

**London Borough of Brent – Decisions taken by the Alcohol and Entertainment Licensing Sub-Committee (C) on Monday 27 April 2015**

Agenda Item No	Topic	Decision
<p><b>A2</b></p>	<p>Application by the Metropolitan Police for the review of the premises licence for 'Alisan' (The Junction, Engineers Way, Wembley HA9 0EG) pursuant to the provisions of the Licensing Act 2003</p>	<p>The Alcohol and Licensing Sub-Committee (C) , having considered the application by the Metropolitan Police to review the premises licence for 'Alisan' (The Junction, Engineers Way, Wembley HA9 0EG) pursuant to section 53 (C) of the Licensing Act 2003 ("The Act"), the Sub-Committee resolved it was reasonable in all of the circumstances to revoke the premises licence under Section 53 (C) (3) (e) for the following reasons;</p> <ul style="list-style-type: none"> <li>a. Persistent breaches of the licensing objectives, with particular reference to crime and disorder.</li> <li>b. Persistent breaches of licensing conditions.</li> <li>c. Failure of the premises licence holder to work effectively in partnership with the Police in implementing an agreed Action Plan.</li> <li>d. Failure of the premises licence holder to manage and oversee the premises having regard to the promotion of the licensing objectives.</li> </ul> <p>The Sub-Committee, when arriving at its decision considered all of the evidence in light of the Council's Statement of Licensing Policy, amended guidance issued from time to time under section 182 of the Act and the licence holders human rights under the Human Rights Act 1998 (namely Article 6, Article 8 and Article 1 of the First Protocol.</p> <p>Members, noted that the licence premises holder must be afforded the opportunity to earn a living having regard to Article 8 of the Human Rights Act 1998 and will only use the power of revocation as a last resort. It was therefore not in the habit of putting premises out of business as a matter of course. However, the evidence weighted against the licence premises holder in respect of the lack of control and management of the premises was so overwhelming that the Council has a duty to act in the best interests of the public when considering the licensing objectives (prevention of crime and disorder, public safety, prevention of public nuisance, protection of children from harm) and as a responsible Licensing Authority the Sub-Committee could not overlook these material factors. Accordingly, in all of the circumstances of the case it was felt that the decision of the Sub-Committee was reasonable, necessary and proportionate.</p>

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<b>A3</b>	Application by Betting Shop Services Limited to vary the premises licence for 'Jenningsbet' (429 High Road, Wembley, HA9 7AB) pursuant to the provisions of the Licensing Act 2003	The Alcohol and Licensing Sub-Committee (C) was informed that all objections to the application had been withdrawn and accordingly the Sub-Committee did not need to consider the matter.
<b>A4</b>	Application by the Nuisance Control Team for the review of a premises licence held by Mr Fatos Alimeri for 'Three Fratelli' (249 High Road, NW10 2RX) pursuant to the provisions of the Licensing Act 2003	<p>The Alcohol and Licensing Sub-Committee (C) having considered the application by the Council's Nuisance Control Team to review the premises licence for "Three Fratelli" (249 High Road NW10 2RX) pursuant to Section 52 of the Licensing Act 2003 ("The Act") the Sub-Committee resolved that live music is to be removed from the scope of the licence as a licensable activity and shall not be permitted at the premises until such time as a scheme of acoustic treatment, approved by the Council's Nuisance Control Team, has been installed, completed and tested by a registered Member of the Institute of Acoustics who shall be competent and qualified to undertake the testing of such works. It was felt that with the removal of this condition this should have the desired effect of minimising the complaints received in respect of unreasonable noise emanating from the premises in addition to upholding the promotion of the licensing objectives, in particular the objective relating to the prevention of public nuisance.</p> <p>The Sub-Committee when arriving at its decision considered all of the evidence in light of the Council's Statement of Licensing Policy, amended guidance issued from time to time under Section 182 of the Act, and the licence premises 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, necessary and proportionate.</p>
<b>A5</b>	Application by Mr Ali Reza Faizollahi for a personal licence to authorise the sale or supply of alcohol or to become	The Alcohol and Licensing Sub-Committee (C) decided that the application for a personal licence by Mr Ali Reza Faizollahi be refused on the grounds that the Sub-Committee were not convinced that Mr Faizollahi was a fit and proper person to hold a personal licence at this stage

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	<p>a Designated Premises Supervisor for licensed premises. pursuant to the provisions of the Licensing Act 2003</p>	<p>in view of his unspent relevant offence and would thus undermine the four licensing objectives in particular the crime prevention objective.</p> <p>The Sub-Committee when arriving at its decision considered all of the evidence in light of the Council's Statement of Licensing Policy, amended guidance issued from time to time under Section 182 of the Act and the licence premises 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, necessary and proportionate.</p>