

From: Figueiredo, Susana
Sent: 30 September 2019 11:25
To: Licensing <aleslicensing@mail.com>
Cc: Business Licence <business.licence@brent.gov.uk>
Subject: Licensing Rep - New Premises Licence - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Mark,

Thank you for your email.

Please see my response to your email in red below.

I await your response on each of the outstanding matters.

Kind regards

Susana Figueiredo
Licensing Enforcement Officer

From: Licensing [mailto:aleslicensing@mail.com]
Sent: 30 September 2019 09:57
To: Figueiredo, Susana
Subject: Re: Licensing Rep - New Premises Licence - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Susana,

I hope you are keeping well and am grateful for your response and agreement to remove conditions 11 and 17 in your representation. (**Agreed**).

I am still awaiting a response from the client with regard to the reduction in hours for LNR and the requirement for SIA staff for the non standard timings, (**thank you, this isn't something I am willing to negotiate on**) or any TEN they may apply for.

I have advised them that the SIA condition could only be applied to a TEN following a hearing if the Police or Public Health made a representation, and the licensing committee deemed that it was appropriate to attach that condition to the TEN. (**As stated in my previous email, the committee are not permitted to add any new conditions, they can only add those already on the existing premises licence. Any additional conditions can only be agreed prior to committee. I will await your response on this.**)

They are seeking legal advice and a second opinion in this matter from another source, and I hope to be able to revert to you within the next couple of days.

The client has also made a comment with regard to your condition 18. I have offered them an alternative wording, and ask if you would be prepared to accept this:

18. No entry or re-entry shall be permitted after 23:00 hours Sunday to Thursday and 23:30 hours Friday and Saturday where seasonal variations apply, with the exception of any person who is standing outside the premises to smoke. The number of smokers will be monitored to ensure that the licensing objectives are fully promoted and staff will remind smokers of the notices with regard to noise and behaviour and respecting residents.

(This condition does not apply to smokers who are in a DSA (Designated Smoking Area) in a cordoned area (which must not be fixed. Removable rope barriers would be sufficient). They would still form part of the premises in terms of smoking. The extra wording is therefore not required).

Regards,

Mark Altman

ALES Licensing

Dear Mark,

Please find a response to your questions below: -

- 1) Agreed, please find attached updated representation
- 2) Agreed, please find attached updated representation
- 3) Licensable activities would end by 00.00hrs and therefore the premises wouldn't need SIA for the requested hours, I'm therefore unsure how this would be onerous for them as SIA would not be required. The requirement for SIA would be for the 3 non-standard timings and if the premises should ever apply for TENs. As it stands, it is likely there would be an objection to TENs applications as only existing conditions can be added to their application. This would help the applicant to ensure the TENs application is accepted and would also ensure the licensing objectives are being met.

Please can you

- 1) Confirm the reduction in timings for LNR if your client agrees.
- 2) Confirm all of the attached modified conditions. The conditions may read similarly but the wording is not the same to those offered in the application. Those that you have added in addition to mine, will be added to the operating schedule when the premises licence is written up.

Kind regards

Susana Figueiredo

Licensing Enforcement Officer

From: Licensing [<mailto:aleslicensing@mail.com>]

Sent: 26 September 2019 15:18

To: Figueiredo, Susana <Susana.Figueiredo@brent.gov.uk>

Cc: Business Licence <business.licence@brent.gov.uk>

Subject: Licensing Rep - New Premises Licence - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Susana,

I have passed the representation onto the client and await their response.

Most of the conditions you have suggested have already been included as part of the operating schedule, and this was further amended to include conditions from the police and public safety.

There are a few points that i require further clarification on.:

- 1) With regard to Wembley event days I thought that the premises were outside the earmarked area for this.
- 2) with regard to alcohol being served only to persons having a table meal, we have already met with the Police at the premises following their representations. They requested the same condition and it was agreed that this would not be required as the condition already in the operating schedule, that all alcohol sales are served directly to persons seated, would fully satisfy the prevention of crime and disorder strand of the Licensing objectives. The police subsequently withdrew their representation.

3) as the standard hours for licensable activity at the premises end before midnight, door supervisors would only be required on the 3 non standard timings dates. This would prove somewhat onerous for the premises and disproportionate for the size and nature of the premises. We would be willing to offer an alternative condition that "on the 3 occasions for non standard tonnes each year, a risk assessment will be conducted and door supervisors will be deployed accordingly"

Regards,

Mark

Mark Altman