

From: Charles, Rockwell
Sent: 10 January 2017 21:06
To: 'obafff@gmail.com'
Cc: Business Licence; Chan, Esther; 'michelle.R.Heath@met.pnn.police.uk'
Subject: Re: Formal Representation Withdrawn - Licensing Act 2003 - New Premises Licence - 47 Cricklewood Broadway, NW2 3JX Application 223708510

Categories: Vanesha

Dear Mr Abiodun Adeniyi

I can confirm that the Council's Nuisance Control Section have **withdrawn their representation** on the grounds of Public Nuisance on receipt of your email below confirming that you are happy to amend your operating schedule to include the following points (1) to (6) as conditions on your Premises Licence.

- 1) *Live Music shall be removed as a licensable activity from the operating schedule.*
- 2) *Recorded Music shall be removed as a licensable activity from the operating schedule.*
- 3) *The designated smoking area (DSA) shall be located at the front of the premises facing Cricklewood Broadway.*
- 4) *When the premises licence is in operation the DSA shall be limited to no more than 6 people at any one time.*
- 5) *All licensable activities shall operate*

<i>Sunday to Thursday</i>	<i>10.00 – 02.00hrs</i>
<i>Friday & Saturday</i>	<i>10.00 - 04.00hrs</i>
- 6) *The Hours Premises are open to the Public*

<i>Sunday - Thursday</i>	<i>10.00 – 02.30hrs</i>
<i>Friday & Saturday</i>	<i>10.00 – 04.30hrs</i>

May I take this opportunity to wish you future success in the advancement of your business.

Mr Rockwell Charles
Enforcement/ Environmental Health Officer
Nuisance Control Team
Regulatory Services
London Borough of Brent

From: Abiodun Obaf Adeniyi [<mailto:obafff@gmail.com>]
Sent: 10 January 2017 09:22
To: Charles, Rockwell
Subject: Re: Representation - Licensing Act 2003 - New Premises Licence - 47 Cricklewood Broadway, NW2 3JX Application 223708510

Dear Charles,

I confirm that I have received your email and hereby agree to the terms stated as discussed.

Thanks.

Regards

A Adeniyi

Sent from my iPhone

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From: Charles, Rockwell
Sent: 10 January 2017 03:20
To: 'obaffff@gmail.com'
Cc: Business Licence; Chan, Esther; 'michelle.R.Heath@met.pnn.police.uk'
Subject: Representation - Licensing Act 2003 - New Premises Licence - 47 Cricklewood Broadway, NW2 3JX Application 223708510

Categories: Vanesha

Dear Mr Abiodun Adeniyi

Please accept this statement as a formal representation against your application for a Premises Licence.

Thank you once again for taking my call on 9th January 2017 with regards to your recent application for a new Premises Licence. As a Responsible Authority the Council's Nuisance Control Section have been asked to consult on the above application with regards to the licensing objective the Prevention of Public Nuisance.

The closest noise sensitive premises are the residential units sited directly above the ground floor commercial A3 Use at 47 Cricklewood Broadway. You were advised that regulated entertainment in the form of recorded music presented challenges and subsequent formal action by the Council when the premises operated not dissimilar to a Night Club. During our discussion you confirmed that your business model was designed on operating as a traditional sit down restaurant with only background music being played, and the occasional live music on demand (potentially once a month). If music is played and maintained at such a level not to support dance, but as to create an atmosphere within the restaurant where people can simply converse without raising their voices, this would be deemed as background music which is not a licensable activity. When questioned you indicated that Live Music wouldn't be an integral part of the business, but you wanted the option available. I advised you that live music was difficult to regulated as it's spontaneous and varies in composition. If Live Music was still required on a daily basis, the Council will recommend a higher level sound insulation as well as an approved sound limiting device being installed in the venue. This would result in excessive cost without any guaranty that you can operate live music at the level you desire. It was suggested that if Live Music is required infrequently it would prove best to remove Live Music from the operating schedule and apply for Temporary Event Notices to cover live music events as or when required.

If the Council is mindful to grant this application in its entirety, the applicant will benefit from the following licensable activities;

- | | | |
|-------------------|---|--------------------------------------|
| 1) Live Music | Friday & Saturday | 19.00 – 00.00hrs |
| 2) Recorded Music | Sunday to Thursday
Friday & Saturday | 10.00 – 04.00hrs
10.00 – 06.00hrs |

- | | | |
|--|--------------------|------------------|
| 3) Late Night Refreshment | Sunday to Thursday | 23.00 – 04.00hrs |
| | Friday & Saturday | 23.00 – 06.00hrs |
| 4) Sale by Retail of Alcohol | Sunday to Thursday | 10.00 – 04.00hrs |
| | Friday & Saturday | 10.00 – 06.00hrs |
| 5) Hours Premises are open to the Public | On all days | 10.00 – 23.00hrs |

To promote the licensing objective the prevention of public nuisance, I further raised my concerns of potential nuisance caused by patrons smoking outside during the early hours of the morning. (1) to (6) below which were agreed in principle.

- 3) *Live Music shall be removed as a licensable activity from the operating schedule.*
- 4) *Recorded Music shall be removed as a licensable activity from the operating schedule.*
- 3) *The designated smoking area (DSA) shall be located at the front of the premises facing Cricklewood Broadway.*
- 4) *When the premises licence is in operation the DSA shall be limited to no more than 6 people at any one time.*
- 5) *All licensable activities shall operate*

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- 6) *The Hours Premises are open to the Public*

<i>Sunday - Thursday</i>	<i>10.00 – 02.30hrs</i>
<i>Friday & Saturday</i>	<i>10.00 – 04.30hrs</i>

As Council Officers are not able to impose conditions without going through the formal hearing process I have forwarded this email to our Entertainment Licensing Team **as a formal representation against this application**. I shall be prepared to withdraw this representation once I receive confirmation by email that you are in agreement with the above additional conditions (1) - (6) as conditions on your licence.