



**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

Brent Police Licensing Unit
Brent Civic Centre
5th Floor
Engineers Way
Wembley
HA9 7FJ

Your ref: N/A

Our ref: 01QK/528/16/782QK

Brent Borough Police Licensing Unit
Brent Civic Centre
Fifth Floor
Engineers Way
Wembley
HA9 7FJ

Tel: 020 8733 3206

Mob: 07500 993899

Email: paul.whitcomb@met.police.uk

Web: www.met.police.uk

Date: Wednesday 19th October 2016

Police representation for a new Premises Licence at Cocoa BS, 110 High Road, Willesden London NW10 2PN.

I certify that I have considered the application shown above and I wish to make representations that the likely effect of the grant of the application is detrimental to the Licensing Act 2003 licensing objectives for the reasons indicated below.

If these conditions were accepted in full I would withdraw my representation.

Officer: Paul Whitcomb PC 782QK
Brent Borough Police Licensing Constable

An officer of the Metropolitan Police, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The application has been made for a new premises licence under section 17 of the act.

The Police representations are primarily concerned with the prevention of crime and disorder, and the prevention of public nuisance.

****The following hours which differ from the hours stated in the application have been agreed between the applicant and the police: ****

Supply of alcohol:

Sunday - Wednesday 12:00 to 23:00

Thursday - Saturday 12:00 to 00:00

Late night refreshment:

Sunday - Wednesday None required as the premise will close at 23:00
Thursday - Saturday 12:00 to 00:00

Recorded Music:

Sunday - Wednesday 08:00 to 23:00
Thursday - Saturday 08:00 to 00:00

Hours premises are open to the public

Sunday - Wednesday 08:00 to 23:00
Thursday - Saturday 08:00 to 00:00

However, having agreed these hours with the applicant, I have realised that the 'supply of alcohol' hours would not provide her flexibility for customers to consume their drinks before closing time and thus we may have a later dispersal time than advertised, with the increased risk of public nuisance. The only change to the agreed hours will be 30 minutes less for the supply of alcohol so customers can 'drink up' with sufficient time before closing. **No other changes to the agreement**. I have spoken to the applicant, who wished for time to think about this as she has already agreed to a two hour reduction from the proposed hours, which I fully understand and appreciate.

Police request the following hours:

Supply of alcohol:

Sunday - Wednesday 12:00 to 22:30
Thursday - Saturday 12:00 to 23:30

Late night refreshment:

Sunday - Wednesday None required as the premise will close at 23:00
Thursday - Saturday 12:00 to 00:00

Recorded Music:

Sunday - Wednesday 08:00 to 23:00
Thursday - Saturday 08:00 to 00:00

Hours premises are open to the public

Sunday - Wednesday 08:00 to 23:00
Thursday - Saturday 08:00 to 00:00

The prevention of public nuisance and the proposed rear garden area

Having met with the applicant and discussing my concerns regarding the use of the rear external garden and the potential it has to cause serious nuisance to residents, particularly those in Churchill Road, the applicant has agreed reduced hours in terms of licensable activity and the hours the premises will remain open. The initial plans submitted to the licensing authority showed no internal access route into the rear garden via the premises itself. Patrons would have had to use the public pavement on Churchill Road and accessed the garden via a wooden gate. I had serious concerns about this particular proposal and the applicant went away and spoke with her architect. She has come back with revised plans and a new access corridor will be constructed to prevent patrons having to use Churchill Road. However, the general noise from this rear garden area will likely travel along the road affecting the Churchill Road residents. In my professional opinion and experience, the only way to mitigate any likely breach of the 'prevention of public nuisance' licensing objective, is

to close the rear garden area late in evening. Failure to do so, generally results in complaints from the residents to the police and the council's noise team.

Having visited the premises I note that the garden, is approximately three (3) metres away from the ground floor front window of a residential property situated at number 1 Churchill Road. The rear garden is wholly situated within a residential area. Given that the close proximity of the rear garden area and residential properties police would ask that the garden are is closed to both patrons and staff after 9.00pm daily. Further, I understand that the applicant wishes to play background/recorded music into the rear garden. This would add to the noise in this area. Police would ask that no music of any nature is played into the rear garden.

Operation of the premises

The applicant has informed me that the premises will be used as a restaurant/bar. As such, the applicant wanted the flexibility of her customers being able to come in and have a drink without food. As such, conditions added below will allow the premises to be used in such a way as the applicant wishes to, but assists her to uphold the licensing objectives at the same time.

Operating Hours to be displayed on Premises

A notice displaying the opening hours, the type of licensing activity and licence conditions should be clearly displayed and visible to anyone outside the premises. This may be incorporated in the summary of the licence, which must be displayed, or take the form of a separate item. Likewise the name of the Designated Premises Supervisor (D.P.S.) should be similarly displayed. This will allow the Police and other responsible authorities to readily identify the licence details. Clearly displayed opening hours will also reduce any confusion for customers prior to entering the premises and possible conflict when the premises close/stop selling alcohol.

The conditions that Police require to be added to the Premises Licence are listed below:

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council.
2. A CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the rear external garden.
3. A "Challenge 25" policy shall be adopted and adhered to at all times.
4. A copy of the premises licence summary including the hours which Licensable activities are permitted shall be visible from the outside of each entrance to the premises.
5. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder

- (e) any faults in the CCTV system
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service.

6. All alcohol must be kept behind the counter/bar area at all times with the exception of alcohol which has already been purchased/sold/supplied to a patron or alcohol which is in storage rooms on the premises.

7. Substantial food and non-intoxicating beverages shall be available during the whole of licensed hours in all parts of the premises where intoxicants are provided.

8. The supply/sale of alcohol for consumption on the premises shall be by waiter/waitress service only.

9. Customers will not take open drink containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority (Annexe four of the premises licence).

10. The playing of live, recorded or background music shall not be permitted in the rear external garden.

11. Customers/staff shall not be allowed access/use of the outside rear garden from 21:00hrs daily.

12. No vertical drinking shall be permitted at any time

13. All doors and windows shall be closed from 2100 hours daily, so as to prevent noise nuisance to residents. (NB: With the exception of the main entrance located on High Rd, NW10 which must be closed only when not being used for access and egress into or from the premises).

Yours Sincerely,

Paul Whitcomb PC 782QK
Licensing Constable
Brent Borough Police