



## **Alcohol and Entertainment Licensing Sub-Committee - Supplementary**

**Wednesday 16 October 2019 at 10.00 am**

Boardrooms 7&8 - 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](mailto:devbai.bhanji@brent.gov.uk)

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[www.brent.gov.uk/committees](http://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
<b>3 Application for a New Premises Licence by Miss Bindal Givan Velgi for the premises known as Fudam, 238A Ealing Road, Wembley, HA0 4QL, pursuant to the provisions of the Licensing Act 2003</b>	<b>78 - 81</b>

**Date of the next meeting: Date Not Specified**



- 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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## Notes re Conditions Agreed With Responsible Authorities

9 conditions were volunteered by the applicant; with the exception of condition (iv) – “*The management shall operate a zero tolerance to drugs*” all of the conditions have been removed and replaced with conditions requested by the responsible authorities.

For clarity I have lined through the conditions in the Council licensing officers’ list where they exactly replicate the earlier agreed conditions with the Police, namely: conditions 1, 4, 5, 10, 11 and 15 a, c and h.

The condition at (8) is different from the one agreed with the Police at condition “M” and requires clarification as to the final wording as they contradict each other.

- 4 conditions have been agreed with Public Safety (i to iv) 11<sup>th</sup> September 2019 at 09:50 hours (please note that a subsequent email was sent the same day to point out an error with the one sent at 09:50 stating “***Please ignore that part about providing the capacity calculations, this was included in error as they have been agreed already***”
- 13 conditions have been agreed with the Metropolitan Police 19<sup>th</sup> September 2019 at 15:09 hours.
- 17 conditions have been agreed with Brent Licensing

## **Public Safety Officer**

- I. The locks and flush latches on the exit doors shall be unlocked and kept free from fastenings other than push bars or pads whilst the public are on the premises.
- II. Any socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).
- III. No person shall be permitted to sit on the floor, on stairs or in gangways and passageways.
- IV. Subject to risk assessment, the maximum number of persons permitted on the Premises (not including staff) shall be: 43 persons

## Brent Licensing Officer

- 1) ~~CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council.~~
- 2) A CCTV camera shall be installed to cover the entrance of the premises and a further camera to cover the entire servery counter and till.
- 3) A member of staff trained in the use of the CCTV system shall be available at the premise at all times that the premises are open to the public.
- 4) ~~A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.~~
- 5) ~~Notices asking customers to leave quietly shall be conspicuously displayed at all exits.~~
- 6) Customers shall not be permitted to take open glass containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority.
- 7) The licensee shall ensure customers leave the premises in a quiet and orderly manner.
- 8) No children shall be admitted unless accompanied by a responsible adult. All children must leave the premises by midnight.
- 9) A sign stating 'No proof of age, No sale' shall be displayed at the point of sale.
- 10) ~~A 'Challenge 25' policy shall be adopted and adhered to.~~
- 11) ~~With the exception of persons seated on the chairs around the service area, as shown on the plan submitted to and approved by the Licensing Authority, all sales and supplies of alcohol will only be served directly to persons at a table.~~
- 12) The designated smoking area (DSA) shall be located at the front of the premises facing onto Ealing Road. Smoking shall be limited to 5 persons. This shall be monitored by the members of staff on duty at the premises.
- 13) If an external area exists at the rear of the premises, this shall not be used by members of the public at any time the premise is open carrying out licensable activities.
- 14) There shall be no vertical drinking permitted within the premises as defined on the plan submitted to and approved by the Licensing Authority.
- 15) An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:
  - (a) ~~all crimes reported to the venue~~
  - (b) all ejections of patrons
  - (c) ~~any complaints received~~
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (h) ~~any visit by a relevant authority or emergency service.~~
- 16) Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo regular training of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.
- 17) 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. Patrons are permitted to temporarily leave to smoke in the DSA and then re-enter the premises. This shall be limited to 5 persons at any one time and monitored by the members of staff on duty at the premises

**Late Night Refreshment** - Monday to Sunday 23.00-00.00hrs be reduced to Monday to Sunday 23.00-23.30hrs

Mark Altman ALES Licensing Services

Tel 07919 446 323 [aleslicensing@mail.com](mailto:aleslicensing@mail.com) [www.aleslicensing.com](http://www.aleslicensing.com)

## Police Licensing Officer

- a) CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council upon request.
- b) A CCTV camera shall be installed to cover the entrance of the premises and the main restaurant, bar area and entrance to the toilets.
- c) The CCTV system shall display on any recordings the correct date and time of the recordings.
- d) The CCTV camera that covers the entrance to the premises, shall be capable of obtaining clear facial recognition images and a clear head and shoulder image of every person entering or leaving the premises.
- e) A 'Challenge 25' policy shall be adopted and adhered to at all times.
- f) With the exception of persons seated on the chairs around the service area, as shown on the plan, all sales and supplies of alcohol will only be served directly to persons at a table.
- g) A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.
- h) Customers will not take open drink containers of alcohol outside the premises as defined on the plan submitted to and approved by the Licensing Authority.
- i) Customers carrying open or sealed alcohol drinking vessels shall not be admitted to the premises.
- j) An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:
  - All crimes reported to the venue.
  - Any complaints received.
  - Any faults in the CCTV system.
  - Any visits by a relevant authority or emergency service.
  - Any refusal of the sale of alcohol.
- k) All deliveries shall take place during normal working hours (i.e.09.00hrs to 18.00hrs daily).
- l) Notices asking customers to leave quietly shall be conspicuously displayed at all exits.
- m) No children shall be permitted on the premises after 22.00hrs, unless accompanied by a responsible adult.

<b>Section 6: Operating Schedule &amp; Conditions Volunteered by the Applicant</b>	
	<b>Prevention of crime and disorder</b>
<b>i</b>	<p>A digital recording CCTV system will be installed and fully maintained to comply with the following:</p> <ul style="list-style-type: none"> <li>a) All cameras will be capable of recording images of a quality sufficiently high to identify individuals</li> <li>b) At least one camera will be installed that is capable of taking a higher quality “head and shoulder” image of every person entering the premises</li> <li>c) Images will be retained for a minimum of 28 days before being overwritten</li> <li>d) The images will be stored in a format that is easily retrievable. Copies will be provided without undue delay, and in accordance with the data protection act, following any reasonable request from the Police or authorised officers of the London Borough of Brent.</li> <li>e) At all times when the premises are open for licensable activity, at least one person will be able to operate the CCTV system and allow images to be viewed by the Police, or authorised officers of the London Borough of Harrow, in the lawful execution of their duty</li> <li>f) If for any reason the CCTV system malfunctions this information will be communicated without any undue delay in a format agreed by the Police and London Borough of Brent Licensing</li> </ul>
<b>ii</b>	All refusals of alcohol sales will be recorded in a register and made available for inspection on reasonable demand by Police Officers or Authorised Officers from the London Borough of Brent.
<b>iii</b>	All significant incidents including calls made to the emergency services will be recorded in an incident log and made available for inspection on reasonable demand by Police Officers or Authorised Officers from the London Borough of Brent.
<b>iv</b>	<b>The management shall operate a zero tolerance to drugs.</b>
	<b>Public safety</b>
<b>v</b>	Any external smoking area provided for customers will be monitored and controlled by the staff to ensure that the licensing objectives are fully promoted
<b>vi</b>	With the exception of persons seated on the chairs around the service area, as shown on the plan, all sales and supplies of alcohol will only be served directly to persons seated at a table
	<b>Prevention of public nuisance</b>
<b>vii</b>	Prominent, clear and legible notices shall be displayed at the entrance/exit requesting patrons to respect the needs of local residents by leaving the premises and the local area without causing any undue disturbance.
	<b>Protection of children from harm</b>
<b>viii</b>	A challenge 25 proof of age scheme will be implemented unless a different “best practice” scheme is requested by the Police or Licensing Authority.
<b>ix</b>	No children shall be allowed on the premises after 22.00 hours unless accompanied by an adult