

London Borough of Brent – Decisions taken by the Alcohol and Entertainment Licensing Sub-Committee (B) on Thursday 24 July 2014

Agenda Item No	Topic	Decision
1.	Declarations of personal and prejudicial interests	None declared.
2.	Application by Julie Burfoot c/o Thames Television for a premises licence for 'Olympic Way' (Wembley, HA9 0NP) pursuant to the provisions of the Licensing Act 2003	It was noted that the application had been withdrawn and accordingly did not need to be considered by the Sub-Committee.
3.	Application by Shell UK Oil Products Ltd for a premises licence for 'Shell Neasden' (369 North Circular Road, London, NW10 0HS) pursuant to the provisions of the Licensing Act 2003	<p>That the application by Shell UK Oil Products Ltd for a premises licence for 'Shell Neasden' (369 North Circular Road, London, NW10 0HS) pursuant to the provisions of the Licensing Act 2003 be adjourned.</p> <p>The Alcohol and Entertainment Licensing Sub-Committee (B) noted that the applicant had requested an adjournment as they had not received the papers for the hearing due to a misunderstanding over whether conditions had been agreed. In view of this, the Sub-Committee felt it wholly reasonable to adjourn the application.</p>
4.	Application by Shell UK Oil Products Ltd for a premises licence for 'Shell Pine' (421 Edgware Road, London, NW9 0HS) pursuant to the provisions of the Licensing Act 2003	<p>That the application by Shell UK Oil Products Ltd for a premises licence for 'Shell Pine' (421 Edgware Road, London, NW9 0HS) pursuant to the provisions of the Licensing Act 2003 be adjourned.</p> <p>The Alcohol and Entertainment Licensing Sub-Committee (B) noted that the applicant</p>

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		had requested an adjournment as they had not received the papers for the hearing due to a misunderstanding over whether conditions had been agreed. In view of this, the Sub-Committee felt it wholly reasonable to adjourn the application.
5.	Application by the Metropolitan Police to review the premises licence for 'The Lounge' (Unit 5 Unimax House, Abbey Road, London, NW10 7TR) pursuant to the provisions of the Licensing Act 2003	<p>Having considered the application by Brent Police to review the premises licence for 'The Lounge' (Unit 5, Unimax House, Abbey Road, London, NW10 7TR) pursuant to the provisions of the Licensing Act 2003, the Sub-Committee resolved that the premises licence be revoked.</p> <p>The Alcohol and Entertainment Licensing Sub-Committee (B), having carefully considered the application, felt that there was overwhelming evidence in the Police's representation that there had been significant breaches of the licensing objectives (prevention of crime and disorder, ensuring public safety, prevention of public nuisance and protection of children from harm) and the premises licence. In particular, the seriousness of the crime and disorder incidents in the early hours of 29 June 2014 involving a shooting and wounding of one customer, and the injuries of another involved in a fight, were all relevant factors and thus taken into account during the committee's decision making process. In addition, the breaching of various conditions on the premises licence and the apparent lack of licensing knowledge and day to day management of the premises were further material considerations. It was also noted that the premises licence holder had not set out precisely to the Sub-Committee how he intended to prevent such incidents occurring in future, such as suggesting some conditions which may have helped him uphold the licensing objectives thereby demonstrating a firm commitment of change. Members noted that the licence premises</p>

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		<p>holder had not been trading for very long, however, given the bad management decisions and poor judgement displayed, he had not showed himself to be a fit and responsible person for holding a premises licence. The decision to revoke the premises licence was not taken lightly by members as the sub-committee is not in the habit of closing down premises without full justification for doing so having regard to the four licensing objectives, however, the evidence put forward by the Police as aforesaid was highly influential when deciding what action should be taken given the extent of the Sub-Committees powers contained under section 53C (3) of the Licensing Act 2003.</p> <p>In view of the salient points above, the Sub-Committee felt that it was just reasonable and proportionate in all of the circumstances of the case to revoke the premises licence.</p> <p>The Sub-Committee during its decision making process considered all of the evidence having regard to the Council’s Statement of Licensing Policy, amended guidance issued under section 182 of the Licensing Act 2003 and the licence holders human rights under the Human Rights Act 1998 (namely Article 6, Article 8 and Article 1 of the First Protocol). Accordingly, in all of the circumstances of the case it was felt that the decision of the Sub-Committee was reasonable and proportionate.</p>