



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

Name and postal address of premises or, if none, ordnance survey map reference or description Greenes Bar 362-364 Neasden Lane North,	
Post Town Neasden	Post Code (if known) NW10 0BT
Name of premises licence holder or club holding club premises certificate (if known) Timothy Oliver Sheahan 362 Neasden lane North NW10 0BT	
Number of premises licence or club premises certificate (if known) 155412	

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 Police Constable Nicola McDonald Brent Police Licensing Wembley Police Station 609 High Road Wembley HA0 2HH
Telephone number (if any) 02087333206
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 | X |
| 2) public safety | X |
| 3) the prevention of public nuisance | X |
| 4) the protection of children from harm | |

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

The premises licence for this venue has been in existence since its conversion with the introduction of the current licensing Act in November 2005. The current premises licence holder Timothy Sheahan is also the designated premises supervisor, he has held this position since December 2013. However Mr Sheahan has been managing the venue since Autumn 2012. The permitted licensable activity is supply of alcohol only from 1000 to 2300 hours Monday to Saturday and 1200 to 2230 hours on Sundays. There are no conditions attached to this premises licence.

Unfortunately Mr Sheahan fails to operate this premise within the terms of the licence. He regularly authorises unlicensable activity contrary to Section 136 Licensing Act 2003, usually allowing music and entertainment or supply of alcohol. Even when Mr Sheahan has submitted a temporary event notice he has allowed licensable activity to continue after its conclusion. The venue permits the sale of alcohol to a person who is drunk contrary to Section 141 Licensing Act 2003. The operation of the venue sanctions breaches of the Health Act 2006 by allowing the smoking of cigarettes in an enclosed commercial premises.

These offences have either been witnessed by Police or Police have received complaints from local residents.

Mr Sheahan has received a formal warning letter from Police, in addition when further offences were committed the management were called in to the Civic Centre of a meeting with Brent Police Licensing and an Action plan compiled. He has been spoken to over the telephone on many occasions and advised how to improve and strengthen his role and responsibilities. Regrettably Mr Sheahan's disregard to the licensing legislation has continued. The licensing objections are going to be jeopardized more if he is allowed to continue operating the venue in this way.

Police request that a 'time the premises closes to the public' be added to the licence and that be 30 minutes after the sale of alcohol stops (2330 hours Monday to Saturday and 2300 hours on Sundays). This allows a drinking up time for his customers.

Police request Mr Sheahan be removed as the designated premises supervisor, the evidence outlines that he ignores the importance of licensing legislation and is unable or unwilling to operate the premises within the authority given.

To assist a new DPS control the venue more successfully, Police consider the following conditions to be added to the premises licence

Door supervisors Mandatory Condition

Door supervisors to be employed on the premises from 2000hrs on Friday, Saturday and Sundays they shall control entrance to the premises and to control order within the premises.

Door supervisors shall wear clothing that can be clearly and easily identified on CCTV.

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

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.

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

A "Challenge 21" policy shall be adopted and adhered to.

A refusal book detailing date and time of the refused sale and the name of the person refusing the sale shall be kept and maintained and made available for inspection.

An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

No entry or re-entry shall be permitted after 2230 hours.

Regular documented staff training on licensing legislation and operating procedures to be given. This training shall be signed and dated and a copy of these training records available for inspection by Police and local authority enforcement officers.

Customers will not take open drink containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority.

No drinks shall be served other than in plastic or toughened glasses.

Customers carrying open or sealed bottles or glasses shall not be admitted to the premises.

Police also request Music to become licensable, that the effect of the de-regulation be removed from this premises licence by the committee.

This list is not exhaustive and relies upon up to date plans of the premise.

Police feel that these are wholly reasonable, proportionate and appropriate measure to be put in place to promote the licensing objectives. Police reserve the right to give evidence on any further incidents which may take place at, or in the vicinity of the premises, between the service of this application and the hearing and/or during the time allowed for any appeal proceedings.

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

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

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

9th March 2014 0415hrs

CRIS 1905687/14 CAD1856/09MAR14

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

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

21st March 2014

Complaint received from local resident and witness to the above incident. Complaints refer to noise music, and drunkenness at Greenes Bar. Complainant spoken to by licensing Officers (see attached)

5th April 2014

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

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

6th April 2014 0600hrs

Cris 1908116/14 CAD 2378

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

was an incorrect format.

15th April 2015-04-10 Nick Mortimer Brent Police Licensing made representations to a TEN submitted for 4th and 5th May 2014.(See attached)

19th April 2014

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

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

They requested to be taken to Greenes Bar Neasden Lane North and on arrival asked to be taken round the back of the pub as the door would be open.

They were already drunk and presumably wanted to go drinking in the bar. They seemed to know that the back door would be open.

Suspect asked driver to get out and knock on the door for them. He refused and then there was an argument which culminated in a scuffle where the driver was punched and kicked by suspect.

Investigating Officer PC Cox spoke to staff at Greenes Bar on 9th May 2014 and he viewed the CCTV system. For the month of April there is footage available from 22nd onwards but no recorded footage available from 01 - 21st, therefore there is no footage available from the 18th. It is not known whether this was because of a faulty system or whether it is merely that footage is only kept for a short period of time.

I outlined the fact that the national standard for CCTV footage being obtained is 31 days and that this falls below that. They are aware and will be ordering an engineer to solve this issue. There is insufficient evidence from this investigation to be able to identify the suspect of this assault.

CRIS 1909586/14 CAD 5648/21APR14

Victim and friend met up and decided to go for a drink at GREENES in NEASDEN.

They arrived at approx 2220 hours and Victim states that between this time and approx 0010 hours they had 3 drinks and were in a jovial mood. Victim states that he was stood near the pool table in the corner of the pub when he noticed Suspect walk past him towards a pool cue that was stood up in the corner behind Victim. Victim suspected that he was getting it to play pool when Suspect picked it up in the middle and using the butt end of the cue hit Victim at eye level across the face.

VIW states that this point he had not had any conversation with SUS at all and his nose exploded. He had blood pouring down his face and before he could react he had the two bouncers had grabbed him and was marching him towards the door. Closely followed by the Owner of GREENES. Victim was taken back to his H/A by a taxi where when he entered the premises he collapsed. He was then taken by friend to CMH where it was diagnosed he had concussion.

Investigating officer spoken to the assistant manager Lee at Greenes 19/5/14. She was aware of the incident. She will speak to the manager when he returns to get the cctv burned. She has informed me that the cctv inside the pub has been temperamental recently so it may not have recorded.

Investigating Officer spoke with Lee from Greenes on 31/5/14 She states they had lost my number. She has passed my details on to the manager to call me when he is free. Lee has told me that they did look through the footage to see if the incident had recorded but it does not appear to have recorded. The problem being that they had more cameras installed and the harddrive capacity remained the same so not all of the cameras footage has been retained. They are looking into getting a larger harddrive. I await confirmation of this from the manager. The manager of Greenes, Tim has called the investigating officer 5th June 14. He has explained that the CCTV is no longer available as the system was upgraded when 4 new cameras were added and this has affected the memory.

22nd July 2014

Meeting held with Tim Sheehan, Ray Hagan and Brent Police Licensing at Brent Civic Centre. Meeting to discuss recent assaults and late night opening without authority. Brent Police licensing have made representations to recent temporary event notices made by Mr Sheehan due to crime and disorder at the location. The licensing sub committee heard the evidence on 25th April and refused the TEN;s. It was agreed the following actions to be implemented by Mr Sheehan at the venue: CCTV recording for 31day, door supervisors, and a 'members only' entry policy in the interim. Mr Sheehan would like to meet after a few months to discuss the venue extend the licensable activity times permanently.

8th Feb 2015

CAD 1684/08FEB15 0400 hrs.

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

8th Feb 2015 0415 hours

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

8th Feb 2015

CAD refers 2469 0800hrs

CAD refers 2478

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

21st February 2015

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

27th February 2015

Email to Mr Sheehan requesting the CCTV footage as the above request.

20th March 2015 2300hrs

Premises visited by PC McDonald and PC Whitcomb, Mr Sheehan was expecting the visit and arranged for the above CCTV footage to be downloaded and available for collection. There were approximately 30 customers, all but one was male. A high proportion appeared to have Irish accents and was in workman's clothes. One male wearing a high visibility jacket and trousers was drunk and due to his unsteadiness officers had problems walking around him in the small bar area. Officers spoke to the lone male member of staff, Frank, who provided a memory stick left by Mr Sheehan containing the CCTV footage from 8/2/15. As the officers left the bar, the drunk male in the high visibility jacket also walked out into the street. This male staggered to the nearby lamp post and urinated in full view of the public. At this point Frank also came out of the pub and called to the Officers that Mr Sheehan was coming downstairs to speak to them. Frank also saw the drunk male urinating, he spoke to him, the male staggered around on the pavement for a short while before unlocking a door adjacent to the lamp post and entered the premises. When Mr Sheehan appeared on the pavement the officers explained what they had witnessed pointing out the urine now in full flow down the street. Mr Sheehan could not understand and explained the male actually lives in the premises next to the lamp post. Officers told Mr Sheehan it was probably as he had been allowed to get drunk in his pub. Officers spoke briefly about the incident on 8th February and he openly said he had

permitted licensable activities outside his authorised hours. Mr Sheahan is convinced he runs a 'tight ship' in a tough area. His members' only rule is keeping the Eastern European gangs and travellers' out of the premises and such deserves a late licence.

24th March 2015

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

14th April 2015

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

19th April 2015

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

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

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 P1570K*

Date *24 April 2015*

Capacity

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

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
3rd Floor West, 349-357 High Road
Wembley,
Middlesex
HA9 6BZ

☎ 020 8937 5359

Fax: 020 8937 5357

Email: 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