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Kathiravelu Sayanthan  
25 Norman Crescent  
Heston  
Middlesex  
TW5 9JR

26<sup>th</sup> June 2017

Our Ref 223723171

Dear Kathiravelu Sayanthan,

**Licensing Act 2003 – Complaint**  
**Re: Arista Bar, 232 Church Lane, London, NW9 8SN**

I am writing to confirm my visit made to the above premises on Friday 26<sup>th</sup> May 2017 at 15:30hrs to inform you that the Council have received a complaint alleging that you are opening beyond your opening hours.

According to the premise licence, licenseable activities are permitted from 10:00 – 02:00 hrs on Sunday to Thursday and from 10:00 – 03:00 hrs on Friday to Sunday. The Opening Hours of the Premises are from 10:00 – 02:30hrs on Sunday to Thursday and from 10:00 – 03:30hrs on Friday to Sunday.

Contravened Conditions

**Condition 11** states 'No entry or re-entry shall be permitted after 00:30 hours'.

- As per the CCTV footage provided, this was clearly breached

**Condition 5** states 'CCTV shall be installed and maintained in a working condition'.

- On viewing the CCTV recordings, which you had supplied between 22<sup>nd</sup> April 2017 to 13<sup>th</sup> May 2017, you admitted that the times on the CCTV were incorrect and in fact an hour behind the correct time. For example, on 29<sup>th</sup> April 2017, your customers were on the premises in the basement at 03:41hrs, however the time showing on the CCTV was 02:41hours.

**Condition 18** states 'The Portman Group proof of age scheme or similar such scheme shall be adopted'.

- You have failed to display suitable notices on the premise for the public to see and no training records were available to view upon request.

Other Issues

1. At the time of my visit, you admitted that you have been trading past your permitted hours, which was also confirmed after viewing the CCTV recordings that have provided to the Council.
2. It was also established that the front CCTV camera on facing Church Lane, is obscured by the canopy beneath it, therefore it fails to capture a clear view of the front of your premises.

## **Action To Be Taken Going Forward**

### **CCTV**

- You must ensure that a CCTV camera is located in an appropriate position to cover the front and rear entrances of the premises.
- You must ensure the CCTV system is displayed on any recordings the correct date and time of the recording.
- The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulder image of every person entering or leaving the premises

### **Age Verification**

- I would strongly advise you to adopt the Challenge 25 policy.
- Regular documented staff training on licensing legislation and operating procedures shall be given. The training shall be signed and dated and a copy of these training records available for inspection by Police and local authority enforcement officers.

### **Opening Hours**

May I remind you again that the licensee and DPS are expected to know all the conditions on your premises licence and to have made provisions with your staff so that none of these conditions are breached. You are also required to know the hours you are authorised for the licensable activities you have been granted by the Licensing Authority.

Should you be found to be operating outside of your licence by way of increase of hours or holding an activity that you are not licensed to do so may result in legal action taken against the DPS and Premises Licence Holder (even if you are not on the premises at the time of the offence).

**If compliance is not achieved the Council may take formal action that may affect your premise licence in the form of a review and/or a prosecution. A person found guilty of an offence under the above section is liable on summary conviction to imprisonment for a term not exceeding 6 months or to an unlimited fine.**

Taking into account the warning letter which has already been issued to you, please take this final letter as notice that the Council is now considering formal legal action against you for continued contraventions of the Licensing Act 2003.

If there are occasions where you would like to extend the time of activities you will need to apply for a TEN's. Please visit [www.brent.gov.uk](http://www.brent.gov.uk) or contact the licensing team on 0208 937 5359 for further information.

I hope this warning will ensure that compliance is achieved and no further action will be required.

Please do not hesitate to contact me quoting the above reference should you require any further advice or information.

Yours faithfully,

Esther Chan  
Licensing Inspector  
Planning, Transportation & Licensing