



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 Paul Whitcomb 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 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	
Everest Spice The Honeypot Public House 178 Honeypot Lane Stanmore Middlesex	
Post Town Stanmore	Post Code (if known) HA7 1EF
Name of premises licence holder or club holding club premises certificate (if known) Macneil Ltd	
Number of premises licence or club premises certificate (if known) 176239	

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) **X**
- 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 Paul Whitcomb PC 782QK Brent Police Licensing Unit Wembley Police Station 603 High Road Wembley HA0 2HH
Telephone number (if any) 02087333206
E-mail address (optional) paul.whitcomb@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)

This venue is located on Honeypt Lane, Stanmore and set within a heavily residential area on the main thoroughfare between Kingsbury Circle and Stanmore. The venue has a ground floor capacity of 295. It is comprised of a front beer garden with large car park for around twenty cars, three bar areas with seating areas, a restaurant, rear beer garden and a shisha area (which has a capacity of 90). The shisha area has it's own bar. It's fair to say that this is one of the larger pubs in Brent.

The premise has encountered two separate incidents of disorder, both occurring within quick succession.

The first incident occurred on Sunday 12th April 2015 where police were called to a male trying to escape from a group of males in the Honeypt Lane, Stanmore area. When officers arrived, they found the victim hiding in a bush. He had an injury to his nose. The victim was described by officers as being 'very drunk'. So much so that he was very abusive towards them, despite the fact that they were trying to help him. When police spoke with witnesses they stated that the victim was involved in an altercation which started inside the Everest bar. Enquiries were later conducted by officers from Brent police CID. It is believed that the incident started inside the pub, where the victim looked at the suspect in a 'funny way'. Once both parties were outside the main entrance of the venue, the suspect is said to have punched the victim about the face. The victim received a fractured nose, which amounts to a GBH injury.

Following this fight, I attended the pub where I found numerous breaches of the premises licence, as evidenced below. Follow up visits were conducted resulting in police issuing a warning letter to the management. The breaches included poor quality CCTV.

On Friday 26th June 2015, another fight occurred. This time more serious and on a much larger scale involving the use of a weapon. A fight was started by an argument, which took place inside the bar area between two men over a car which was blocking one of them in. This resulted in a fight taking place inside, which then spilled outside into the front car park where around 20-30 persons were involved. During the fight outside, one of the men pulls a weapon from his car and starts waving it around at others involved. During the melee a member of staff is also injured, receiving a punch to the face. Despite the pub having around 250 customers present, there was only one SIA door supervisor on duty. He did his best to try and defuse the situation but was completely out numbered. The disorder only concluded after police arrive. Officers recovered a knife from a nearby bush. This was believed to have been discarded by one of the suspects involved. Six arrests were made by police for violent disorder. I attended the venue during this incident and spoke with the DPS. I advised him the feeling amongst customers was still high, following a number of arrests. I feared that further disorder may continue if the venue remained open. As a result, the DPS agreed to voluntarily close the premises earlier than authorised. Whilst inside the venue, dealing with this incident I noticed one male who was very drunk, stumbling on his feet with a drink in his hand, trying to speak with me incoherently. As with the incident which occurred on 12th April 2015, It's clear that drunkenness is an issue with this particular premise. The investigation into the violent disorder is ongoing and being carried out by Brent police CID.

Following the second fight, I held a meeting with the premises licence holder, Mr. Nilesh Lukka and current DPS, Mr. Mitra Bhattarai. During this meeting I expressed my concerns with having one single door supervisor employed at weekends when they are very busy, especially with such a large premise, which attracts the majority of its custom at weekends. The response given to police was that they generally always only employ one door supervisor on the weekend, as they are just a 'family restaurant'. Police suggested that they should increase their door supervisors to a minimum of four on weekends. Mr. Lukka rejected the idea and was unwilling to do this due to the 'financial cost' this will present to the venue. He was insistent that the premise is a well run family restaurant and that there was no need for further door supervisors. Police reminded Mr Lukka that the role of a door supervisor is not only to help prevent disorder, they are also trained in a variety of roles, including evacuating customers in case of fires/other emergency, first aid and conflict management ect. One SIA door supervisor does not promote the licensing objectives with nearly 300 customers present during weekends. The management also have a duty of care, not only towards members of the public who choose to use the venue, but also towards their own staff. Incidents of disorder also cause unnecessary alarm, distress and nuisance to local residents who neighbour the venue.

Having visited this premise on three separate weekends, the venue has always been near capacity. The premise already has a condition attached to its premises licence which reads, 'Door supervisors of a sufficient number and gender mix, shall be employed from 20:00 hours on any day when the premises are open for the sale of alcohol past midnight'. It is clear, following two cases of disorder that the management are not employing sufficient door staff as their licence requires and this condition is being routinely breached.

To assist the DPS control the venue more successfully, police consider some of the conditions of the current premises licence need to be re-worded appropriately in order to uphold the licensing objectives, particularly those relating to crime and disorder, public safety and the prevention of public nuisance.

Police **request** that the following condition be **removed** from the current premises licence:

1. Door supervisors of a sufficient number and gender mix, shall be employed from 20:00 hours on any day when the premises are open for the sale of alcohol past midnight'.

To be replaced with re-worded door supervisor conditions.

Police **request** that the following conditions be **added** to the current premises licence:

1. There shall be a minimum of four (4) door supervisors, who have been accredited by the Security Industry Authority, on duty from 20:00 hours on Friday, Saturday and Sunday, who shall remain on duty until the premises closes and all customers have left.

Ultimately, this condition aims to tackle disorder at weekends. Clearly, we have evidence that disorder is an issue and that an insufficient number of door supervisors are being employed. The PLH (Mr. Lukka) has already informed police that he is unwilling to employ more than one door supervisor. As such, this condition is necessary to protect the public who use this venue, staff who work here and protect local residents from any further nuisance associated with disorder. Police fear without such a condition imposed, further disorder will occur in the very near future. Police have visited the venue on both Friday and Saturday evenings and witnessed, on both occasions, the venue either very busy or near capacity. Disorder has occurred on a Friday evening and on a Sunday evening too. Police use a ratio of one (1) SIA door supervisor per 50 customers. However, I understand that there is a cost implication here to the venue. As such I have balanced this whilst upholding the licensing objectives at the same time. As such, I feel that this can be achieved with the absolute minimum of four door supervisors. Police understand that on weekends the main bars are closed at midnight, but the rear shisha bar remains open until around 0100 hours.

2. Door supervisors of a sufficient number and gender mix, shall be employed from 20:00, Monday to Thursday, if the premises are open for the sale of alcohol past midnight'.

This condition replaces the removed door supervisor conditions.

3. From 20:00 hours on Friday, Saturday and Sunday there shall be at least one member of staff who is personal licence holder on duty. They shall remain on duty until the end of the permitted hours for the sale of alcohol, or at any such time that alcohol sales conclude.

This condition aims to tackle the current drunkenness issue which appears to be a problem associated with this venue.

4. Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo regular training of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.

Drunkenness appears to be an issue with the premises. Regular training improves staff knowledge around the offences of serving anyone drunk and more importantly, know how to identify signs of drunkenness and when to refuse sales to drunks.

The above list is not exhaustive.

Police feel these requests are in keeping with the Licence holders human rights and promote the running of his business and livelihood. These conditions are wholly reasonable, proportionate and appropriate measures 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)

12/04/2015 - Crime report 1908455/15 relates to victim being punched in the face and receiving a fractured nose. The crime report was classified as a GBH. An incident is said to have taken place inside where the victim looked at the suspect in a 'funny way'. The victim was said to be 'very drunk'. A comotion is then said to have taken place just outside the main entrance to the venue, where the victim is punched in the face by the suspect. No arrests were made as the suspects ran off prior to police arrival. The victim later decided that he did not wish to proceed with the matter and the investigation was closed.

17/04/2015 - I visited the venue in relation to the above incident and. Spoke with shift manager Mr. Abhimanyu Paudel. DPS was not present. Mr. Paudel handed me a USB and advised all the CCTV footage was on the USB and did not believe the above incident occurred in his premise. He admitted that he did eject one male for being drunk and believed that that the incident occurred further down the road. I went through his licence conditions with him and found the following breaches;

1. CCTV - Two CCTV systems are installed. On the newer system (system one) one of four cameras (Camera 4) records only in black and white. On the older system, system two, all sixteen cameras appear to be in black and white only.
2. There was no incident book
3. Staff were unable to produce the SIA door supervisors log. Mr Paudel stated it was in his back bar but did not know where. He stated that when SIA are on duty they only patrol the shisha bar.

06/05/2015 - The above breaches were rectified by the venue and I issued the PLH and DPS with a warning letter.

26/06/2015 - Crime report 1914810/15 relates to an incident of violent disorder. Police were called to a fight at the venue between two groups of males. The incident appears to have started inside the pub when one male asks the other to move his car. When the request is refused, an argument then takes place which becomes heated. One male forcefully pushes the other and a fight then takes place in the bar area. Other males then get involved and the fight grows. One single door supervisor is on duty (clearly insufficient) and tries to stop the fight unsuccessfully. All parties then go outside into the front car park where the fight continues. The single door supervisor manages to take one of the men back inside the venue, which I assume, in an attempt to separate the men directly involved. However, it appears that whilst the man is inside the pub a large group of males then arrive in an agitated state. I assume that a phone call, or similar, has been made summoning 'back up'. Seven males arrive at the pub and the fight starts again in large numbers, joined by the male who was taken inside. One man is knocked to the floor where he is kicked and punched on the ground. Another male then goes to his parked car and pulls a weapon from the car, namely a wheel brace, and starts thrusting it around in a menacing way. Police then arrive and one group of males run off. A knife is found discarded in bushes and several arrests are then made for violent disorder. I spoke with the DPS and he agreed to voluntarily close the pub as feelings were still high and I feared the likelihood of further disorder was high. This is an ongoing investigation.

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			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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

X

☐

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 P. Whitmore PC 7920K

Date 20th July 2015

Capacity Licensing Constable on behalf of the Chief Officer of Police

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