



Third Supplementary - Alcohol and Entertainment Licensing Sub-Committee

Wednesday 4 December 2019 at 10.00 am
Members Suite - 4th Floor, Brent Civic Centre,
Engineers Way, Wembley, HA9 0FJ

Membership:

Members

Councillors:

Ahmed (Chair)
Hector
Long

Substitute Members

Councillors:

Allie, Chohan, Kennelly, McLeish, W Mitchell Murray,
Maurice and RS Patel

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 6841 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 the Review a Premises Licence by Nuisance Control Team for the premises known as Barril, 159 High Street, NW10 4TR, pursuant to the provisions of the Licensing Act 2003	1 - 2
4	Application for a Variation to a Premises Licence by Keseven Prathipkumar for the premises known as Taste of Ceylon, 32 Ealing Road, Wembley, HA0 4TL, pursuant to the provisions of the Licensing Act 2003	3 - 4

Date of the next meeting: Monday, 16 December 2019



- 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.

This page is intentionally left blank

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

--	--	--	--

Statement of: Sergeant Damien Smith 253NW

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police officer

This statement (consisting of 1 page(s) 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 in it anything which I know to be false, or do not believe to be true.

Witness Signature: *Damien Smith 253NW* Date: 3/12/19

On Monday the 2nd December 2019 I was on duty in plain clothes. I had a DVD to deliver to 159 High Street NW10 the premises known as 'Barril'. I attended the venue around 1100 hours but it was closed. I knew the DPS at the Green Man Public House at 109 High Street was good friends and a work colleague with Mr Dal Forno of Barril. I visited the Green Man and met Marcos Vasconcelos and asked if he was still in regular contact with Mr Dal Forno. He informed me he was meeting Mr Dal Forno in the evening for a pizza. I asked him if he could hand a DVD to him for me and he was happy to do so.

I gave the DVD marked with reference QKU192443 to Mr Vasconcelos to give to Mr Dal Forno and explained it held footage of the Police visit to Barril on the 16th November 2019. IN addition to providing a working copy of the footage I emailed Mr Dal Forno to explain the DVD was handed to Marcos today and that he will deliver it to him on my behalf.

The footage on the DVD is from PC Cambeiros Body worn camera that he was wearing during the Police visits to 159 High Street on 16th November 2019. There are five separate DVDs that exist with the footage recorded. **One DVD will remain sealed in an exhibit bag Exhibited as JAC/2 seal number MPSA24298772.**

On Tuesday the 3rd December 2019 I handed Licensing Inspector Chan a copy of the same DVD for submission in relation to two licensing hearings at the Civic Centre on the 4th December 2019. The footage is available for viewing at the hearing on the 4th December 2019 in a MP4 format. PS Damien Smith 253NW

Damien Smith 253NW

Witness Signature: *Damien Smith 253NW*

Signature Witnessed by Signature:

This page is intentionally left blank

Agenda Item 4

From: Pearce, Chris <Chris.Pearce@brent.gov.uk>
Sent: 03 December 2019 10:49
To: licensingservicesagency@ntlworld.com; Legister, Linda <Linda.Legister@brent.gov.uk>; Business Licence <business.licence@brent.gov.uk>; Patel, Yogini <Yogini.Patel@brent.gov.uk>
Subject: RE: FW: CONSULT: Variation - Ceylon, 32 Ealing Road, HA0 4TL - 17360

Dear Debra Silvester

Thank you for your correspondence dated 3rd December 2019, stating that you accept the conditions set out in our representation.

I confirm that the Public Safety Team now withdraw the current representation and do not make any further representations regarding the application.

We will require the agreed conditions to appear on the licence schedule.

Kind regards

Mr Chris Pearce
Public Safety Officer
Regeneration & Environmental Services
Brent Council
020 8937 1031

From: Pearce, Chris
Sent: 03 December 2019 10:44
To: 'licensingservicesagency@ntlworld.com' <licensingservicesagency@ntlworld.com>; Legister, Linda <Linda.Legister@brent.gov.uk>; Business Licence <business.licence@brent.gov.uk>; Patel, Yogini <Yogini.Patel@brent.gov.uk>
Subject: FW: FW: CONSULT: Variation - Ceylon, 32 Ealing Road, HA0 4TL - 17360

Dear Debra

Just to confirm that the maximum capacity is 60 persons. The FRA states

See 5.1, the CLG guide recommends that dining and restaurant areas should have a capacity of 1 person per Metre squared the approximate area for the front restaurant area is 60m² so the capacity should be approx. 60 persons.

Is this useable area or the entire area? And it does not make mention of the secondary area between the kitchen and the front restaurant or is this the entire useable customer space.

The FRA goes on to say

The front exit door (950mm) has a capacity of 100 persons, and the rear exit door (800mm) also has an exit capacity of 100 persons, so the maximum exit capacity for this premise is 100 persons.

I am of the opinion that a restaurant fire escape for the public cannot go through the kitchen, therefore the restaurant is reliant on 1 fire exit.

The capacity on the FRA gives two figures, can one figure be confirmed.

Kind regards

Mr Chris Pearce
Public Safety Officer
Regeneration & Environmental Services
Brent Council
020 8937 1031

From: licensingsservicesagency@ntlworld.com [<mailto:licensingsservicesagency@ntlworld.com>]
Sent: 03 December 2019 09:26
To: Pearce, Chris <Chris.Pearce@brent.gov.uk>
Subject: RE: FW: CONSULT: Variation - Ceylon, 32 Ealing Road, HA0 4TL - 17360

Dear Chris

We have just received a copy of the risk assessment and I have now attached it. It seems that a few matters appear to be needed to be dealt with and this is in hand but there is an estimate of maximum capacity levels as requested. We can now agree to all of your conditions. Please advise if you are happy to now withdraw your representation.

Kind regards

Debra Silvester