



Supplementary: Alcohol and Entertainment Licensing Sub-Committee (B)

Friday 16 February 2018 at 10.00 am

Boardrooms 3&4 - Brent Civic Centre, Engineers Way,
Wembley HA9 0

Membership:

Members

Councillors:

Allie (Chair)
Maurice (substituting for Kansagra)
McLeish (substituting for Pavey)

Substitute Members

Councillors:

Ahmed, Daly, Denselow,
Duffy, Eniola, Harrison, Jones,
Khan, Long and Stopp

For further information contact: Nikolay Manov, Governance Officer
Tel: (020) 8937 1348; nikolay.manov@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:
democracy.brent.gov.uk

The press and public are welcome to attend this meeting.

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also a Prejudicial Interest (i.e. it affects a financial position or relates to determining of any approval, consent, licence, permission, or registration) then (unless an exception at 14(2) of the Members Code applies), after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward affected by the decision, the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who employs or has appointed any of these or in whom they have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or any firm in which they are a partner, or any company of which they are a director
- any body of a type described in (a) above.

Agenda

Item	Page
3 Application for Temporary Event Notice by Jignesh Brahmhatt for the premises known as Masti, 576-582 High Road, Wembley HA0 2AA, pursuant to the provisions of the Licensing Act 2003	20 - 25

Conduct of the Hearing:

The hearing shall proceed as follows:

- General introduction by the Regulatory Services Manager
- Case for the Responsible Authority – Police/Regulatory Services
- Questioning of the Responsible Authority by Applicant and Members
- Representations by interested parties (if any)
- Case for the Applicant
- Questioning of the Applicant by the Responsible Authority and Members
- Summing up by the Responsible Authority
- Summing up by a representative of interested parties (if any)
- Summing up by the Applicant

Members' Deliberation

The Chair will then ask the representatives of the Responsible Authority and the Applicant to leave the meeting room whilst the panel goes into close session to deliberate the application. The applicant and the representatives of the responsible authority will be recalled to the meeting room when the Sub-Committee has made its decision. The decision will be confirmed in writing to the applicant within 7 days



Please remember to switch your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.

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Dear All,

RE: TEN Application / Masti - Monday 2nd April 2018

Further to the representations put forward by the police, we would respectfully request the following to be taken into consideration in respect of the aforementioned application.

- The proposed Easter Party is for the same group that has used our premises for similar events on 27.03.16, 26.12.16 & 16.04.17 for which TEN applications were submitted and approved previously. Additionally and more importantly we did not have any issues or incidents for the 3 listed events. It is worth noting that this event is ticketed and attended by middle aged persons in their 40's and we will also submit a 696 for vetting purposes.
- As with the previous events, we will impose a strict no entry for intoxicated persons, full search of everyone upon entry and a no re-entry policy throughout the duration of this event.
- Any event bookings we undertake are not only viewed from a business viewpoint but we intrinsically consider the licensing objectives and carry out a due diligence analysis accordingly.
- Given that we are situated in the basement and located on a High Street the noise from within the club has never been an issue however we are mindful of the residents in the local vicinity and customarily adhere to DJ PA announcements and change in music to assist with a calm dispersal of patrons.

Incidents within the last 6 months:

- The incidents on 08.10.17 and 05.11.17 took place outside the club with third parties who were not Masti patrons.
- With reference to the 11.12.17 incident the couple were part of a larger group but non of the bar persons recall them as being intoxicated otherwise a refusal would have been conducted and logged as per our policy.
- 07.01.18 - the altercation was not attributable to drunkenness.
- 14.01.17 - female customer was inadvertently pushed to the ground by a male customer who was trying to stop an argument between her and another female.

Please note that we have recently changed our security company from 'All Events Security' to 'Smart Security' who we believe will provide a stronger presence and an improved level of professionalism and control which will result in better management of the licensing objectives in general. Furthermore, they have been instructed to carry out regular half hourly patrols externally in order to circumvent any trouble occurring outside the premises. Notwithstanding the aforementioned, we have recently employed a consultant who is an experienced licence holder to assist with the training and implantation of the licensing objectives.

Action Plans - procedural changes implemented:

- All Masti staff now undergo training pertinent to the Licensing Act 2003.
- Embraced a strict refusal and logging policy to anyone who appears to be drunk.
- Improved monitoring - all staff members and security have been asked to point out anyone who appears to be drunk.
- We have never allowed re-entry and this practice is continually re-iterated to all concerned.
- Changed our security company that provide us with SIA door supervisors.
- all door supervisors and duty manager have a radio for effective communication.
- A debriefing between DPS and SIA held at the end of each shift.
- The Wembley High Road radio scheme has now been approved by companies directors.
- Continued enforcement of the entry / no re-entry / dispersal policy.
- Use of ID scanners upon entry is in force.

We as a company continually strive to mitigate and control incidents that may contravene in upholding the licensing objectives and would therefore request all parties to re-consider granting the TEN application in respect of 2nd April 2018.

Yours sincerely,

Jignesh Brahmhatt

MASTI

BAR, RESTAURANT & CLUB

576-582 HIGH ROAD

WEMBLEY

HA0 2AA

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Michael Sullivan URN: [] [] [] []

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer.....

This statement (consisting of: 4..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Signature] Date: 14th FEBRUARY 2018

Tick if witness evidence is visually recorded [] (supply witness details on rear)

Tick if witness evidence is visually recorded [] (supply witness details on rear)

I am a Police Constable of nearly 14 years' experience, all of which I have worked on the London Borough of Brent, I am currently attached to the licensing unit for the Borough, I have been authorised via a delegated authority to represent the Borough Commander of the London Borough of Brent and for the Commissioner of the Metropolitan Police Service to act on Licensing matters.

I am making this statement in relation to a Temporary Event Notice (TEN) submitted to Brent Council from a Mr Jignesh Brahmhatt the manager of the venue, Masti night club 576-582 High Road, Wembley, HA0 2AA, for an Easter Party on the 2nd April 2018 between Midnight and 08.00 hours.

On the 31st January 2018 I made representations against the TEN being allowed to go ahead, due to numerous incidents of assaults at the venue over the few months, some involving drunkenness.

Mr Jignesh Brahmhatt has responded to the representations stating that some of incidents are not related to the club and the other incidents did not involve drunkenness.

I will detail each crime mentioned and the relevant parts of the reports where it refers to being linked to the club and drunkenness.

Below is extracts from the crime reports and are not verbatim

Crime 1925514/17 date 08/10/2017

Victim account. The victim, (VIW1) was inside the MASTI nightclub with a friend and 2 females. He stated that they were waiting outside the club on Lancelot Road, when 2 males approached them (believed to be from Savannah Lounge) and asked them if they had a cigarette Lighter. An argument has then occurred between them and the SUS have then allegedly gone back towards the Savannah lounge and sought some more friends, before

Signature: [Signature] Signature witnessed by:

Continuation of Statement of ~~XXXXXXXXXX~~.....

returning. The SUS and friends have then descended on the victim's Car and started smashing the windows and assault

(Masti doorman statement)

Stated that the Male Victim, his male friend and two females were asked to leave Masti club due to intoxication. They then went along. They then went along Lancelot Road to Victims Car. xxxxxx states that the group were yelling abuse at all passers-by and were told on a number of occasions to leave, but continued to be rowdy. xxxxx States that Victim was the aggressor in what was to follow.

He stated that two males came out of the Savannah lounge and an altercation occurred between the two groups. Xxxxx stated that The Victim then went into his car and picked up some sort of metal pole and went after the males. The Males (believed to be suspects) then went back to Savannah lounge and sought friends, who then all returned and set on the Victim and his car.

Mr Jignesh Brahmhatt response to this incident is that it took place outside the club with third parties who were not Masti patrons.

The incident clearly involved drunk ejected patrons from his club that were abusive.

Crime: 1928362/17 date 05/11/2017

Victims 1, 2 attended venue a club in WEMBLEY Saturday 4th November. They both left together at 0230 hours 5th November 2017.

As the pair walked out and around the corner they saw a group of approximately 5 to 6 Asian males walk towards them. Suspect 1 from the group started punching victim 1 in the face with his fist. Victim 2 tried to pull victim 1 away and then he was punched too in the face by suspect 2 from the group.

Both males did not see any weapons believe they were punched in the face using a closed fist.

victims believe the males were in the club too, they weren't anyone they had seen before and do not believe they had an problems with them in the club.

Suspects did not say anything to Victims when they were approached.

Both victims fell to the ground after they were punched and felt they were being kicked in the ribs.


They then were unable to see clearly and remember staff from the club helping them up and taking them into the club and giving them water.

Victims were shown ID images of possible suspects by club staff who scan ID of everyone that comes in.

Victims told police they were very frightened and confused.

Victim 2 told officer that when taken back inside the club by the bouncers, he identified the suspects on CCTV. CCTV has been viewed. It shows the fight inside the club but not outside.

I think there has been some confusion around this. After speaking to the victim 2 he states the Suspects were involved in a fight inside the club. The same suspects have been thrown out and then attacked them in an unprovoked and unrelated assault.

Signature: 

Signature witnessed by:

Continuation of Statement of ~~XXXXX~~.....

Mr Jignesh Brahmhatt response to this incident is that it took place outside the club with third parties who were not Masti patrons.

Again it is clear that the victims and suspects had come from the club.

Crime 1931668/17 date 10/11/12/2018

On SUNDAY 10TH DECEMBER 2017 at approximately 0100hours, XXXXX was in MASTI night club with his wife, XXXX, when he was dancing on the dance floor. Both the suspects were dancing with xxxxx but xxxxxx did not like this and tried to step in between them whilst they were doing this. This did not work and the suspects have continued dancing close to the victim and they have then pushed xxxxx turban off of his head.

Upon arrival, xxxxxx appeared very intoxicated and was very angry, and initially refused to leave the scene after police advised him to, as he was trying to get back into MASTI club to see if the suspects were there. Prior to police arrival, xxxxxxxx was removed from the night club by the security staff due to his aggressive behaviour after the incident took place.

The security staff were spoken to and both the suspects had left the scene prior to police arrival, direction of travel unknown.

xxxxxx and xxxxxxxx were both under the influence of alcohol, and it was not suitable to take any further details from them.

Police were unable to gain any further descriptions of the suspects from xxxx or xxxxxxxx due to them both being under the influence of alcohol. xxxxxx was also angry at the scene and initially would not listen to advice from police in relation to leaving the venue due to his aggressive behaviour. At this time the suspect's details are not known, and the suspect does not know who the suspects are.

Mr Jignesh Brahmhatt response to this incident is - With reference to the 11.12.17 incident the couple were part of a larger group but none of the bar persons recall them as being intoxicated otherwise a refusal would have been conducted and logged as per our policy.

The crime report clearly states that both were intoxicated and were unable to give police a clear account due to being drunk.

Crime 1900527/18 date 07/01/2018

xxxxx states that she was dancing on the dance floor of MASTI when SUSP came up to her and started grinding on her. xxxxx has pushed SUSP away to which SUSP has said "Who do you think you are, you're not some Asian Princess".

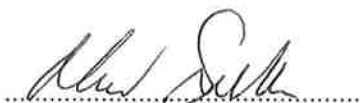
SUSP has then grabbed xxxxxx around the neck and dug her nails in. xxxxxxxx has pushed SUSP off where she has then grabbed xxxxxxxx by the hair and pulled it. At this point security have intervened and separated them.

While being separated xxxxx has thrown a plastic cup at one of the security causing his nose to bleed. This has resulted in her being arrested.

Mr Jignesh Brahmhatt response to this incident is - 07.01.18 - the altercation was not attributable to drunkenness.

I have viewed the police Body Worn Video footage of one of the suspects for this incident and she appears to be

Signature:



Signature witnessed by:

Continuation of Statement of [REDACTED]

very drunk or under the influence of drugs.

Crime 1901248/18 date 14/01/2018

Victim called police today stating that in the early hours of Sunday Morning she had been at the location. A female approached her asking if she liked anyone in the bar. She said she didn't, she was with a friend. The female asked her again and the victim asked her to leave her alone.

A bouncer, suspect 1 then approached the victim and this female and the female said that victim had been horrible to her. The suspect then pushed the victim to the dance floor using both hands on her.

This caused a commotion of the dance floor and the victim is then taken outside by other bouncers. The victim explained what had happened to the owner of the premises who said that the suspect will be getting the sack due to his actions.

Victim states that suspect once asked her out and victim refused. She feels that ever since then he hasn't been nice to her each time she has attended.

Police have attended the venue and seized CCTV from the duty manager xxxx who has also emailed a copy of the incident report made on the night. The manager has also told police that the bouncer is trying to obtain a copy of his body worn camera footage which shows victim outside the club once ejected being loud and rude towards staff.

Police have called victim and asked her to confirm her version of events which she is had an argument with a male, and was then pushed for no reason by a security guard before leaving and going home. I have explained that this is not what is seen on CCTV and she has said she was drunk and could have possibly mistaken her version of events.

Mr Jignesh Brahmhatt response to this incident is - female customer was inadvertently pushed to the ground by a male customer who was trying to stop an argument between her and another female.

The victim in this crime has stated that she was drunk and might have mistaken her version of her events.

It is clear from the above that there is an element of drunkenness involved in all but one of these violent incidents, It is my opinion that if this TEN is allowed to happen the club is unlikely to uphold the licensing objectives as drunkenness is currently a problem associated with this venue.

Signature: Mr. Sult

Signature witnessed by: