



**MINUTES OF THE ALCOHOL AND ENTERTAINMENT LICENSING SUB-COMMITTEE
(C)
Tuesday 5 August 2014 at 10.00 am**

PRESENT: Councillor Long (Chair), Councillor Bradley and Councillor Tatler

1. Declarations of personal and prejudicial interests

Councillor Long explained that she was familiar with the premises as a local person but did not frequent them. She also stated that she had served on a sub-committee that had considered a previous review of the licence.

2. Application by Metropolitan Police for the review of the premises licence for No8 Bar, 305 High Road, Willesden

Before the chair opened the meeting, the legal representative briefed members on the options open to them and referred to the Home Office guidance.

The Committee heard from the Licensing Officer, who explained the rationale behind the Police application and reasons for it.

The Committee then heard from the PC Sam Lewis-Evans in respect of the Police recommendations for a change in the licence conditions. She presented the case as outlined in the papers before the sub-committee. This set out that there had been two serious incidents involving violence with glass at the premises within the last 12 months. PC Lewis-Evans informed the sub-committee that the latest incident amounted to a serious crime for which a sentence of in excess of 3 years imprisonment could be imposed and as such amounted to serious crime and/or represented serious disorder.

PC Lewis-Evans indicated that a proportionate response to these incidents would be to amend the conditions of the premises licence so as to ensure that either polycarbonate or plastic glasses were used so as to remove the potential for any future injury by glass.

Members of the sub-committee questioned the Police on aspects relating to the operation of the premises which were now primarily used as a hostel.

PC Lewis-Evans then read the following statement she had received from the licence holder:

“At the outset, the safety of our hostel guests, pub guests and staff will always be our initial concern – otherwise we would end up with none. It concerns and slightly annoys me that this is somewhat of a knee-jerk reaction for the following reasons:

1. Nick Mortimer advised me that that the victim was a ‘known’ person and was part of an independent advisory board – basically indicating that he would be

treated with a higher status and weight i.e. police need to be seen to be doing and acting etc. Further he advised that the Brent was 'jumpy' because of a recent shooting.

I have known the victim (■■■) for over 5 years and ■■■ the other victim for over a year. ■■■ is an educated, well-mannered and well-spoken individual. Having said this, he would not frequent a place multiple times a week if it were a den of serious anti-social behaviour or violence. On an identical note, ■■■ has stayed with us as a hostel guest (on and off) for over a year. To this end, I would be more than confident to say that the victims would think it ridiculous if the premises needed to use plastics because of this incident – notwithstanding they were the victims. However, if the victims are of this opinion I would have no problem in implementing plastics out of respect for what has happened.

2. Our income is 80% hostel and 20% bar. In terms of numbers, outside bar guests are about 10%. The bar is really a hostel lounge – there are no events at all, on any day or night of the week.

Simply because ■■■ is a 'known' person in the community and to the police should not be the determinant for police action – which it appears to be the case. Simply speak to both victims and ask them if the No.8 is a place of serious crime and violence. Alternatively, you can look at our 2000 odd reviews on Hostelworld – see how many refer to crime or violence.

Apologies that I cannot be there in person, as I have a prior meeting in Tottenham”.

The Licensing Officer and Police representative were asked to leave the meeting.

Having deliberated, the sub-committee arrived at a unanimous decision.

The Committee considered that it would be both appropriate and proportionate to require interim steps to be taken pending the final review of the licence which would take place at a later date. The sub-committee considered that it would be appropriate to modify the conditions of the premises licence so as to require that the licensee refrain from the use of glass for the service of any drinks in the premises and to ensure that any bottled drinks were decanted into polycarbonate or plastic drinkware for consumption. The sub-committee left the decision as to whether or not the applicant wished to use plastic or polycarbonate drinkware to his discretion. The condition to be complied with by the commencement of licensing hours on Thursday 7th August 2014 at 7.00 am.

Additionally, the sub-committee were informed that the incident which led to the current application for a review had not been captured on CCTV cameras installed in the premises. The sub-committee noted that it was a condition of the licence that CCTV be in operation at the premises. It was clear that the function of that condition was to both deter illegal behaviour and to ensure that any illegality was captured on CCTV. The sub-committee were told that the applicant had not at the time of the incident, ensured that the CCTV cameras were in full working order. The sub-committee considered it appropriate for the review that takes place later to consider this particular matter to ensure that this condition aimed at the prevention and detection of crime was properly considered. The sub-committee also encouraged

the applicant to liaise with the Police in respect of the positioning of the CCTV cameras to ensure their maximum efficiency.

The sub-committee also noted that a number of the conditions of the licence did not appear to represent relevance to the current business. The sub-committee considered that it was best practice to ensure that the conditions of a licence reflected the actual operation of the business to ensure the maximum effectiveness of the conditions. Accordingly, the sub-committee encouraged the applicant to review the licence and make an application to amend or change the conditions of that licence to ensure that the conditions mirrored the current business.

The meeting closed at 10.50 am

J LONG
Chair