



Supplementary - Alcohol and Entertainment Licensing Sub-Committee

Tuesday 27 November 2018 at 10.00 am
Members Suite - 4th Floor, Brent Civic Centre,
Engineers Way, Wembley, HA9 0FJ

Membership:

Members

Councillors:

Ahmed (Chair)
Long
W Mitchell Murray

Substitute Members

Councillors:

Allie, Chohan, Hector, Kennelly, McLeish, Maurice and
RS Patel

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 4011; Email: devbai.bhanji@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:

www.brent.gov.uk/committees

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 significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then 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 of 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 or 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 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 is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item		Page
3	Application for Temporary Event Notice by Mr Kuppusamy Kirupakaran for the premises known as Ruby Lounge (Mezzanine), 1 Pop In Centre, South Way, HA9 0HB, pursuant to the provisions of the Licensing Act 2003	38 - 41



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.

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From: CRYSTAL WEMBLEY - EVENTS & MANAGEMENT CRYSTAL WEMBLEY - EVENTS & MANAGEMENT [mailto:info@crystaleventsandmanagement.co.uk]
Sent: 26 November 2018 12:59
To: Nicola.McDonald@met.pnn.police.uk
Cc: Business Licence <business.licence@brent.gov.uk>; Legister, Linda <Linda.Legister@brent.gov.uk>; Patel, Yogini <Yogini.Patel@brent.gov.uk>; DAMIEN.J.Smith@met.police.uk; Licensing-QK@met.pnn.police.uk
Subject: Ruby Lounge TEN Application Reply

Dear Nicola,
Hope you are well
Further to your recent letter (representation), I have put down my comments and views within your letter : all clearly marked in RED

Many Thanks,
Vaman Sriharan
Crystals

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Vamanaganেশha Sriharan : VS

On 12th October 2018 I visited the venue with PC Gary Norton. It was lunchtime and the premises were closed to the public, there was no licensable activity being conducted. We met with Mr Vamanaganেশha Sriharan. I saw several posters around the bar area advertising bottles of spirits for sale.

See attached photo.

VS Comment : Posters are displayed, just a display only, bottles are not sold and there is no physical evidence, will instruct the Operators to amend the price list.

This breaches condition 28: No bottles of spirits shall be sold at anytime. All spirits shall be sold in standard measure. This condition is in Annex 3, attached to the premises licence by the licensing authority after a hearing.

I asked to see the ID scanner in line with condition 23. Mr Vamanaganেশha Sriharan

produced the scanner, it was covered in a film of dust and looked as though it had not been used for sometime, however the premises opens to the public every night.

VS Comment : Venue is open to public mostly Thursday to Sunday, Few days prior to the officer's visit we had a water leak where we store/keep the scanner, and we had to open up the ceiling / plasterboard to fix the problem, and I mention to this to the officer and I invited her to speak to my staff about the leak repair – hence the dust on the scanner

I asked Mr Vamanaganেশa Sriharan to operate the scanner, he was able to switch it on. It took a long time to initialize, and then run through the diagnostics. Mr Vamanaganেশa Sriharan said this was normal however a message came on the screen stating ' This account is inactive for the following reason: ACCOUNT SUSPENDED. See the attached photo of the screen. I asked who held the account and Mr Vamanaganেশa Sriharan said it was Frank who paid for the Scanner.

VS Comment : I never mentioned any names here, I said Crystal Management doesn't pay for the subscription and it is paid by the current Operators : I never mentioned any persons names.

I asked Mr Vamanaganেশa Sriharan if he used the scanner and he said no the security operated the scanner.

VS Comment : I said in my absence Door Staff or some time Floor Staff will do the scanning

I asked to see the door supervisor log (condition 3) Mr Vamanaganেশa Sriharan said he did not have that, it was also kept by Frank. I asked to see the incident book (condition 35) this could not be produced.

VS Comment : Door Supervisor Log(s) and Incident Log Book are kept on the premises all time, but never requested on the day of the visit – I am disputing this claim.

I then asked to view the CCTV footage for 22nd September 2018 (condition 1). Mr Kuppusamy Kirupakaran could not find the CCTV hard drive.

In the small room next to the bar there was a black metal cabinet that was locked.

Apparently the hard drive was in that cabinet but Mr Vamanaganেশa Sriharan had no idea where or who (apart from Frank) might have the key.

VS Comment : I accept that I did not have the keys for the CCTV hard drive at that moment in time and I told the visiting officer that if the keys are not in the office then PLH Mr Kuppusamy Kirupakaran may have taken it : but I never mention any other persons names who may or may not have keys.

Mr Vamanaganেশa Sriharan alleged Mr Kuppusamy Kirupakaran would have a key but he was in Germany.

VS Comment : I accept this claim

We left the premises on the understanding Mr Kuppusamy Kirupakaran would contact me upon his return from Germany the following day so I could view the CCTV footage and other items. Mr Vamanaganেশa Sriharan said he could get the footage downloaded however I wanted to view it at source to ensure its' integrity and accuracy.

VS Comment : I accept this above statement, and I told the officer that “give me some time” to download the footage, and I will provide the footage (whatever) requested also I am well aware that if I meddle / interfere with CCTV recording - that is against the law and I could be charged.

***Please see/refer Ruby Lounge Licence – Condition (29)**

How can Vamanaganesha Sriharan check the CCTV system as part of his daily supervision of the premise if he has no access to the hard drive. Vamanaganesha Sriharan has no control of the ID scanner contract or operation.

VS Comment : I accept this, but CCTV can be viewed online via apps by PLH

I explained if licensable activities were to take place and the conditions were not fulfilled this would be breaches of section 136 Licensing Act 2003.

VS Comment : I accept this, it was briefed

I spoke to Mr Kuppusamy Kirupakaran the following day, he had missed his flight home from Germany. I was aware he had been to Germany for a funeral, so as not to disturb him an such a time I asked him to contact me at a suitable time for him.

VS Comment : I accept this claim, but I was under the impression that the visiting officer would contact Mr Kuppusamy Kirupakaran or me and put in a written request for the CCTV recordings & other information.

Mr Kuppusamy Kirupakaran has not contacted me since that phone call.

It is the opinion of Police that the venue can not operate correctly under the rigorous conditions attached to the existing premises licence. Extending the operating hours of the venue and permitting entry up until 0200hour whilst the designated premises supervisor has such little control of the venue is a recipe for disaster and undermines the licensing objectives.

Police request these TEN's be rejected.

VS Final Comment I accept that the CCTV & Scanning data wasn't provided on the time of visit, but I offered the officer that I will download the data if time was given : I think it's a reasonable ask, also there are some claims I totally deny all clearly documented above.

The request to use the TEN application during this festive period to prove the Authorities that Ruby Lounge can operate without any incident and fulfilling all licencing conditions / stipulations.

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Regards,

Crystal Wembley Ltd
1 Popin Business Centre
South Way
Wembley. HA9 0HB

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