allegation could have been disputed immediately.

#### **15th April 2014**

No local authority CCTV footage available for outside Masters, 29th March 2014

PC McDonald visited Kenton Kebab 130 Kenton Road and viewed the CCTV footage. The footage showed around 0200 hours the victim wearing white trainers and light coloured top and his friend *in the shop* and then leave.

#### **16th April 2014**

PC McDonald visited Peaches Bar Kenton Road. Staff assisted by showing the CCTV footage of the entrance door of the bar. At 0054 hours on 29th March 2014 the victim entered Peaches, he provided his driving licence as identification that was logged in to the IDSCAN system. He remained in Peaches until 0152 hours. When he left Peaches he crossed over Kenton Road towards Kenton Kebab. The victim was the same male that PC McDonald had seen on the CCTV footage from Kenton Kebab.

#### **19th April 2014**

PC McDonald telephoned the mobile number given by Mr Piper for the female door supervisor Kalpana Gokulara. She had a young child with her and said it was difficult to speak. PC McDonald explained that Police required a statement from her with regard to the assault at Masters on 29th March 2014. She said she would phone back with a suitable date/time.

#### **30th April 2014**

PC McDonald phoned the office number for Evoke Security. PC McDonald spoke to a receptionist for the building named Shinelle. Both directors of Evoke security were in meetings and a message was left for one of them to return the call. There was no direct email address for either of the directors.

At 1153 hours PC McDonald phoned Kalpana Gokulara and left a voicemail re a suitable date to provide the statement.

1300 hours Mr James Noel from Evoke security phoned PC McDonald. He informed Police that only Daniel Berhane works for Evoke security. Kalpana Gokulara is not employed by Evoke security. PC McDonald requested the invoices for 28th and 29th March 2014 for

Masters from Mr Noel

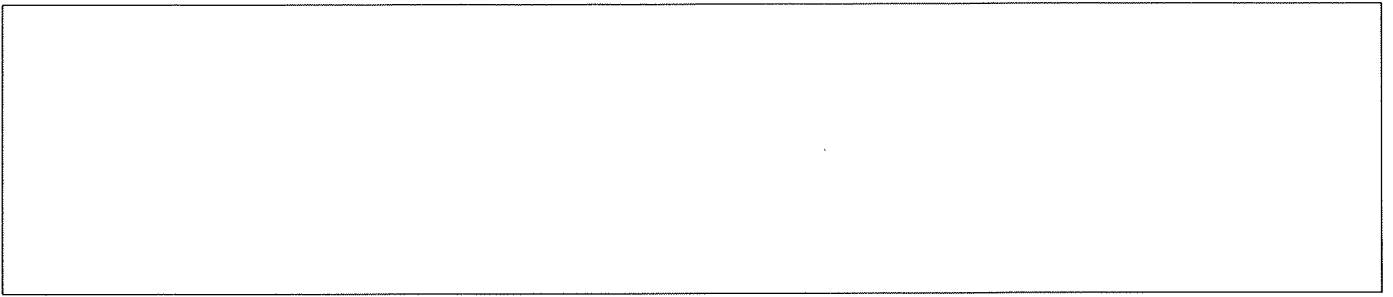
**1st May 2014**

PC McDonald left another voice mail for Kalpana Gokulara request a return call to discuss a date and time to take the statement.

**6th May 2014**

PC McDonald phoned Mr Noel of Evoke security and requested the invoices from 28th and 29th March.

9th May 2014-07-01 Mr Noel telephoned PC McDonald and confirmed a second time that Kalpana Gokulara does not work for him. PC McDonald again asked for staff invoices for Masters 28th and 29th March 2014. Mr Noel said he would send them, E mail address given.





Please tick ✓ Yes

Have you made an application for review relating to this premises before?

If yes, please state the date of that application

Day Month Year

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**If you have made representations relating to this premises before, please state what they were and when you made them**

12th June 2013

Brent Police made an expedited premises licence review application under Section 53A of the Licensing Act 2003 after serious crime and disorder involving the premises.

This application was heard at a full licensing subcommittee hearing on 9th July 2013

Having considered the application by the Metropolitan Police to review the premises licence for 'Masters Free House' (217 Kenton Road, Harrow, HA3 0HD) pursuant to the provisions of the Licensing Act 2003 the Sub-Committee resolved that the **premises licence continue in force, subject to amendments to the hours of licensable activities and opening hours and amendments to some of the conditions and additional conditions.**

(i) that the following hours be permitted:-

1. that the hours during which licensable activities be permitted on the premises be amended to:-

Monday to Sunday – 10:00 to 01:00 (the following day)

2. that the hours during which the premises be permitted to remain open be amended to:

Monday to Sunday – 10:00 to 01:30 (the following day)

(ii) that the following conditions on the premises licence be amended to:-

*Annexe 2*

Condition 1 – to be deleted

Condition 2 to read – A minimum of two door supervisors with a gender mix shall be employed from 21:00 hours on any day where the premises are open for the sale of alcohol past midnight and that the door supervisors wear high visibility clothing.

Condition 6 to read – All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers on demand

Condition 17 – to be deleted

(iii) that the following conditions be added to the premises licence:-

1. A refusal book shall be kept and maintained at all times and reasons for refusal to be cited in the book which is to be made available to police and licensing officers on demand.

2. Toilets shall be checked every two hours for the use of drugs and other illegal activities.

3. Notices clearly explaining the licensee's drugs policy shall be displayed at the entrance and at

suitable places throughout the premises.

4. The locks and flush latches on the exit doors and gates shall be unlocked and kept free from fastenings other than push bars and pads whilst the public are on the premises.
5. The 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).

**Checklist**

**Please tick ✓ Yes**

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature ..... *Will K. 15706* .....

Date ..... *16-7-2014* .....

Capacity .....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number</b>	
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>	

**Data Protection:** The London Borough of Brent will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine the application form on request. In addition, this information may be disclosed to the Police, The London Fire and Emergency Planning Authority, relevant ward Councillors and other Council departments.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with law enforcement agencies and other bodies responsible for auditing or administering public funds for these purposes.

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.

2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

**Please return the completed form and any accompanying documents to the following address with a copy to the premises licence holder / Club that the application relates to:-**

Safer Streets  
Brent Council  
Brent House  
3<sup>rd</sup> Floor West, 349-357 High Road  
Wembley,  
Middlesex  
HA9 6BZ

☎ 020 8937 5359

Fax: 020 8937 5357

Email: [environmentandprotection@brent.gov.uk](mailto:environmentandprotection@brent.gov.uk)

**Please send copies of your application and any supporting documents to the responsible authorities. Contact details shown below:**

Chief Officer of Police  
Brent Licensing Department  
Wembley Police Station  
603 Harrow Road  
Wembley  
Middlesex  
HA0 2HH

Tel: 020 8733 3206

North West Area 1  
London Fire Brigade  
169 Union Street  
London  
SE1 0LL

Tel: 020 7587 2778

Trading Standards  
Brent Council  
Brent House  
349-357 High Road  
Wembley  
Middlesex  
HA9 6BZ

Tel: 020 8937 5555

Environmental Health Department  
Brent Council  
Brent House  
349-357 High Road  
Wembley  
Middlesex  
HA9 6BZ

Tel: 020 8937 5252

Children's Services  
Brent Council  
Chesterfield House  
9 Park Lane  
Wembley  
HA9 7RJ

Tel: 020 8937 4175

Licensing Authority  
Brent Council  
Brent House  
349-357 High Road  
Wembley  
Middlesex  
HA9 6BZ

Tel: 020 8937 5359

Area Planning Service  
Brent Council  
Brent House  
349-357 High Road  
Wembley  
Middlesex  
HA9 6BZ

Tel: 020 8937 5210

Public Safety Team  
Brent Council  
Brent House  
3rd Floor East  
349-357 High Road  
Wembley, Middlesex  
HA9 6BZ

Tel: 020 8937 5359

DAAT  
Public Health Directorate  
Wembley Centre for Health  
and Care  
116 Chaplin Road  
Wembley  
HA0 4UZ