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**London Borough of Brent Licensing
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Date: Thursday 20th July 2017

**Police representation in support of premises Licence review application for
Arista Bar, 232 Church Lane, Kingsbury, London NW9 8SN.**

**Officer: Paul Whitcomb
PC 782QK - 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. An application has been made under s.51 Licensing Act 2003.

I certify that I have considered the review application submitted by Mr. Franck Chipan and I wish to make representations in support of the application.

The police representations are concerned with the prevention of crime and disorder and public safety.

The current premises licence number for Arista Bar, 232 Church Lane, Kingsbury London NW9 8SN is **171787**.

The current premises licence holder is **Maxus Data Limited** and the designated premises supervisor is **Mr. Kathiravelu Sayanthan**.

The following crime of note has been reported to police:

1. On Saturday 24th September 2016 at around 0200 a fight broke out in the venue between six people. Crime report 1924356/16 refers. The fight apparently occurred on the stairwell between the basement and the ground floor. Police attended the incident. Apparently officers could not see from CCTV what exactly happened. The report was later closed.

Licensing officers attended the venue on 01/10/2016 to follow up the crime report and spoke with SIA door supervisors who were working on the night of the incident. Their account was consistent with that given on the crime report.

The premises confirmed that all parties involved are now barred. Apparently CCTV does not cover the stairwell.

In relation to information received that Arista Bar was opening beyond its licensable hours, allowing customers to enter via the rear fire exit and breaching its licence condition in relation to not allowing customers entry after 0030 hours, a meeting was held with Mr. Sayanthan at Brent Civic Centre on 24th May 2017 with PC McDonald and PC Sullivan from the police licensing unit.

During the meeting Mr. Sayanthan accepted that he was opening until 0400 hours (when the premises should close at 0330 hours), breaching the entry/no re-entry after 0030 condition and also accepted that he had breached condition 2 in relation to having 3 door supervisors on duty in relation to Friday evening(s). However, Mr. Sayanthan denied the allegation in relation to allowing customers to enter the premises via the rear fire exit. In relation to these matters, Mr. Sayanthan was **issued with a verbal warning** about the breaches and advised in future all conditions and timings on his licence must be complied with. In relation to the premises, Mr. Sayanthan told officers that he does have Mujra dancing in the downstairs area of the club. All dancers are taking home by cabs, security or management at the end of the night. Mr. Sayanthan also stated that the club hosts other ticketed events for charities/groups etc.

In relation to this review application, PC Sullivan and I attended the Arista Bar on Friday 23rd June 2017 at around 2300 hours. The nature of our visit was to carry out a full licensing inspection to ensure that the licensing conditions were being complied with. During this particular evening, the venue was hosting a group, it was very busy, but a friendly atmosphere present. We spoke to Mr. Sayanthan who was in his office downstairs. We explained that we were there to carry out a licensing visit and went through his licence conditions with him. The following breaches were discovered:

- 1. The door supervisor log was incomplete in relation to SIA staff currently on duty. This is breach of condition number three (3). However, this was rectified in our presence. Mr. Sayanthan asked his three door supervisors present to correctly complete their SIA licence numbers in the register.**
- 2. On entering the premises I noticed customers with glasses outside the front of the premises. This is in breach of condition number four (4) of the premises licence. Mr. Sayanthan was advised of this and informed his door supervisors to prevent this happening and get all customers in with glasses.**
- 3. There were no signs alerting customers to theft. This is in breach of condition number fourteen (14).**
- 4. There were no notices explaining the licensee's drug policy. This notice should have been displayed at the entrance and suitable places throughout the premises. This is in breach of condition number seventeen (17).**
- 5. There were no notices advertising the local taxi service number. This is in breach of condition number twenty-two (22).**
- 6. There did not appear to be any information in relation to public transport and night time travel options. This is in breach of condition number twenty-three (23).**

7. There were no signs informing people to leave the premises quietly at the exit. This is in breach of condition number twenty-four (24).

During the visit, I asked to inspect the basement bar area. Mr. Sayanthan escorted us down. He explained that this area is used for the Mujra dancing. At the time of my visit, there was no dancing take place and no customers were present. Some of the dancers were sat around as dancing was taking place later in the evening (early hours of the morning). We noticed signs in relation to shisha and I pointed out that as the room was fully enclosed, no shisha smoking would be allowed to take place. Mr. Sayanthan explained that no smoking took place in the bar and that the premises had invested in electronic shisha.

I spotted another sign on display which read;

'Customer Notice. Camera phones should not be used to take any pictures or videos of dancers or staff in this premises. If this occurs the phones will be confiscated and held in until images are deleted by staff or security'. I took a photograph of this notice and attach it to my representation. I reference this as PAW/1.

I explained to Mr. Sayanthan that I was unhappy with the poster and explained that although he can request customers not to take images, neither he or his security team have any powers, that I am aware of, which would allow him to seize customers phones and start deleting data from it. This would certainly lead to potential disorder in my opinion. Mr. Sayanthan removed the poster straight away and stated that it would not be put back up.

Conclusion: Having fully read Mr. Chipan's review application (although I must point out that the police have not been supplied any video footage referred to in the application) and taking into account the above, I suggest the following:

1. A CCTV camera shall be installed to cover the stairwell between the basement and the ground floor and the rear fire exit door.

Mr. Chipan points out that he witnesses no searching by door supervisors of customers. Although, it is not a current condition of the premises licence, the venue is a nightclub and therefore we feel it good practice that a search policy is in place to prevent crime and disorder at such a venue. Police suggest:

2. A written search policy shall be in place and operate at the premises.

3. Notices explaining the licensee's policy on admission and searching shall be placed at each entrance.

In summary, I believe that the premises needs to fully review its own premises licence, go through ALL premises licence conditions and tighten up to ensure that breaches do not occur moving forward. Police would suggest that use of staff training to ensure awareness around premises licence condition, therefore my final suggestion is as follows:

4. All staff and managers should be given regular training in relation to basic Licensing Act 2003 legislation and the premises licence conditions. Training records shall be kept and made available to the police and licensing authority upon request.

Yours Sincerely,

Paul Whitcomb PC 782QK
Licensing Constable for Brent Police