



Alcohol and Entertainment Licensing Sub-Committee (B)

Wednesday 2 March 2016 at 10.30 am

Board Room 3-4 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

Ketan Sheth (Chair)
Hector
Kansagra

Substitute Members

Councillors:

Aden, Eniola, Khan, Long and
Ms Shaw

For further information contact: Joe Kwateng, Democratic Services Officer
(020) 8937 1354; joe.kwateng@brent.gov.uk

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Please ensure to bring with you the reports for agenda items 2 and 3 which were previously circulated for the meeting postponed from 4 and 25 February 2016.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

Item	Page
1	
Declarations of personal and prejudicial interests	
Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.	
2	1 - 34
Application by Ground Round Limited for a new premises licence to provide regulated entertainment and the supply alcohol from: 10:00hrs to 00:00hrs Monday to Sunday and provide late night refreshment from 23:00hrs to 00:00hrs Monday to Sunday and to remain open from 09:30hrs to 00:30hrs Monday to Sunday at Burger Fi (Unit 17, Building 1, Wembley Central Square, High Road, HA9 7AJ), pursuant to the provisions of the Licensing Act 2003.	
Note: Please refer to pages 15-48 of the agenda previously circulated for the postponed meetings: 04/02/2016 and 25/02/2016	
3	35 - 88
Application by the Metropolitan Police for the review of a premises licence held by Mr Nadarajah Sivapalan for the premises known as Sidneys Off Licence, (216 Ealing Road, Wembley HA0 4QG) pursuant to the provisions of the Licensing act 2003.	
Note: Please refer to pages 49-104 of the agenda previously circulated for the postponed meetings: 04/02/2016 and 25/02/2016	
4	89 - 264
Application by Julia Smeardon for the review of a premises licence held by John Denis McGowan for the premises known as McGowans (88 Walm Lane, London NW2 4QY) pursuant to the provisions of the Licensing Act 2003	

Conduct of the Hearing:

The hearing shall proceed as follows:

- General introduction by the Regulatory Services Manager
- Case for the Responsible Authority – Police/Regulatory Services
- Questioning of the Responsible Authority by Applicant and Members
- Case for the Applicant
- Questioning of the Applicant by the Responsible Authority and Members
- Summing up by the Responsible Authority
- Summing up by the Applicant

Members' Deliberation

The Chair will then ask the representatives of the Responsible Authority and the Applicant to leave the meeting room whilst the panel goes into close session to deliberate the application. The applicant and the representatives of the responsible authority will be recalled to the meeting room when the Sub-Committee has made its decision. The decision will be confirmed in writing to the applicant within 7 days



Please remember to switch your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.

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LICENSING ACT 2003

Application for New Premises Licence

1. The Application

Name of Applicant:	Ground Round Limited
Name & Address of Premises:	Burger Fi, Unit 17, Building 1, Wembley Central Square, High Road, HA9 7AJ
Applicants Agent:	Thomas & Thomas Partners LLP

The application is for a new premises licence:

to provide regulated entertainment and the supply alcohol from: 10:00hrs to 00:00hrs Monday to Sunday and provide late night refreshment from 23:00hrs to 00:00hrs Monday to Sunday and to remain open from 09:30hrs to 00:30hrs Monday to Sunday.

2. Background

None

3. Promotion of the Licensing Objectives

Page 16 - see separate sheet of proposed conditions.

4. Relevant Representations

Representations have been received from the Police, Public Safety and Licensing Officers

5. Interested Parties

None

6. Policy Considerations

Paragraph Nos: 7.2 8.1 – 8.4

8.1 Where responsible authorities and interested parties do not raise any relevant representations regarding the application made to the council, the council will grant the licence or certificate subject only to the conditions that are consistent with the operating schedule or club operating schedule and any mandatory conditions prescribed in the Act itself.

8.2 Where responsible authorities and interested parties raise relevant representations, the council may, if it is satisfied at a hearing or otherwise, impose conditions where considered necessary for the promotion of the licensing objectives.

8.3 Any conditions attached by the council or submitted by the applicant must focus on the direct impact of the activities taking place at licensed premises, on those attending the premises and residents and persons working in the area.

8.4 Any conditions attached to licences will be tailored to the individual needs, style and characteristics of the particular premises and events concerned and will be drawn from a 'model pool of conditions' (where appropriate) to the particular premises.

7. Associated Papers

- A. Copy of Application Form
- B. Copy of Police Objection
- C. Copy of Licensing Officers Objection
- D. Copy of Public Safety Objection
- E. OS Map

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Ground Round Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Burger Fi Unit 17 Building 1 Wembley Central Shopping Centre High Road			
Post town	Wembley	Postcode	HA9 7AF 7AJ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£unrated

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Ground Round Limited
Address 8 Baden Place Crosby Row London SE1 1YW
Registered number (where applicable) 09414854
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
Burger restaurant in Wembley Central shopping centre.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	1000	0000			
Tue	1000	0000			
Wed	1000	0000	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	1000	0000			
Fri	1000	0000	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	1000	0000			
Sun	1000	0000			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	2300	0000			
Tue	2300	0000	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	2300	0000			
Thur	2300	0000	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri	2300	0000			
Sat	2300	0000			
Sun	2300	0000			










J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>	
Day	Start	Finish		Off the premises	<input type="checkbox"/>	
Mon	1000	0000	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	<input checked="" type="checkbox"/>	
Tue	1000	0000				
Wed	1000	0000				
Thur	1000	0000		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	1000	0000				
Sat	1000	0000				
Sun	1000	0000				

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Lloyd Hayes	
Address [REDACTED] [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
 None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0930	0030	
Tue	0930	0030	
Wed	0930	0030	
Thur	0930	0030	
Fri	0930	0030	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	0930	0030	
Sun	0930	0030	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

Please refer to the attached schedule of conditions for the promotion of all four licensing objectives.

b) The prevention of crime and disorder

Refer to box a) above.

c) Public safety

Refer to box a) above.

d) The prevention of public nuisance

Refer to box a) above.

e) The protection of children from harm

Refer to box a) above.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	<i>Thomas & Thomas</i>
Date	04/12/2015
Capacity	Thomas & Thomas Partners LLP, Solicitors on behalf of the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Amy Catlin (GRO.13.1) Thomas & Thomas Partners LLP 38a Monmouth Street			
Post town	London	Postcode	WC2H 9EP
Telephone number (if any)	020 7042 0418		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) acatlin@tandtp.com			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

BurgerFi – Schedule of Proposed Conditions

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. Customers shall not be permitted to take open drink containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority. (NB. this restriction does not apply to drinks in the designated external area).
3. The licensee shall keep an incident book which shall be made available to the Police and Licensing Authority.
4. A clear and unobstructed view into the premises shall be maintained at all times.
5. 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.
6. On football major event days at Wembley Stadium the following shall apply:
 - Customers shall not be allowed to congregate outside the premises other than at the designated tables. There will be no vertical drinking.
 - The DPS shall work in partnership with the Police and if necessary comply with any direction given by a senior Police Officer on duty at the event.
 - On football event days alcohol may only be served in the external seating areas as ancillary to a substantial table meal. In the external seating area the supply of alcohol will only be as an ancillary to a table meal.
7. Any locks or flush latches on exit doors shall be unlocked and kept free from fastenings other than push bars whilst the public are on the premises.
8. 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).



**Brent Police Licensing Unit
Brent Civic Centre
Engineers Way
Wembley
Middlesex HA9 0FJ**

**Brent Borough
Licensing Department**

Wembley Police Station
603 Harrow Road
Wembley
HA0 2HH
Tel: 020 8733 3206
Fx: 020 8733 3101
Email: michael.sullivan3
@met.police.uk
www.met.police.uk

Your ref:
Our ref: 01QK/712/15

Date 8th January 2016

**Police Representation to the application for a new Premises Licence for
'BurgerFi, Unit 17, Building 1, Wembley Central Shopping Centre, HA9 7AF.**

I certify that I have considered the application shown above and I wish to make representations that the likely effect of the grant of the application is detrimental to the Council's Licensing Objectives for the reasons indicated below.

I am of the opinion that the risk to the Council's objectives can be mitigated by removing the requested variations or attaching conditions to the Licence as shown below.

If these conditions were accepted in full I would withdraw my representation.

Officer; Michael Sullivan
Licensing Constable PC 368QK

An officer of the Metropolitan Police, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The application has been made for a new premises licence under section 17 of the act.

The Police representations are primarily concerned with crime and disorder, and the Prevention of Public Nuisance.

Police require the following points to be included in the operating schedule or added as conditions on the premises licence.

Closed Circuit Television (CCTV)

Good quality CCTV is essential as a deterrent for the prevention of crime and the detection of offenders. It allows for both covert and overt monitoring of the premises. With proper signage, this reassures both staff and clientele, that this is a safe environment where illegal activities are not tolerated.

Closed circuit television cameras and recorders of an agreed image standard will be installed at locations on the premises and in accordance with advice from the Police. All cameras and recording equipment will be installed and maintained in accordance with Home Office Guidance and the manufacturers instructions and will be fully operational when the premises are open to the public.

Notices shall be displayed at the entrance to the premises, and in prominent positions throughout the premises, advising that CCTV is in operation.

Operating Hours to be displayed on Premises

A notice displaying the opening hours, the type of licensing activity and licence conditions should be clearly displayed and visible to anyone outside the premises. This may be incorporated in the summary of the licence, which must be displayed, or take the form of a separate item.

Likewise the name of the Designated Premises Supervisor (D.P.S) if required should be similarly displayed.

This will allow the Police and other responsible authorities to readily identify the licence details. Clearly displayed opening hours will also reduce any confusion for customers prior to entering the premises and possible conflict when the premises close/stop selling alcohol.

A Summary of the Premises Licence will be displayed at each public entrance to the premises.

The conditions that Police require to be added to the Premises Licence are listed below:

CCTV

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 licensing officers if requested.
2. A CCTV camera shall be installed to cover the entrance, and external seating area of the premises

Proof of Age

3. A sign stating “No proof of age – No sale” shall be displayed at the point of sale.
4. A “Challenge 25” policy shall be adopted and adhered to.

General

5. 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.
6. 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) Any faults in the CCTV system
 - (f) Any refusal of the sale of alcohol
 - (g) Any visit by a relevant authority or emergency service

7. The outside seated area shall not to be used after 10pm daily
8. Customers will not take open drink containers outside the premises as defined on the plan submitted with the operating schedule, and approved by the Licensing Authority.
9. Alcohol shall only be supplied as an accompaniment to a substantial meal, and seated at a table, or awaiting to be seated at a table. If there is no prospect of a table becoming available then alcohol is not to be supplied.

Major Wembley Stadium Event Days

10. The use of the outside area is not permitted on Wembley Stadium Major Football event days and there shall be no tables and chairs located in the proposed external seating area.

Objections to second outside seated area

The applicant has submitted plans for the new licence application which shows two outside seated areas, the first being directly outside the front of the premises, which we consider to be acceptable with customers being within the sight and control of the staff. However, the second proposed licensed seated area is located a number meters away from the premises and is shown on the plans as being situated behind two lift shafts, and a stairwell. This seated area is not visible from the premises. There is a public throughway from the main premise and this second proposed area which is busy with pedestrian's footfall most times of the day and night attending neighbouring retails outlets and local residents. There is no indication within the operating schedule of how this would be managed. Police consider use of this second seated area would be detrimental to the licensing objectives, in particular public safety, crime and disorder and protection of children. Customers would be consuming alcohol with little to no supervision, it is impractical for staff to carry hot food and drinks from the premises to the second seated area and is surely an accident waiting to happen. After a site visit on the 07/01/2015, and a discussion with the applicant and his agent, who were unable to satisfy me as to how this area would be managed Police are of the opinion that this seated area would not be suitable, and as such police will be objecting to the second seated area as shown on the plans.

Yours Sincerely

Michael Sullivan 368QK
Licensing Constable
Brent Police Licensing Team

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TEL (020) 8937 5364

EMAIL colin.wickes@brent.gov.uk

WEB <http://www.brent.gov.uk>

OUR REF: 223518464

YOUR REF: AC/GRO.13.1

DATE: 11TH January 2016

Thomas and Thomas
Partners LLP
38A Monmouth Street
London
WC2H 9EP

Licensing Act 2003**Application for a Premises Licence****Burger Fi Unit 17 Building 1 Wembley Central Shopping Centre HA9 7AJ**

Dear Sir/Madam

I refer to your application on behalf of your client for a Premises Licence for the above named premises. In accordance to the drawing (number BUR-WEM-201) submitted to us in relation to the application, the Public Safety Team make a Representation to the Licensing Authority on the grounds of Public Safety.

Providing you and your client are willing to accept the following proposed licence conditions the Public Safety Team would withdraw the Representation:-

Licence Conditions

- The maximum number of persons permitted in the Ground Floor Restaurant shall not exceed **100**, not including staff.
- The maximum number of persons in the External seated area at the front entrance to the Restaurant shall not exceed **14**, not including staff.
- Any locks or flush latches on exit doors shall be unlocked and kept free from fastenings other than push bars whilst the public are on the premises.

In order for the Public Safety Team to withdraw this representation, it will be necessary for you or your client to **confirm in writing or via Email** that you accept the above licence conditions.

We will require these conditions to appear on the licence schedule should the licence be granted.

If you require further clarification please do not hesitate to contact me.

Yours faithfully

Colin Wickes
Principal Public Safety Officer
Regulatory Services
Regeneration and Environmental Services
Brent Council

Ground Round LTD (Burger FI)
Unit 17 Building, 1 Wembley Central Shopping Centre.
High Road
Wembley
HA9 7AF

8th January 2016

Licensing Representation to the Application for a New Premises Licence for- Burger FI
Unit 17 Building, 1 Wembley Central Shopping Centre

I certify that I have considered the application shown above and I wish to make representations that the likely effect of the grant of the application is detrimental to the Licensing Objectives for the reasons indicated below.

Licensing Enforcement Officer: Lavine Miller-Johnson

The application has been made for a new premises licence under section 17 of the Act.

An officer of the Licensing Authority, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The Licensing Authority representations are primarily concerned with the four licensing objectives;

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

Observations of the plan for the premises have been made. It has been noted that you propose to have two external seating areas. The first which is directly outside of the premises and the other that appears to be a short distance away from the building (near the lift shaft and steps).

I believe that allowing the external seating area to be situated at a distance from the premise would undermine all four of the licensing objectives for the following reasons:

- The area of the Plaza can become very congested especially at the end of the school day, weekends and on Wembley Stadium event days. I do not feel that vulnerable members of the public would be safeguarded at all time during operating hours. **Objectives undermine- the protection of children from harm, public safety and the prevention of public nuisance.**
- Having this external area would create blind spots for your staff who are working in this area at busy periods. Glass vessels and sharp utensils may be left unattended by customers and staff. **Objectives undermine - the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.**

Therefore, based on the objectives above, I do not agree to Burger Fi occupying the external seating area near to the lift shaft.

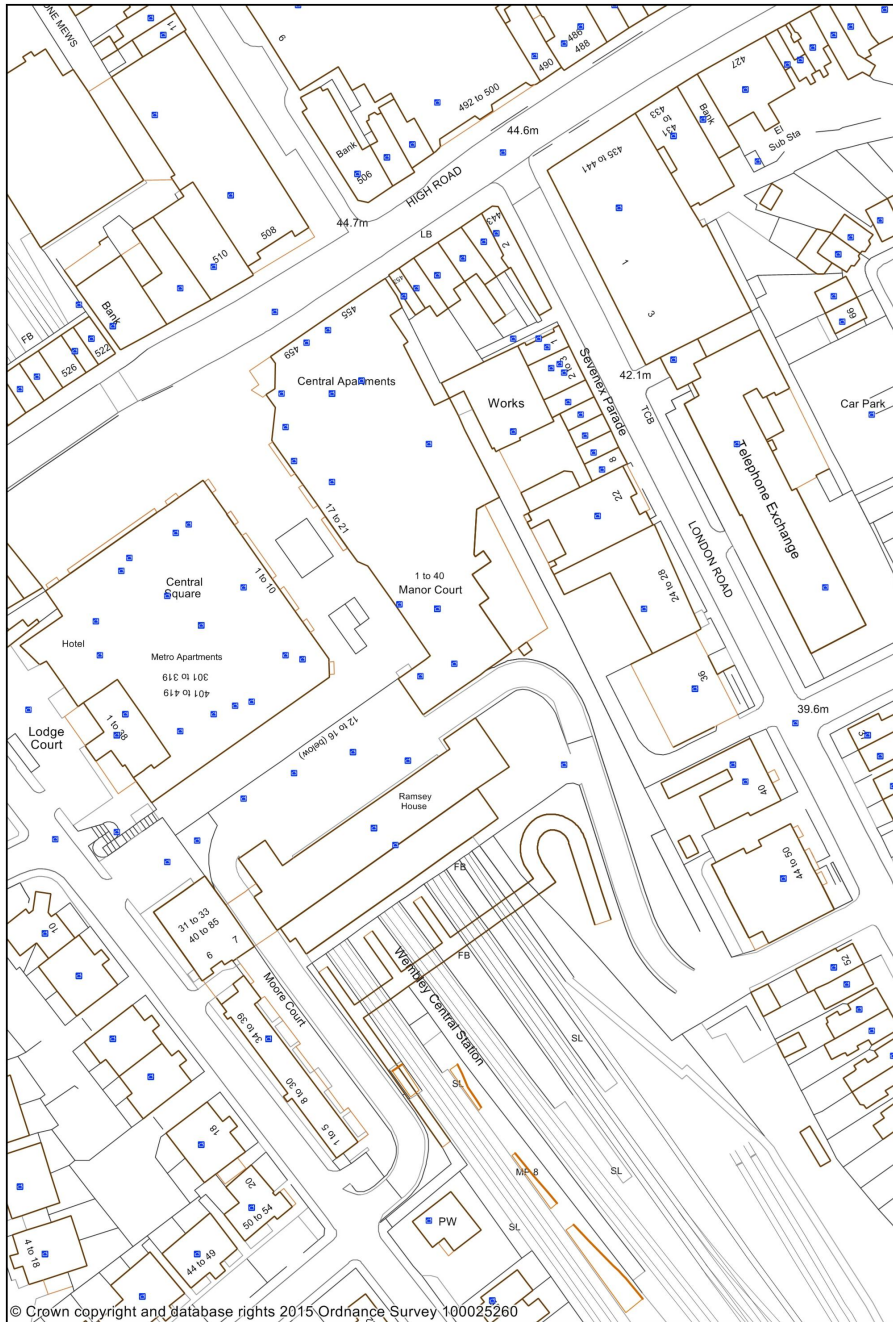
Informative- The external seating area situated directly outside of the premises may require a street trading application. Please contact the ward officer for further information on street trading. I would like to be kept informed as to when the premises is opened to the public so a further visit can be made to observe the functions of the premises.

In order for the Licensing Team to withdraw this representation, it will be necessary for you to confirm in writing that you are willing to accept the above.

Yours sincerely,

Lavine Miller-Johnson
Licensing Officer
Regulatory Services

Burger Fi, 17 Wembley Central Square HA9 7AJ



1:1250

0 0.02 0.04 kilometres



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LICENSING ACT 2003

Application to Review a Premises Licence

Name of Applicant:	Metropolitan Police
Name & Address of Premises:	Sidneys Off Licence 216 Ealing Road, Wembley
Applicants Agent:	

1. Application

The application is for the review of a premises licence held by Mr Nadarajah Sivapalan. The premises are known as Sidneys Off Licence, 216 Ealing Road, Wembley HA0 4QG.

2. Grounds for Review

The grounds for review are the prevention of Crime & Disorder, the prevention of public nuisance and the protection of children from harm. The full grounds can be found on pages 3-7 of the application and supporting documents.

3. Relevant Representations

Representation has been received from the Metropolitan Police, Licensing Officers, local residents and a residents petition signed by 60 people.

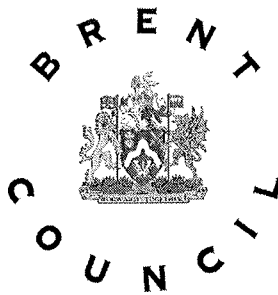
4. Background

The premises are currently licensed for the sale of alcohol and to remain open from 08:00hrs to 23:00hrs Monday to Saturday and from 10:00hrs until 22:30hrs Sunday.

5. Associated Papers

- A. Copy of Review Application
- B. Copy of Current Licence
- C. Residents Objections / Petition
- D. OS Map

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APPLICATION FOR A REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in **block capitals**. In all cases ensure that your answers are inside the boxes and written in **black ink**. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I...Police Constable Nicola McDonald on behalf of the Commissioner of the Metropolitan Police Service

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable).

Part 1 – Premises or club premises details

Name and postal address of premises or, if none, ordnance survey map reference or description	
Sidneys Off Licence 216 Ealing Road	
Post Town Wembley	Post Code (if known) HA0 4QG
Name of premises licence holder or club holding club premises certificate (if known)	
Mr Nadarajah SIVAPALAN	
Number of premises licence or club premises certificate (if known)	
156261	

Part 2 - Applicant details

- I am Please tick ✓ Yes
- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
 - 2) a responsible authority (please complete (C) below) x
 - 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

- Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

Please tick ✓ Yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address PC Nicola McDonald 157QK Brent Police Licensing Wembley Police Station 603 Harrow Road Wembley HA0 2HH
Telephone number (if any) 0208 733 3206
E-mail address (optional) Nicola.mcdonald@met.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|--------------------------|
| 1) the prevention of crime and disorder | X |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | X |
| 4) the protection of children from harm | X |

Please state the ground(s) for review (please read guidance note 1)

Sidney's is currently authorised to supply alcohol for consumption OFF of the premises. The venue has a converted premises licence from 2005 with traditional 'Off' licence permitted hours Monday - Saturday 0800 - 2300 hours and Sunday 1000 - 2230 hours. Subsequently there are no conditions attached to this licence.

The premises licence holder and designated premises supervisor are one and the same; Mr Nadarajah SIVAPLAN.

Police are primarily concerned with:

Under age sales. One offence under section 146 of the Licensing Act 2003 witnessed by Police.

Failure to display the premises licence.

No written delegated authority to sell alcohol

Lack of staff training, licensing knowledge

Lack of supervision by a personal licence holder

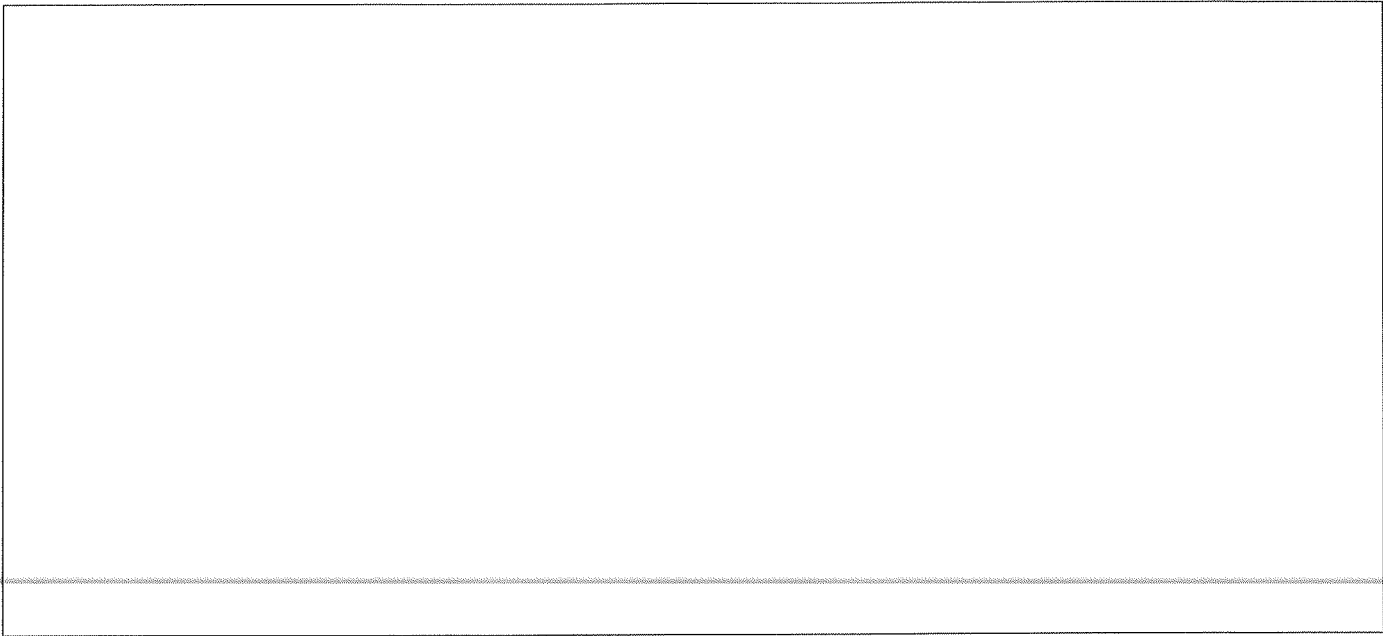
Public nuisance and anti social behaviour generated from customers who insist on drinking in the street and nearby park

Sidney's is failing to promote three of the licensing objectives, namely the protection of children from harm, prevention of crime and disorder and prevention of public nuisance. Police have limited faith in the ability of the management at present. It is difficult without any conditions attached to the licence for the licensee to operate the premises responsibly in what is a challenging area of the Borough. The vicinity suffers from alcohol fueled anti social behaviour committed by local male residents. The area

around the shop and nearby residential roads, Bowrons and Braemar Avenue's are littered with disused alcoholic drinking containers. Within three hundred metres from the shop is the entrance to One Tree Hill recreation ground which is also littered with the same. Anytime of the day you can visit the area and witness persons consuming alcohol and urinating in the park. Recent events at this shop have highlighted a lack responsibility, Police understand and recognise this is a family business however believe if allowed to continue to operate in the current state, with disregard to the licensing objectives, it will have further disadvantageous effect on the local area. Therefore Police wish to bring the matter before the sub-committee for consideration. Police consider the approach as appropriate and considering 'human rights' Police propose the following cause of action in order to promote the licensing objectives lawfully.

Police request the following conditions be attached to the premises licence:

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 further cameras installed to cover the entrance of the shop.
3. A sign stating "No proof of age – No sale" shall be displayed at the point of sale.
4. A "Challenge 25" policy shall be adopted and adhered to.
5. No high strength beers, lagers, and ciders above 6.0% ABV shall be stocked.
6. A clear and unobstructed view into the premises shall be maintained at all times.
7. 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) any complaints received
 - (c) any incidents of disorder
 - (d) all seizures of drugs or offensive weapons
 - (e) any faults in the CCTV system or searching equipment or scanning equipment
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.
8. 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.
9. A personal licence holder fluent in English shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
10. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.
11. The following crime prevention measures be implemented:
A time delay safe with deposit slot and anti fishing mechanisms must be used in line with a cash minimization policy.
Regular robbery awareness and cash minimization training given to all staff
12. No miniature bottles of wine or spirits in units of less than 35cl should be sold at the premise.
13. No single cans or bottles of beer, lager or cider shall be sold.



Please provide as much information as possible to support the application (please read guidance note 2)

For several years Police and local authority departments have received complaints in relation to street drink, urinating and alcohol fuelled anti social behaviour in the vicinity of this shop and allegations that sales of alcohol from Sidney's has added to the issue. This has over the year generated visits by Police and other responsible authorities where operational improvements have been advised. However with no enforceable conditions attached to the licence it would appear, apart from installing CCTV, Mr SIVAPLAN has failed to heed this advice. Photographs attached to this review application were taken at different times by licensing officers visiting the Ealing Road area during 2015.

Recent incidents that have triggered the review application:

30th October 2015 1300 hours

A thirteen year old female purchased alcohol at the shop during an underage test purchase operation with Police.

Fixed Penalty noticed was issued by Police Officers to Mr Tivan RAMGI for the offence of selling alcohol to a person under the age of 18 years old Section 146 Licensing Act 2003. Mr Nadarajah SIVAPLAN. Was not present at the shop. Mr Muthukumarasamy BALASUBRAMANIA claimed to be in charge of the premises.

31st October 2015 1640 hours

In response to the offence the previous day and concerns from Police Officers during that visit that no-one appeared to have any control in the shop, licensing Officers PC McDonald and Pc O'Sullivan visited the shop. It was full of Asian males purchasing lottery scratch cards. It was like a social centre, one after another scratching the card, throwing it on the floor or putting it to one side if not a winning card and then purchasing another. Alcohol was being sold. Part B of the premises licence was on display. One member of staff serving customers, he gave his name as Muthukumarasamy BALASUBRAMANIA, he does not hold a personal licence. The Premises licence holder and designated premises supervisor, Mr Nadarajah Sivapalan was not at the shop. Apparently he was out of the country. Mr BALASUBRAMANIA could not provide a written delegated authority to sell alcohol; Police could not see one on display. Mr BALASUBRAMANIA had very poor English skills and no licensing knowledge. Another younger male in the shop who gave his name as Suresh VINASITHAMBY a family friend but not an employee translated for me. Mr Tivan RAMGI was also in the shop and was working behind the counter when Police entered the shop, however after identifying ourselves he claimed not to be working and disappeared. There was one other male who claimed not to be working but had clearly been seen by Police selling the lottery scratch cards. Muthukumarasamy BALASUBRAMANIA had no control over the shop. I telephoned Mr Nadarajah Sivapalan mobile number, there was no reply. Police could not prove there was a current designated premises supervisor and as there was no delegated authority, offences were being committed. Mr BALASUBRAMANIA he was told to cease alcohol sales and either remove alcohol from display or cover it all from display. Police details were left for Mr or Mrs Nadarajah Sivapalan to contact me immediately to discuss the authority.

After leaving the shop Officers went down along Braemar Avenue and witnessed several Street Drinkers and litter made up of alcohol containers. At the entrance to one Tree Recreation Ground Officers saw carrier bags full of empty alcoholic containers as if someone had been attempting to clean up. Males standing drinking alcohol at the entrance giving a feeling of intimidation. Police saw males standing urinating on the garden fences backing on to the park.

3rd November 2015

Telephone call received from Mr Nadarajah Sivapalan, he was back in the country.

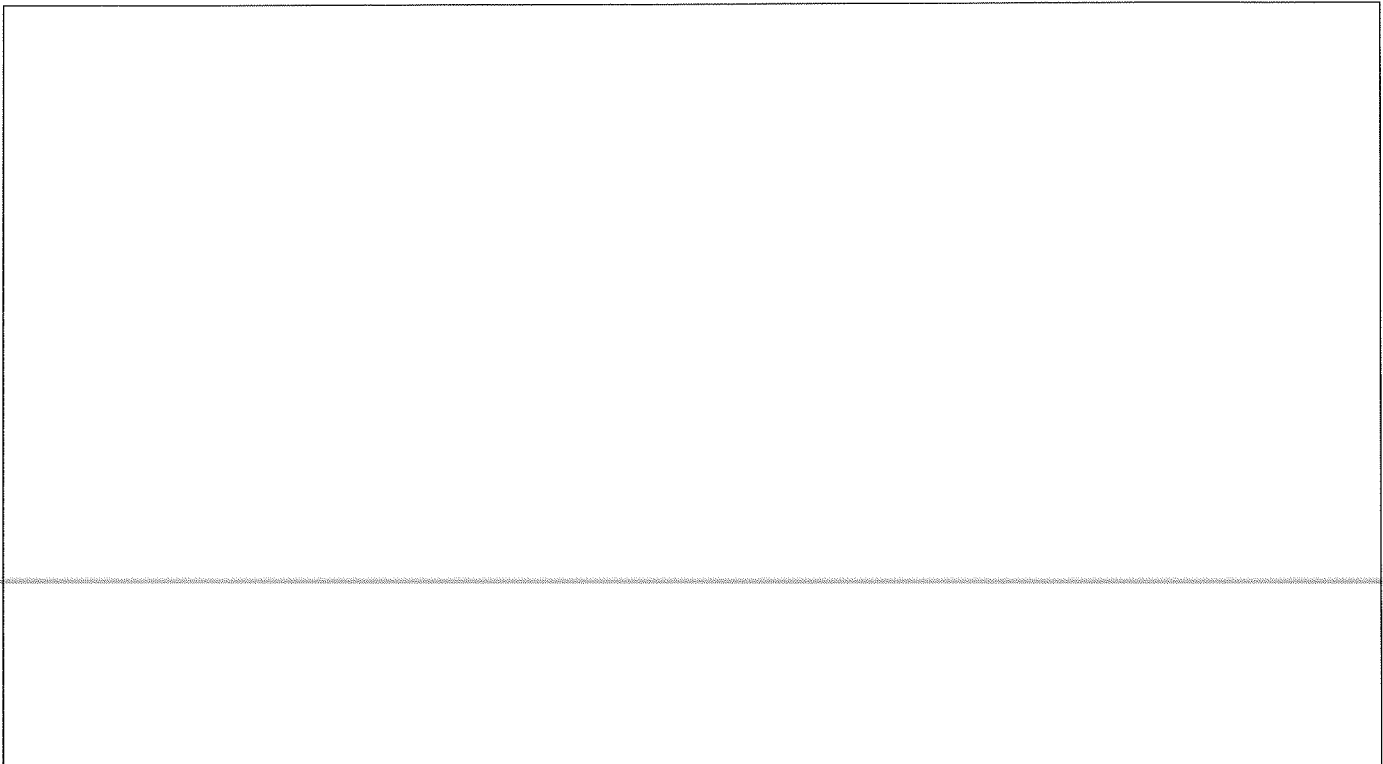
Appointment made to discuss the premises.

4th November 2015

Formal letter sent to Mr Nadarajah Sivapalan requesting CCTV footage from both Police visits to the shop on 30th and 31st October 2015.

6th November 2015

Meeting held at Brent Civic Centre with Mr Nadarajah Sivapalan and Licensing Police. Confirmation he had been informed that staff at his shop had sold alcohol to a young child. Discussed that lack of supervision, poor staff knowledge of licensing legislation and requirement for conditions to be attached to the licence to assist running a successful shop that upholds the licensing objections positively for the neighbourhood. Although Mr Nadarajah Sivapalan expressed regret about what had happened, Police from experience, consider without the addition of conditions to a premises licence the negligence will continue.



Please tick ✓ **Yes**

Have you made an application for review relating to this premises before?

If yes, please state the date of that application

Day

Month

Year

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If you have made representations relating to this premises before, please state what they were and when you made them

Checklist

Please tick ✓ Yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature *Will Pisk*

Date *16-12-2015*

Capacity Police Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Data Protection: The London Borough of Brent will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine the application form on request. In addition, this information may be disclosed to the Police, The London Fire and Emergency Planning Authority, relevant ward Councillors and other Council departments.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with law enforcement agencies and other bodies responsible for auditing or administering public funds for these purposes.

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Please return the completed form and any accompanying documents to the following address with a copy to the premises licence holder / Club that the application relates to:-

Safer Streets
Brent Council
Brent House
3rd Floor West, 349-357 High Road
Wembley,
Middlesex
HA9 6BZ

☎ 020 8937 5359

Fax: 020 8937 5357

Email: environmentandprotection@brent.gov.uk

Please send copies of your application and any supporting documents to the responsible authorities. Contact details shown below:

Chief Officer of Police
Brent Licensing Department
Wembley Police Station
603 Harrow Road
Wembley
Middlesex
HA0 2HH

Tel: 020 8733 3206

North West Area 1
London Fire Brigade
169 Union Street
London
SE1 0LL

Tel: 020 7587 2778

Trading Standards
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5555

Environmental Health Department
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5252

Children's Services
Brent Council
Chesterfield House
9 Park Lane
Wembley
HA9 7RJ

Tel: 020 8937 4175

Licensing Authority
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5359

Area Planning Service
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5210

Public Safety Team
Brent Council
Brent House
3rd Floor East
349-357 High Road
Wembley, Middlesex
HA9 6BZ

Tel: 020 8937 5359

DAAT
Public Health Directorate
Wembley Centre for Health
and Care
116 Chaplin Road
Wembley
HA0 4UZ



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WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of Paul Rogers URN: [] [] [] []

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer.....

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

Signature: [Handwritten Signature] Date: 30/10/2015.....

On Friday 30th October 2015 I was on duty and working with a number of plain clothes police cadets, and uniformed officers. I was coordinating a test purchasing exercise. This exercise takes the form of police cadets acting as customers, entering off licence premises to select and purchase alcohol, whilst being under the legal age. The premises are normally chosen as a result of complaints received at the police station. At approximately 13:00 this day, we attended the address of 216 Ealing Road Wembley HA0 a premises called Sidneys.

A test purchase was carried out using the police cadets and the cadet was able to purchase 2 bottles of Smirnoff Ice from the store. The specific cadet purchasing the alcohol was Cadet Patel He was accompanied by PC Breakwell From information I then received from the witnessing adult, PC Breakwell, I returned to the store whereupon the witnessing adult pointed out to me the person who had sold the drink to the cadet. I, identified myself, told the seller why I was there, and cautioned him. I established the name as being Jivan Ramgi I then completed a questionnaire contemporaneously as part of the investigation into whether offences under the Licensing Act 2003 had been committed. I produce the record of investigation as Exhibit PSR/1 Mr Ramgi was issued with a fixed Penalty notice. Number 0018036280476618 the alcohol was seized and booked in the Book 66 at Wembley.

[Handwritten Signature]
.....
.....
.....
.....
.....

Signature: [Handwritten Signature] Signature witnessed by:

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**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

Mr Nadarajah Sivapalan
42 AMERY ROAD
HARROW
Middlesex
HA13UQ

**Brent Police Licensing Unit
Brent Civic Centre
Engineers Way
Wembley
Middlesex HA9 0FJ**

Telephone: 020 8733 3206
Email: licensing-qk@met.police.uk

Tel: 0208 7333206
www.met.police.uk

Your ref:
Our ref:

4/11/2015

Dear Mr Sivapalan

I am writing this letter in response to my visit to Sidneys Off Licence 216 Ealing Road, Wembley HA) 4QG on Saturday 31st October 2015. You are the premises licence holder and the designated premises supervisor for this shop. During my visit, the venue was open to the public and alcohol was being sold.

On Friday 30th October 2015 at 1300 hours a child under 18 years of age purchased alcohol at your shop. The member of staff that sold alcohol to the child gave his name as Mr Tivan Ramgi from 12 Clayton Ave Wembley HA0 4JU. Police are requesting a copy of the CCTV footage of both the sale of alcohol and follow up Police action from 12.45 to 1345 hours on 30th October and also my visit to the shop on 31st October 2015 from 1630 - 1730 hours.

If you have any further queries, please do not hesitate to contact me.

Yours Sincerely,

Nicola McDonald PC157QK

Brent Police Licensing Officer

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Mr Nadarajah Sivapalan
Sidneys Off Licence
216 Ealing Road
HA04QG

22nd December 2015

Your Ref 156261

Licensing Representation for the Premises Licence Review for Sidneys Off Licence 216 Ealing Road HA0 4QG

I certify that I have considered the application shown above and wish to make representations that the likely effect of the grant of the application is detrimental to the Licensing Objectives for the reasons indicated below.

Officer: Lavine Miller-Johnson – Licensing Enforcement Officer

An officer of the Licensing Authority, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The application has been made to review the premises licence under section 51 of the Act. The

Licensing Authority representations are primarily concerned with the four licensing objectives;

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

As a result of the review application made by the Licensing Police, I conducted a visit on 17th December 2015. At the time of the visit there was clear evidence of public nuisance and Anti-social behaviour that appears to relate to this premise. At the rear of the premise it is evident that members of the public had been congregating in the gated service road area drinking beers, ciders and spirits (see images attached of cans and bottles of beer littered in the rear gated area).

According to the notes entered onto our database system, these gates were installed in 2013 to help prevent street drinkers from loitering in this area. However during my visit on the 17th December 2015, it is obvious that these gates have not stopped them drinking in this area. This could be because the gates remain to be kept open.

I would therefore like to propose some conditions that I feel will assist in addressing these issues.

Conditions to be added:

- CCTV to be installed on the external areas (front entrance and rear exit to cover the service road) of the premises for monitoring and surveillance.
- Signage at the rear of the premises warning members of the public not to trespass or loiter in this area.
- No single cans of beers or ciders to be sold
- No high strength beers, lagers and ciders above 6% ABV

Recommendations:

If agreed by the other business owners who have shared access to the rear service road, these gates should be kept locked at all times and only access should be granted to those that have permitted use.

In order for the Licensing Team to withdraw this representation, it will be necessary for you to confirm in writing that you are willing to accept the above conditions and carry out any necessary works.

Yours faithfully



Lavine Miller-Johnson
Licensing Officer

Appendix 1. Images of the service road at the rear of the premises of Sidney's Off Licence 216 Ealing Road HA0 4QG. Beer cans and bottles littered from street drinkers/members of the public.



Appendix 2. Images of the service road at the rear of the premises of Sidney's Off Licence 216 Ealing Road HA0 4QG Beer cans and bottles littered from street drinkers/members of the public.



Appendix 3. Images of the service road at the rear of the premises of Sidney's Off Licence 216 Ealing Road HA0 4QG- Beer cans and bottles littered from street drinkers/members of the public.



Appendix 4. Images of the service road at the rear of the premises of Sidney's Off Licence 216 Ealing Road HA0 4QG. Beer cans and bottles littered from street drinkers/members of the public.



6, fear of walking the street with abuse being displayed by the drinkers.

7, and many more public nuisance.

my self and my family of four, strongly suggest that this licence is revoked.

Thank you

Since Sidney's have had a liquor license it has been horrible for us !!

The people get drinks from there and come round to the back of our shop via alleyway from bowrons avenue and leave all there Rubbish there (cans n bottles) ,Urrinate there poo there , young kid are there drinking and smoking cannabis , we know the drinks have been bought from Sidney's as we have seen them walk out of Sidney's n followed them to the back of our shop , we have stock rooms at the back of our service road,my female staff don't want to go to the stock rooms as on many occasions the drunk people have called them n heckled them with dirty language so they are scared , my manager has told them to leave on many occasions but it got very dangerous as they nearly started a fight with him . Even the residents feel scared walking to there own houses as these drunks sit on there steps drinking leading up there flats .

Taking away there license will definitely reduce crime in the area groups of people gathering to drink, Make it safer for residents and our staff n prevention of public nuisance

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5.The law agency has failed to prosecute or even deter the drinkers from causing a nuisance to the tranquility of the area.The beautiful space of One Tree Hill has been contaminated by litter due to the drinkers, it was a once a place for families and children to enjoy now it is a drinkers paradise.

6.The large congregation of men on the corner of Braemar and Ealing Rd creates fear for passers by and all in all also does nothing to encourage people to enjoy the business surrounding the area.

7.As winter arrives my children returning from school express fear as they walk up the street and dark corners are occupied by gangs of drunken men.

8.If as I have been contemplating moving away from the area the situation impacts on the attraction of the area and not only the price of our houses.

There are many other important issues at stake here and I would even encourage those that review licenses to meet the residents of Braemar Ave and I can assure them that they will find it very difficult to find any resident in favour of granting a license.

We want to reclaim our street from these people as we are now at their mercy. We understand that the business at Sidney's will be effected however this was always a busy shop when there was no alcohol served and there are many other opportunities for them to avail to.

I request and in all humbleness to not grant the license as it is us as residents of Braemar Ave who have bared the brunt of the anti social activity.

Yours Sincerely and Hopeful for reason and logic to prevail.

****** Braemar Ave**

HA0 *****

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indeed, we are able to escape the mess created by the lack of planning in terms of licenses allocated to premises which are either supporting gambling or alcohol.

It is incumbent on the council to begin to rectify the problems it has created and a curtailment of such licensing is much overdue. Please take the first step and revoke the alcohol licence for 216 Ealing Road. I await your positive response to our concerns.

Yours faithfully

** Braemar Avenue

Document

From: Business Licence
Subject: FW: Sidney's off-license, 216 ealing road, wembley HA0 4QG

From: *****
Sent: 12 January 2016 19:42
To: Business Licence
Cc: *****
Subject: Fwd: Sidney's off-license, 216 ealing road, wembley HA0 4QG

Please find attached a petition from residents of Braemar Avenue, Wembley .

We, as the residents of Braemar Ave would urge you to revoke the liquor license renewal of Sidney's off license.

For all reasons stated in the notice by the police and also the reasons emailed to you by the individuals from the area .

We are all fed up of living in a unsafe dump, scared to walk into our own houses and forever cleaning up our front gardens from cans and bottles .

Our mothers and daughters frightened for their safety walking past all the drinkers on our street from alcohol bought from Sidney's.

We have also seen under age drinkers becoming unruly and aggressive, which is not good for our community.

We have no objection to alcohol consumption however within the guide lines and laws of the land.

Previously, many of us have asked Sidney's that some kind of responsible role to be taken to avoid this objection but time and time again this goodwill has been breached.

As you can see the objection is unanimous with almost 90% of the street wanting the license revoked.

We invite you to conduct your own survey and experience the outrage that the residents feel. Every household we visited signed the petition with the exception of a few who were not at home.

All the residents felt strongly about the issue but also happy that some of us were taking action against this anti-social behavior we have endured for many years.

So, as we have been told that we also have "rights as the residents", this time we have united with one voice and we request, in all humbleness and piety and say "please give us back our street,park and our area, please revoke the license".

We sincerely hope our voices are heard loud and clear and that we wish the best for our community to live in a good,safe and clean neighbourhood and proud that our council respects our good intentions.

Yours Sincerely

Braemar Ave Representative

This e mail will be forwarded to local Journalists, Councillors, Wembley Police Station.

**BRAEMAR RESIDENTS' OBJECTION TO OFF-LICENCE
RENEWAL (HA0 - WEMBLEY)**

TO SYDNEYS, 216 Ealing road, Wembley HA0 4QG

We, the undersigned as residents of Braemar Avenue object to renewal OF THE LICENCE TO SYDNEYS based on the following non-exclusive reasons;

1. The constant exposure of men urinating in our public space in both our street or One Tree Hill Space.
2. The street, park and our gardens have become a dumping space for cans/bottles of alcohol
3. The fear that gangs of men, drunk or otherwise are causing for all the residents in the street/ park
4. After numerous calls for some form of control this has never been implemented, even the rare signs have no impact and drinkers blatantly ignore these.
5. The park has become a drinkers'/drunks' paradise of a space which previously was a pleasant place for families to enjoy
6. The harassment/ fear of women and children to freely walk around the area.

We would urge the Review Panel to send officers to study the impact this licence has had on our area and that the residents are fully consulted before such a review is granted against our wishes.

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Environment & Culture Dept
Health, Safety & Licensing Unit
P.O. Box 411, Brent House
349-357 High Road, Wembley
Middlesex HA9 6EP
Telephone: 020 8937 5359
Fax: 020 8937 5357
Email: hsl@brent.gov.uk

London Borough of Brent

Premises Licence

PART A

This Premises Licence Summary was granted by Brent Council, Licensing Authority for the area of Borough of Brent.

Signed.....
Director of Environment and Culture

Date: 26 January 2006

Licence number 156261

Licence start date: 24/11/2005

Premises Details

SIDNEY'S NEWS, 216 Ealing Road, Wembley, HA0 4QG
Telephone: 020 8795 2833

Licensable activities and the times authorised by this licence

Supply of Alcohol:

Day	Start Time	End Time
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	10:00	22:30

Non standard timings: Good Friday 08.00hrs to 22.30hrs
Christmas Day 12.00hrs to 15.00hrs and 19.00hrs to 22.30hrs

Whether alcohol is authorised to be supplied on or off the premises: **Off**

The Opening Hours of the Premises:

Day	Start Time	End Time
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	10:00	22:30

Annexe 2 - Conditions Consistent With the Operating Schedule

None

Annexe 3 - Conditions Attached After a Hearing by the Licensing Authority

None

Annexe 4 - Plans

See attached sheet.

Part 2

Details of Holder of Premises Licence:

Mr. Nadarajah Sivapalan [REDACTED]
Telephone: [REDACTED]

Details of Designated Premises Supervisor:

Name: Nadarajah Sivapalan
Address: [REDACTED]
Telephone: [REDACTED]
Personal Licence Number: [REDACTED]
Issuing Authority: [REDACTED]

Annexe 1 - Mandatory Conditions

- (a) No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended.
- (b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (c) All persons present on the premises who are required to carry out a security activity must be licensed by the Security Industry Authority.
- (d) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

Embedded Conditions

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Alcohol shall only be sold between the times specified:

On weekdays, other than Christmas Day, between 08:00 and 23:00 hours

On Sundays, other than Christmas Day, between 10:00 and 22:30 hours

On Christmas Day, from 12:00 to 15:00 and 19:00 to 22:30 hours

On Good Friday, between 08:00 and 22:30 hours

Sidneys 216 Ealing Road HA0 4QG



1:1250

0 0.02 0.04 kilometres



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LICENSING ACT 2003

Application to Review a Premises Licence

Name of Applicant:	Julia Smeardon
Name & Address of Premises:	McGowans, 88 Walm Lane NW2 4QY
Applicants Agent:	

1. Application

The application is for the review of a premises licence held by John Denis McGowan. The premises are known as McGowans, 88 Walm Lane NW2 4QY.

2. Grounds for Review

The grounds for review are the prevention of public nuisance, the prevention of crime & disorder, public safety and the protection of children from harm. The full grounds can be found on pages 3-5 of the application and in the supporting documents.

3. Relevant Representations

Representation has been received from the Licensing Officers.
A petition of 30 names was received.

4. Background

The premises are currently licensed for regulated entertainment and the sale of alcohol from 10:00hrs to 00:00hrs Monday to Sunday; Late Night Refreshment from 23:00hrs to 00:00hrs Monday to Sunday and to remain open from 10:00hrs to 00:30hrs Monday to Sunday.

5. Associated Papers

- A. Copy of Review Application
- B. Copy of Licensing Officer Objection
- C. Copy of Current Licence
- D. OS Map

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APPLICATION FOR A REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers
are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I, Julia Smeardon

..... *[insert name of applicant]* apply for the
review of a premises licence under section 51 / apply for the review of a club premises
certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1
below (delete as applicable).

Part 1 – Premises or club premises details

Name and postal address of premises or, if none, ordnance survey map reference or description	
McGowans 88 Wain Lane 	
Post Town Willesden Green London	Post Code (if known) NW2 4QY
Name of premises licence holder or club holding club premises certificate (if known)	
John Denis McGowan	
Number of premises licence or club premises certificate (if known)	
Unknown	

Part 2 - Applicant details

I am

Please tick ✓ Yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
 (for example, Rev)

Surname

First names

Smeardon

Julia Clare

I am 18 years old or over

Please tick ✓ Yes

Current postal address
 If different from premises address

88 Walm Lane

Post Town

Willesden Green London

Postcode

NW2 4QY

Daytime contact telephone number

[Redacted]

E-mail address (optional)

[Redacted]

(B) DETAILS OF OTHER APPLICANT

Name and address
 Adrian Kemp
 88 Walm Lane
 London
 NW2 4QY

Telephone number (if any) [Redacted]

E-mail address (optional) [Redacted]

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

Playing of extremely loud music, which can be heard through the walls of our flat, and on the street, often accompanied by a DJ with a microphone, a flashing "disco ball", and drunken, out of tune karaoke singing.
Smokers polluting the air on a very narrow public street.
Pavement fouling from cigarette butts and ash, urine, vomit, spitting, broken glass, take-away food and litter.
Criminal damage to front door of 86 Walm Lane.
Disorderly and regularly, aggressive behaviour, often resulting in fights on the pavement.
Drunken customers within metres of a "Drinking Control Zone" notice, obstructing pedestrians and causing them to walk into the busy road.
Customers drinking after hours and causing noise and disturbance on leaving, often as late as 3-4am.
See evidence submitted on memory stick, taken from cctv footage.
A promise was made by Mr McGowan at Willesden Green Magistrates Court around 1997, that he would NOT apply for a late licence, a music licence, or to have live bands.

Please provide as much information as possible to support the application (please read guidance note 2)

Refer to noise team for previous history of complaints during a period of 20years
Refer to Licensing police and Safer Neighbourhood Team for previous history
Refer to crime CAD nos. 100, 11665, 304/27, 1164 in the year 2014 as examples
Refer to crime CAD nos. 36029, 10238, 25014 in the year 2015 as examples
Refer to attached letter dated 20/03/12 confirming delivery of reports and photo evidence against pub
See enclosed letter to Susana Figueiredo dated 15/11/15 illustrating extent of complaints
Refer to petition from local residents and businesses

Have you made an application for review relating to this premises before?

Please tick ✓ Yes

If yes, please state the date of that application

Day		Month		Year			
0	7	0	2	2	0	1	1

If you have made representations relating to this premises before, please state what they were and when you made them

A premises license review application was submitted on the above date, citing all the reasons given herein, and was supported by objections from several local residents and Cllr Lesley Jones on the basis that "there is a potential for disturbance to residents in the area, where there are already a number of A3 usage premises, and there is a need to preserve the quality and resident amenity in a conservation area".

Attached is a refusal for the removal of condition 3 (restricted opening hours) from Brent Council, ref:05/0467.

~~Use, limited to 1000 characters~~

Checklist

Please tick ✓ Yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☑
- I understand that if I do not comply with the above requirements my application will be rejected ☑

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature *J. Chaudhary*.....

Date 03/12/15.....

Capacity Local resident.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) 	
Post town	Post code
Telephone number	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) 	

Data Protection: The London Borough of Brent will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine this application form on request. In addition, this information may be disclosed to the Police, The London Fire and Emergency Planning Authority, relevant ward Councillors and other Council departments.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with law enforcement agencies and other bodies responsible for auditing or administering public funds for these purposes.

Julia Smeardon 86 Walm Lane Willesden Green London NW2 4QY
email: [REDACTED]

Susana Figueiredo
Brent Licencing Division
Brent Civic Centre
Wembley
HA9 0FJ

15th November 2015

Dear Susana

Your Ref: Case 3895896 McGowans 88 Walm Lane

I am writing to ask that you review the licence of the McGowans pub, yet again, with a view to rescinding the licence indefinitely and closure thereof.

Since end September, several emails have circulated between various authorities in Brent, concerning the anti-social behaviour emanating from this pub and its patrons: Jacky Peacock of Advice4renters, on my behalf, Cllr Bernard Collier, Nick Mortimer of Licencing police, Yoghini Patel of Regulatory Services and yourself. I have also sought support from our local MP. In addition, I believe that Nick Mortimer has spoken directly with the licensee. All parties are aware that there is a "problem" connected to this pub, but it continues to operate.

As a consequence there has been reduced nuisance from the pub for the last few weekends, which has been welcomed by myself, my partner, Mr. Kemp and residents in the immediate vicinity.

However, reduced is not the same as eliminated. There continue to be incidents, albeit of a less significant nature, nonetheless contaminating the area in every sense. We have experienced similar periods of "calm" before the inevitable "storm" (the Christmas party season!)

We have attended licensing hearings, lobbied individuals, written letters, logged incidents with the police, had our home invaded by noise patrol teams, collected evidence on our CCTV camera (until forcibly removed by our landlord), created petitions, to what purpose? To emphasise a "problem" which we have had to endure FOR TWENTY YEARS.

John McGowan seems to evade conjecture by regularly sacking and replacing his licensees. But this establishment has a history, as do all McGowans' pubs, and taming it will not suffice.

Since the day in 1996, when he took over the main road by bulldozing through the front of the property, we realised that he had no consideration for the area, and also that he must have paid Brent Council a large sum to enable him to employ such practices. We have always maintained that these premises are inappropriately sited: being on a narrow stretch of a very public footpath, inhibiting people going to and from the tube and Sainsburys local; inadequate provision for deliveries; inadequate provision for smokers; playing of loud music in a congested residential area; rowdy, if not dangerous behaviour from their customers. I am understating the issues.

I have witnessed drunks in the doorway, so that I had to call paramedics, drunks on the pavement being dragged by others away from the road after a fight, drunks lying in the middle of the road, being avoided by motorists!

I have witnessed football and rugby supporters spill out of the tube and fall into McGowans, the nearest pub, causing havoc.

I cannot stress too strongly the breadth of experience that we have borne with this pub, and that of those who have supported our petition, who feel impotent individually.

What do we have to do to cause Brent Council and Willesden Green Management Committee, to face the obvious violation of this important and resurgent community?
Why is it that we have to address each abuse on an individual basis, when stacked up they present a profile of violence, crime and intolerable behaviour?
What impression manifests itself in the minds of the elderly, young children, overseas visitors, our muslim community, investors, anybody using the tube and busy bus route opposite this pub, shoppers with prams or trolleys, and drivers who have to avoid staggering drunks.

This is not a NIMBY mentality, it is a plea to restore normality, adapt, adopt and improve. We do not need this pub. We do not want this pub. There are other pubs within 100 metres of McGowans who operate in a civilised manner, offer far better facilities and would not tolerate such behaviour. What better way to promote Willesden Green than to replace this pub with a community hub or some bright new enterprise showcasing the attributes in this area.

We on Walm Lane have had enough. Whatever means are taken to rein in this pub are inadequate and will not satisfy. I have spent considerable time writing this letter in the hope that my detailed explanation will impress upon you the absolute need to remove this blot on the landscape. The future is in your hands.

Yours sincerely



JULIA SMEARDON

P.S. Saturday 14th November: 3 people in pub; 1 barmaid; 2 security personnel; no band!
This proves that without the music venue, this pub would not attract the undesirables, would not generate excessive noise, or drunkenness, would not exacerbate fights, would not encourage street-fouling.
This pub serves no purpose except to attract outside inflammatory influences.

McGowans problem Page 2014

1. 26/01/14 . Sunday , police called at 17.48 pm , a very bad fight at the back of the pub , continued at the front . front door being kicked while fight continued.
2. 24/02/2014 . Saturday, very loud music being played and loud people at the back of the pub and the front door pissed on again at 10.30 pm
3. 09/05/2014 Friday . Came home to find front covered in piss at 11.45 pm
4. 22/06/2014 . Sunday .04.00 am people are coming out of the pub at the front very loudly , as well as at the rear garden roof and banging the back door .
5. 23/06/2014 . Monday, front door covered in piss again . Went next door to show female member of staff and she agreed it was unacceptable and would show manager and that it would get cleaned up , but nothing was done .
6. 25/06/2014 . Wednesday, Julia went inside the pub to ask if they could turn down the music as it was way too loud . She went back ten minutes later and asked again and said that she lived upstairs and that it could be heard through the flat.
The manager was so drunk that he told her that she could not live upstairs because he lived upstairs, and she had to explain further. Fighting started inside the pub and then onto the street . Police called . CAD No:
7. 26/06/2014 . Thursday night .00.14 am , loud noise and fighting started inside the pub as well as trouble at the back. I was filming at the front of the pub to show evidence , I was told to take that away by the manager or he would break my neck , and also got soaked with water from something high powered . called police , they arrived and witnessed the manager was drunk. CAD No :100
8. 27/06/2014 . Friday night . 11.55pm Police arrived after more fighting broke out and did not leave until 1.45am CAD No: 11665 ,after the police left, the music started again and carried on . The police were called again , CAD No:304/27 , Once again trouble started again inside at approximately 03.20 am , a very loud shouting and furniture crashing inside which could be heard through our flat .a loud bang was heard and something or someone went through the window of the pub . The shutters were down and a big bulge protruded . One of the men involved with the fighting then left and stopped at the front of the local Sainsbury store , two doors away and after six attempts broke the front door glass of the shop. This was caught on their CCTV and one male was arrested . CAD No:11643
9. 04/07/2014 . Friday night / Sat morning. Customer kicking and shaking the shutters of the pub and shouting for someone inside the pub .Staff and other People could be heard talking very loud from inside the pub after 3.00am and could be heard saying , wait until their gone.

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McGowans pub, in Cricklewood Lane, Cricklewood, in 'last chance saloon'



McGowans pub, in Cricklewood Lane, Cricklewood.



James Caven, Reporter / Monday 22 December 2014 / News

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A notorious pub is in the "last chance saloon" after having its licence reviewed.

A licensing sub-committee met at Hendon Town Hall to discuss the future of the McGowans pub, in Cricklewood Lane, Cricklewood.

During the past 16 months, police have recorded 21 crimes at the pub – the majority of which

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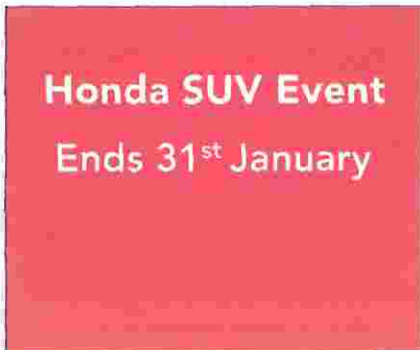
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involved alcohol-fuelled violence.

In April, a man had two glasses thrown at him as he was walking past the pub, while in July police officers were called after a man threw a bin from the street through the pub window, because staff would not serve him.



People have also been assaulted inside the pub, and a man was robbed in the toilets.

The licence review was triggered last month, after the temporary bar manager was arrested on November 13 for allegedly assaulting his partner outside the pub. He is currently on bail.

On an application for a review of the pub's licence, police officers expressed concerns about poor management, drunkenness, violence and lack of CCTV, and described the pub as a "crime hot spot" which seemed to

be "spiralling out of control".

A hearing on November 27 suspended the pub's licence until January 2.

ADVERTISING



At the meeting today, committee members agreed to continue the suspension until January 2, while the pub met a number of conditions.

These include improving CCTV, security and staff training.

Speaking during the meeting, Ian Stebbings, counsel for McGowans, sought to assure the committee the conditions would be met.

He said: "McGowans would never agree if they thought they were likely to fail. In the event of another review, they will lose their license. It's in their interest to adhere to the conditions.

"My instructions are they can be put in place. It gives them the Christmas period to put all these into place. They could open up today, but we are asking you to continue the suspension. It gives much more time."

Speaking afterwards, Councillor Brian Salinger said: "I trust it will work out. If it doesn't, I have no doubt I, or my colleagues, will have no hesitation in removing the licence. They are on their last chance.

"It's a horrific crime report, but the police have come to an agreement as to how to improve the situation. It's the last chance saloon."

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- 19 **'We've got to try to improve it and I count myself in that'**

Delegated Report
Application Number:05/0467
Location Ceilli on The Green, 88 Walm Lane, London, NW2 4QY

RECOMMENDATION: Refusal

Existing:

Three storey mid-terraced premises. The ground floor in Public House use, associated room on the first floor and residential use at second floor level.

Proposal

Deletion of Condition 3 granted on appeal not to allow the opening of the premises to customers outside the following times:

11.00 to midnight on Mondays to Saturdays
11.00 to 23.00 on Sundays

History:

Extensive planning history – Please see history sheet

Planning Policies:

Brent Unitary Development Plan 2004
SH10 (d, SH11

Policy Considerations

Impact on residential amenity

Consultation:

Press and site notices
Local Ward Councillors
Extensive neighbour consultation exercise which included residents in Chatsworth Road, Dean Road, Rutland Park Gardens, St Pauls Avenue and Walm Lane

5 letters received from local residents (which includes a letter from the secretary of the Rutland Park Gardens Association on behalf of local residents) objecting to the proposal on the grounds of additional noise and disturbance, anti-social behaviour

Councillor Lesley Jones also objects to the proposal on the basis that there is the potential for disturbance to residents in an area where there are already a number of A3 uses. States there is a need to preserve the quality and resident amenity in a Conservation Area and that there is no reason to allow the development due to the fact that the supermarket opposite Willesden Green station operates on a 24-hour basis.

Remarks:

Proposal involves the deletion of condition 3 of opening hours which were imposed on appeal on 22 August 1997. (Appeal ref: APP/T5150/A/96/274035).

Delegated Report
Application Number:05/0467
Location Ceilli on The Green, 88 Walm Lane, London, NW2 4QY

A recent application on this site to vary the existing opening hours of 11.00 to midnight Mondays to Saturdays and 11.00 to 23.00 hours on Sundays to allow opening until 1am on Friday and Saturday was refused on 26/05/2004 under ref: 04/0991 on the basis that the extension of hours would lead to increased noise and disturbance late at night to neighbouring occupiers.

Objections have been received from local residents who state they already suffer from noise and disturbance due to the use of the premises and it is considered that any deletion of opening hours will exacerbate the situation. The proposal is therefore recommended for refusal on the grounds of increased noise and disturbance. Policies Sh10 (d) and SH11 within the UDP would support this view.

RECOMMENDATION: Refusal

Lenrie Sowah
Principal Planning Officer

Comment submitted date: Wed 11 May 2005

Not Available

175 Chatsworth Road, London, NW2 5QS (Objects)

Comment submitted date: Mon 23 May 2005

Not Available

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McGowan's Public House
88 Walm Lane
NW2 4QY

3rd February 2016

Our Ref 201408
Your Ref 223523079

Licensing Act 2003
Licensing Representation to the Review of the Premises License for McGowan's, 88
Walm Lane NW2 4QY

I certify that I have considered the application shown above and I wish to bring to your attention the following issue for the reasons indicated below.

Officer: Lavine Miller-Johnson– Licensing Inspector

The application has been made for a review of the premises licence under section 51 of the Act.

An officer of the Licensing Authority, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The Licensing Authority representations are concerned with the four licensing objectives;

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance and
- the protection of children from harm.

One of the role of the licensing inspector is to ensure that the licensing database is up to date of any complaints made or activities of visits are logged. I have made observations of the database information relating to the premises and CCTV provided by the licensee and have found the following information based on complaints received and visits made by the licensing department.

The ward officer Susana Figueiredo has compiled a breakdown of the premises history and actions that have been taken in order to assist the premises in preventing the nuisance caused. This premises history has been attached for references. **See Appendix 1.**

Based on visits conducted by Susana Figueiredo a number of CCTV footage were requested in order to assess complaints of nuisance connected to the premises.

I hereby present a history of complaints instigated by residents and action taken by the Licensing Team:

No	Date	Complaint
1	16 th February 2015- 8 th March 2015	Complaints received from resident 1 relating to <ul style="list-style-type: none"> Noise nuisance Customers from McGowan's regularly urinating and vomiting on the front door and pavement Abusive language from staff members
<p>Action Taken</p> <p>Susana Figueiredo conducted a visit to the premises but found no issues as mentioned above. The licensing team did not have sufficient evidence to review the premises. Based on the evidence gathered by the resident, Susana Figueiredo advised the resident to submit the a review application of the premises.</p> <p>John McGowan, the director of the JDM Investments Limited who holds the premises licence had been made aware of these complaints. Since the complaints have been received, Mr McGowan has installed a CCTV system for improved and clearer monitoring. Susana Figueiredo has carried out on going monitoring of the premises.</p> <p>Since the complaints, up until March 2015 Susana Figueiredo had been visiting the premises on a number of occasions and found them to be closed before 00:00hrs. See Appendix 1</p>		

No	Date	Complaint
2	11 th August 2015	Complaint received from resident 1 regarding <ul style="list-style-type: none"> Possible sales of Drugs Fighting Drinks being taken out of the boundaries of the premises onto the public footpath Customers Harassing pedestrian and the pedestrians having to walk into the road due to over crowding on the footpath Further complaints of urinating Spitting
<p>Action Taken</p> <p>Following the complaints in August 2015, a meeting was held on 7th September 2015 between the licence holder Mr John McGowan and Nick Mortimer from the Licensing Police. During the meeting John and Nick agreed that the following steps would be agreed to relieve the residents from the discomfort of nuisance they are witnessing.</p> <ul style="list-style-type: none"> Cigarette Butts - There is a cleaner who cleans and tidies the external area every day between 9am and 11am however he will ask staff to monitor throughout evening and clean up if necessary Music – Mr McGowan denied that music is played outside the licence hours CCTV - There is a new system installed consisting of 12 camera's Drugs – Mr McGowan denied again. However, he will brief SIA and staff to be aware and look for issues. The licensee is more than happy to support a test swabbing of the premises and users at any time Noise on dispersal - uses a taxi company and door staff are already aware of the issues. 		

No	Date	Complaint
3	6th October 2015	Complaint received via telephone <ul style="list-style-type: none"> Issues outside premises on Saturday 3rd October 2015 at 23.53hrs with customers shouting.

Action Taken

Following the complaint received, Susana Figueiredo contacted John McGowan to request CCTV footage for the issues relating to Saturday 3rd October 2015 at 23:53hrs.

I viewed the footage that was submitted to Susana Figueiredo. My observations of the footage between 23:30hrs - 00:00hrs are as follows:

23:30hrs - 23:32hrs outside of the premises customers can be seen walking out with open glass containers onto the public footpath. No SIA could be seen preventing the customers from leaving. 1 customer holds 4 bottles (consuming one) whilst having a conversation. Customer appears to have purchased multiple drinks for him own consumption.

- **Breach of the premises licence condition 4.**

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.

- **Undermines prevention of public nuisance, crime & disorder and public safety**

23:33hrs - Customers were seen outside the neighbouring property leisurely conversing, drinking and smoking.

- **Undermines - the prevention of public nuisance**

23:53hrs - 1 male was seen leaving the premises. He appears to be rocking unsteadily on is feet (falling into a fellow patron) which could be an indication that he is intoxicated. A further 13 customers seen to be conversing in the road and on the pavement holding what appears to be glass vessels (can not tell how loud they talk due to no sound on CCTV). Some of these patrons were seen standing in the road holding glass vessels.

23:54hrs - The SIA came out of the premises. No attempt was from him to move the customers. He only came out to remove the A board and the bin.

- **Undermines - the prevention of public nuisance**

23:55hrs – The shutters came down.

Friday 9th October 2015 - At 22:53hrs a visit was conducted by Susana Figueiredo and myself. On entering the premises it was noted that music was audible from outside the premise. This was due to the lobby door being wedge open and the speakers being positioned at the front of the premises. I requested for the speaker to be moved away from the lobby main entrance and to be relocated further into the the premsies.

The DPS Ms Masda stated that she was not aware of the capacity of 5 persons to be allowed to smoke at the front of the premses. Susana Figueiredo had also asked the SIA at the front of the

premises if they had been instructed by John McGowan to only allow 5 customers to smoke at the front of the premises. They too had not been informed.

At a meeting held with John McGowan and Susana Figueiredo it was agreed that John would discuss the restrictions with the staff and SIA.

Additional Action Taken

Following the visit on the 9th October 2015, Susana Figueiredo sent John McGowan an email with further suggestions on how reduce the nuisance caused to the residents:

- No speakers near the door and that the lobby door be closed at all times
- Limit the numbers of smokers as agreed to 5 and that this is contained perhaps using small rope barriers. Any of those customers that do not wish to comply are refused re-entry.
- A proactive briefing with the DPS, employees and SIA staff to ensure these points are put across.

Following this email, on 13th October 2015, Mr John McGowan advised that the following Steps would be taken and monitored over the next few months:

- Confirmation that DJ will be stopped for 3 months
- Will monitor and push smokers up the road towards Sainsbury's away from the neighbouring property
- Inner door to be closed at all times
- Strictly no drinks outside

9th November 2015- Susana Figueiredo was advised by John McGowns and his staff of how they are monitoring the outside area by means stated in **Appendix 1**.

According to the emails between Susana Figueiredo and the residents, it would appear that the roped of area has made some difference to the nuisance that was being caused although still seems difficult to enforce. Please bear in mind that these measures of control were merely suggestions and are not enforceable. It has also been noted that on Thursday nights customers are often still seen by the residents spilling out onto the footpath which could be addressed if SIA are present.

No	Date	Complaint
5	Thursday 19th November 2015	A complaint received - customers seen at 22:27hrs hrs spilling onto the public footpath. CCTV footage seen from 22:25hrs. No evidence noted at that time to suggest customers where spilling onto the footpath.
6	Sunday 29th November 2015	a complaint was received to the council regarding noise, nuisance customers standing outside of the designated area and drunkenness between 20:37hrs -23:00hrs. The resident approached the SIA who didn't seen bothered by the complaint.
7	Sunday 6th - Monday 7th December 2015	On 8th December 2015, complaint received by the council of customers leaving the premises at 01:15hrs and 01:30hrs. This is a breach of the licensed hours as opening hours of the

		premises are until 00:30hrs
8	Sunday 20th December 2015 - Monday 21st December 2015	complaint regarding noise when customers are leaving the premises between 00:00hrs-00:30hrs.

Action Taken

Friday 11th December 2015- Night visit undertaken by the Susana Figueiredo to collect CCTV and to discuss the complaints received. The information on the licensing data base following the visit, states the DPS was aware of the incident that took place on 6th December 2015 whereby a customer had been difficult to remove. The DPS said that she had stopped selling alcohol an hour earlier. The CCTV from the night of Sunday 6th Decemeber 2015 was viewed and it showed that the tills were closed at 23:00 as a pro-active measure.

Monday 14th December 2015- Susana Figueiredo emailed John McGowan and Terry Kelly (employee), discuss the visit that took place on 11th Decemeber 2015. John and Terry were advised that a review would be taken if the nuisances continued.

Susana Figueiredo requested for a meeting to discuss an action plan.

John has upgraded the CCTV system to HD which is now of better quality.

Tuesday 15th December 2015 – Meeting held between Susana Figueiredo and John McGowan. An action plan was discussed to help prevent nuisance caused. For action plan please see **Appendix 2**

Sunday 20th –Monday 21st December 2015 – CCTV was viewed between 00:00hrs –00:30hrs. I have viewed the CCTV footage and can verify that the contents of appendix 1 of Susana Figueiredo notes on the premises history dated 5th January 2016 is correct.

No	Date	Complaint
9	Monday 28th - Tuesday 29th December 2015	complaint regarding noise on Monday 28 th Decemeber 2015 at premises at 20:00hrs, 23:32hrs and on Tuesday 29 th December 2015 at 00:13hrs. complainant states that there was loud music, extreme shouting and one customer laying across a car bonnet outside of the premsies.

Action Taken

Monday 4th January 2016 – A request was made for CCTV based on the complaint received on Monday 28th December 2015 and Tuesday 29th December 2015. John McGowan confirmed that there was no band or DJ on this night. Premises was controlled by way of operating a zero tolerance each night over the holiday period.

I viewed the CCTV footage from the night of Monday 28th December 2015 at 20:00hrs and 23:32hrs. There is no evidence of customers dancing and swaying to the beat of the music to suggest music was playing at the venue.

Tuesday 29th December 2015 - from 00:13hrs – 00:30hrs. The CCTV has been viewed and I can not confirm if customers were shouting as the CCTV does not provide sound. I can however confirm that I have not seen any person laying across a car bonnet. One female was seen walking away from the premises with a beer glass in her hand.

No	Date	Complaint
10	Saturday 16th January 2016	A further complaint was received regarding a police car outside the premises at 23:15hrs. The complainant further alleged that a male had been searched and a number of small packages were found. The complainant also stated that there had been shouting from inside the and outside the premises all evening.

Action Taken

The Licensing Police investigated and found that the premises (McGowans) had called the police regarding an assault that had taken place related to a male elsewhere. The SIA door supervisor had taken in the male in order to assist in giving him first aid. The police arrived and the male was subsequently arrested as a result of items found on him whilst being treated.

I understand that John McGowan and his management staff have put in place some measures/action plan that have been suggested at various meetings with Susana Figueiredo. However I believe that in order for these measures to be enforceable they would need to be placed as conditions on the current premise licence. If these conditions are breached there would be further enforcement action taken by way of review or prosecution.

After reviewing the current premises licence and evidence supporting this case, the Licensing Authority ask that the following condition be considered for adding to the current premises licence.

Conditions to be **removed** from the current premises licence:

5. Door supervisors of a sufficient number and gender mix, shall be employed from 21:00 hours on any day when the premises are open for the sale of alcohol past midnight.

At the last review of the premises in 2011 this condition was added to:

That two door supervisors shall be present from 20:00 until all customer have been dispersed from the premises on Fridays and Saturdays to control entrance to the premises and to control order within the premises.

6. No external drinking areas shall be used after 23:00 hours.

Wednesday 16th September 2015 Susana Figueiredo sent an email to John McGowan advising him that there is no external area for use by the customers.

For this review, the Licensing Authority request the following conditions to be **added** to the premises licence:

1. Two door supervisors of a suitable gender mix, shall be employed from 20:00 hours on Thursday, Friday, Saturday and Sunday. In addition, the above shall apply for the following occasions, Christmas Eve, Christmas Day, Boxing Day, New Year's Eve, New Year's Day, St Patricks Day and Bank Holidays. Door supervisors must be present until all customers have been dispersed from the premises and have left the immediate area.

- **Objective met:**

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance

2. Door Supervisors shall wear clothing that can be easily identified on CCTV.

- **Objective met:**

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance

3. A register/ log containing the names, badge number, date and times of duty of security staff and any incidents that occur shall be kept and made available to the police and Licensing Authority.

4. Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo training of Licensing Act 2003 legislation quarterly. This will be documented and signed for by the DPS and the members of staff receiving the training. The training log shall be kept on the premises and made available for inspection by the police and relevant authorities upon request.

- **Objective met:**

- the prevention of crime and disorder;
- protection of children from harm

5. No multiple sales of alcohol for any one individual.

- **Objectives met**

- the prevention of crime and disorder;
- the prevention of public nuisance

6. An additional CCTV monitor to be placed behind the bar that will be in a fixed position viewing the outside area of the premises. This will be monitored by staff on days when there are no SIA present.

- **Objective met:**

- the prevention of crime and disorder;
- public safety;

- the prevention of public nuisance
7. A non-fixed roped off area shall be in place from the premises entrance leading to the right side of the premises during the operating hours to prevent customers from standing outside neighbouring residential properties.
- **Objective met:**
 - the prevention of public nuisance
8. No more than 5 customers shall be permitted to smoke at the front of the premises in the non- fixed roped area at any one time. It will be the duty of the SIA staff to monitor this. On days when there are no SIA present bar staff will monitor this via the monitor placed behind the bar. Any customer that does not adhere to this shall not be permitted back into the premises.
- **Objective met:**
 - the prevention of public nuisance
9. Suitable receptacles for rubbish shall be made available outside the premises for customers to use and they shall be emptied regularly to prevent overflow or odours.
- **Objective met:**
 - the prevention of public nuisance
10. The area outside of the premises shall be swept regularly and kept clean during operating hours. At the close of business staff shall wash and clean (with hot water only) the footpath and ensure that it is free from debris. These should be documented which will include date, time and signature of the member of staff who carried out the duty.
- **Objective met:**
 - the prevention of public nuisance
11. Speakers shall not be located /operated near the entrance lobby door.
- **Objective met:**
 - the prevention of public nuisance
12. The main entrance lobby doors shall remain shut at all times during operating hours.
- **Objective met:**
 - the prevention of public nuisance

In order for the Licensing Team to withdraw this representation, it will be necessary for you to confirm in writing that you are willing to accept the above conditions and carry out any necessary works.

Yours faithfully,



Lavine Miller-Johnson
Licensing Inspector
Regulatory Services

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Licensing Premises History – McGowans, 88 Walm Lane, NW2 4QY

Appendix 1

Date	Details
13 th June 2014	Visit to McGowans, 88 Walm Lane @ 00.30hrs <ul style="list-style-type: none"> • Premises closed
25 th July 2014	Visit to McGowans, 88 Walm Lane @ 23.00hrs <ul style="list-style-type: none"> • Several customers standing outside, no visible issues
12 th September 2014	Visit to McGowans, 88 Walm Lane @ 23.50hrs <ul style="list-style-type: none"> • Premises closed
24 th October 2014	Visit to McGowans, 88 Walm Lane @ 23.45hrs <ul style="list-style-type: none"> • Premises closed
7 th November 2014	Visit to McGowans, 88 Walm Lane @ 00.20hrs <ul style="list-style-type: none"> • No visible SIA staff • 4 persons seen smoking just inside lobby area
24 th November 2014	Email to John McGowan <ul style="list-style-type: none"> • Visit had taken place on 7th November 2014 and no visible SIA staff was seen at 00.20hrs. • There were 4 persons seen smoking just inside the lobby of the premises • The DPS and manager must be spoken to ensure this does not happen again
24 th November 2014	Email from John McGowan <ul style="list-style-type: none"> • Will check the situation regarding smoking inside the door • Confirms there was SIA working • The current manager is fully aware of the current conditions but will go over them with the manager again
	Telephone conversation with resident 1 <ul style="list-style-type: none"> • Review Pack to be sent via email
16 th February 2015	Email from resident 1

Licensing Premises History – McGowans, 88 Walm Lane, NW2 4QY

	<ul style="list-style-type: none"> • Complaint that they cannot take the noise and problems anymore • Door is regularly urinated and vomited on. • When management are asked to clean it up, they are told to f***k off . • The McGowans pub in Cricklewood has been closed recently because of the same trouble • Concerns of being threatened by owner of premises
16 th February 2015	<p>Email sent to resident 1 and Jason Nelson from the Noise Team</p> <ul style="list-style-type: none"> • Explained to resident that there is a concern with taking issues to the owner of McGowan because resident 1 does not want to be in a position of feeling threatened. • Susana F states that she has been monitoring McGowans and has not yet found any issues. The only issue that was found was addressed immediately. • Explained that although issues have not been found by Licensing at the premises this does not mean resident 1 is not affected by issues and suggest the option of a review
2 nd March 2015	<p>Email from Julia Smeardon</p> <ul style="list-style-type: none"> • Is surprised to hear there has been only one incident of concern with which was dealt with immediately. • There is a long history attached to these premises, dating over 15 years, of noise, violence and anti-social activities. • There are crime reference numbers the most recent being 1903047/15, this month. • All incidents are related to alcohol and drug misuse emanating in fights and verbal abuse into the early hours of the morning. • If it is felt that threatening behaviour is attracted by complaints being made, then there must be evidence supporting the closure of this establishment • For three weeks has endured drilling and banging that shook the building, contractors had been complained to • Every time someone vomits or urinates on the front door, the pub is told. • Experience intimidation and harassment because nobody is taking any action on their behalf. • There are other McGowan pubs operating in the Barnet area which have been closed down. • Police and Licensing are not joining up the dots, and monitoring such situations. • Residents and businesses in the immediate vicinity are willing to attach their names to a petition to close the

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	<p>pub</p> <ul style="list-style-type: none"> • Do not accept there is nothing that can be done to initiate a full investigation and impose restrictions, if not absolute closure in order to avoid threats • Willesden Green is undergoing regeneration, and is not assisted by the existence of this pub, which merely attracts a disruptive element, causing havoc and criminal damage and encouraging extreme anti-social activities. • Brent Council has a responsibility to the community to ensure that there is a safe and harmonious environment. • This goes beyond planting the occasional tree and painting the railings outside the tube station. It must prioritize the important issues that affect people's daily pursuits: dog fouling is not tolerated, why should vomiting, urinating, spitting and fighting be permitted on a very public high road.
9 th March 2015	<p>Email from resident 1</p> <ul style="list-style-type: none"> • Licensing review pack requested • 6th Feb 2015 – door urinated on • 14th Feb 2015 – Vomit on front door , bell and wall • 6th March 2015 – Vomit on door and pavement • 7th March 2015 – door urinated on • 8th March 2015 – vomit and urine • When the police are called, they either take notes or say they are too busy • Asks what is the point of having the police or Brent Licensing when nothing is done and those that cause problems can just get away with it • The issues are causing anxiety
25 th March 2015	<p>Email to Julia Smeardon</p> <ul style="list-style-type: none"> • Confirmation that a meeting was held with John McGowan. He stated he is now managing the premises • Susana F did not mention her to Mr McGowan but stated there were still complaints of urine, vomiting and anti-social behaviour • Mr McGowan asked as and when issues arise if the complainant could let me know and I would then in turn let him know for him to investigate • Mr McGowan has installed a better quality CCTV system which is much clearer • Every time Susana F has visited the premises it has been closed by midnight and more recently closed at 11.45pm and therefore unsure of how there is noise into the early hours of the morning.

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	<ul style="list-style-type: none"> • SIA staff seen at the door of the premises and have not witnessed any anti-social behaviour • Susana F's concerns regarding threatening behaviour stem from resident 1's concerns of threatening behaviour towards resident 1 and Julia Smeardon • Duty to ensure that if a complaint is received from Julia these details are not passed onto the premises. • As and when night visits are carried out the premises will be monitored.
11 th August 2015	<p>Complaint received from resident 1 via customer services</p> <ul style="list-style-type: none"> • Possibly selling drugs, • Fighting • Drinking outside on pavement past designated area, • Harassing people walking past some time they have to walk into the road to avoid crowd • Spitting • Urinating on door
7 th September 2015	<p>Meeting with Mr McGowan and Nick Mortimer from Police Licensing. Agreed the following;</p> <ul style="list-style-type: none"> • Cigarette Butts - There is a cleaner who does the outside every day between 9 and 11am however he will ask staff to monitor throughout evening and clean up if necessary • Music - Denial that this is played outside the licence hours • CCTV - There is a new system with 12 camera's • Drugs - Denial again however will brief SIA and staff to be aware and look for issues. Is more than happy to support a test swabbing of both premises and users at any time • Noise on dispersal - uses a taxi company and door staff are already aware of the issues
16 th September 2015	<p>Email sent to John McGowan</p> <ul style="list-style-type: none"> • Plan of 88 Walm Lane attached to email showing there is no outside space at the back of the premises for customers • The front of the premises will have to be used for a limited amount of smokers
29 th September 2015	<p>Email regarding a complaint at premises from agency on behalf of unknown resident.</p> <ul style="list-style-type: none"> • loud thumping music and P.A. System • shouting and swearing from people outside smoking

Licensing Premises History – McGowans, 88 Walm Lane, NW2 4QY

	<ul style="list-style-type: none"> • debris left behind • shutters going up at 1 and 2 and 3am to let out customers from " lock-ins" who then shout, curse and slam car doors. • Yesterday at 11.15pm their customers were spraying the pavement and our front door with beer, and urinating in the doorway.
30 th September 2015	<p>Email to complainant on behalf of unknown resident</p> <ul style="list-style-type: none"> • Confirmation request of when 'yesterday' was as unsure of when to request CCTV for NO RESPONSE RECEIVED TO THIS EMAIL
6 th October 2015	<p>Complaint received via telephone</p> <ul style="list-style-type: none"> • Issues outside premises on Saturday 3rd October 2015 at 23.53hrs with customers shouting
6 th October 2015	<p>Email to Mr McGowan</p> <ul style="list-style-type: none"> • Complaint received, CCTV footage requested for Saturday 3rd October 2015 at 23.53hrs.
9 th October 2015	<p>Visit to Premises by Susana F and Lavine Miller-Johnson from Licensing @22.53hrs.</p> <ul style="list-style-type: none"> • Carole Maseda (DPS) was working at the premises • Music was audible from outside as the lobby door was wedged open • Lavine asked for speaker to be moved further into the premises which was carried out whilst in the premises • Ms Maseda was told the lobby door would need to remain closed whilst music was playing • Ms Maseda was asked whether she had been told about restricting the number of persons smoking outside the front of the premises by John McGowan. Carole Maseda stated that she hadn't. She then said it was her fault because she hadn't stuck to the capacity. I then questioned how she could stick to a capacity she was unaware of but she insisted it was her fault. • I then spoke to the SIA staff who stated John McGowan had not told them to restrict smokers to 5 persons. I explained to the SIA and Carole Maseda (separately) that I had noticed up to 12 people outside at any one time blocking the footpath and the entrance to the adjoining building which myself and Nick Mortimer had discussed with John McGowan in our meeting. We had said that reducing the numbers to 5

Licensing Premises History – McGowans, 88 Walm Lane, NW2 4QY

	<p>would help prevent nuisance.</p> <ul style="list-style-type: none"> • One of the SIA staff stated it would be difficult to monitor who smoked because they couldn't stop them from going out onto the public highway. • I then suggested that those customers who refused to wait to smoke should be refused re-entry. The SIA staff told me that he hadn't been told to refuse re-entry and therefore made it difficult to police. • Ms Maseda also confirmed that staff had previously been staying back to drink and listen to music after cleaning the premises but this no longer took place.
12 th October 2015	<p>Email to Mr McGowan</p> <p>In relation to the visit carried out on 9th October 2015 the following was suggested;</p> <ul style="list-style-type: none"> • No speakers near the door and that the lobby door be closed at all times • Limit the numbers of smokers as agreed to 5 and that this is contained perhaps using small rope barriers. Any of those customers that do not wish to comply are refused re-entry. • A proactive briefing with the DPS, employees and SIA staff to ensure these points are put across
12th October 2015	<p>Email from Mr McGowan to confirm he is on site reviewing issues</p>
13 th October 2015	<p>Email to Mr McGowan</p> <ul style="list-style-type: none"> • Enquiry into what happened when staff were spoken to on 12th October 2015 and what was the outcome?
13 th October 2015	<p>Email from Mr McGowan</p> <ul style="list-style-type: none"> • Confirmation that DJ will be stopped for 3 months • Will monitor and push smokers up the road towards Sainsbury's away from the neighbouring property • Inner door to be closed at all times • Strictly no drinks outside
15 th October 2015	<p>Email to Mr McGowan</p> <ul style="list-style-type: none"> • Confirmation that this can be monitored over the next few months

Licensing Premises History – McGowans, 88 Walm Lane, NW2 4QY

<p>1st November 2015</p>	<p>Email from resident 1</p> <ul style="list-style-type: none"> • Complaint that there are issues every week • Issues on Saturday 3rd October 2015 at 23.15hrs, 23.45hrs & 00.03hrs where police had to be called CAD numbers ,36029/10238/25014. The police did not turn up • From about 8.00pm that night there was so much shouting and noise going on, had to go to the back of the building to get away from the noise and could not listen to the radio in the back of the building. • When asked to call the noise team, left feeling that as members of the public they are not getting a fair deal. This is usually because if and when the noise team arrive, are told that they are in the wrong room i.e.: the kitchen or the hallway. • The noise team seem to think that the noise should be as loud as is audibly possible or they stay for a few minutes and tell you it's not loud or annoying enough. • Have to put up with loutish behaviour, arguments, fighting, cigarette ash and butts, spitting and drinks spilled all over the pavement .
<p>2nd November 2015</p>	<p>Email to resident 1</p> <ul style="list-style-type: none"> • Confirming complaint will be investigated • Request as to whether noise team visited and whether their conclusion was as stated 'not loud or annoying enough'
<p>5th November 2015</p>	<p>Email complaint received via the noise team from resident 2 on 25th October 2015</p> <ul style="list-style-type: none"> • Details of complaint regarding the calibre of people that often stand outside • Dislikes the behaviour and looks they receive on passing • The patrons rant very loudly and often occupy the whole footpath • At times walks further down on the opposite side of the road before crossing over in order to avoid ranting individuals • Recalls the premises has security guards on Friday and Saturday evenings but hasn't seen any recently • Has found empty beer bottles and cans on the corner of Chatsworth Road and Walm Lane
<p>9th November 2015</p>	<p>Email to Jennifer Barrett</p> <ul style="list-style-type: none"> • Offer to meet to discuss issues

Licensing Premises History – McGowans, 88 Walm Lane, NW2 4QY

9 th November 2015	<p>Email to resident 2 regarding McGowans complaint</p> <ul style="list-style-type: none"> • Confirmation that the premises have door supervisors, alcohol should not be consumed on the public highway and therefore unsure of where the bottles have come from on Chatsworth Road. Complainant asked to note any bottles they find so that I can investigate further. • Request for specific dates and times when patrons are obstructing the entire footpath so that CCTV can be requested from the premises • Mention that the premises stated they would corner off a section of area directly outside their premises so as to ensure patrons are contained when smoking
9 th November 2015	<p>Email from resident 2</p> <ul style="list-style-type: none"> • Will make a note of time and date if any inappropriate behaviour is seen • Believes the cornering off outside premises will certainly help with restricting the movements of the patrons. • Asks when the premises will start using the barriers • Will take pictures of any beer bottles/cans on Chatsworth Road and send to Licensing the next time any are seen.
9 th November 2015	<p>Email to resident 2</p> <ul style="list-style-type: none"> • Explains that McGowans would be expected to section off the outside of the premises when they are most busy but that it is not a condition of their licence and therefore unenforceable. • This is a suggested measure to prevent patrons from spreading themselves across the pavement
9 th November 2015	<p>Email to resident 2</p> <ul style="list-style-type: none"> • Stating that McGowans should already have the barriers in place
9 th November 2015	<p>Email from resident 2</p> <ul style="list-style-type: none"> • States that barriers have not been seen outside of the premises as of yet
9 th November 2015	<p>Email to John McGowan</p> <ul style="list-style-type: none"> • Complaint regarding patrons standing across the pavement, blocking passers by.

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	<ul style="list-style-type: none"> • There are also empty bottles/cans in Chatsworth Road • Request as to how patrons are being managed outside. Is it being limited to 5 persons and is there a sectioning off of some area outside of the premises to contain these customers. • Reminder that if customers continue to take up the whole pavement this will affect the licence because it is causing a nuisance to passers by • If customers cannot remain inside the cornered off section or do not wish to wait to smoke they should be told they cannot re-enter the premises. • This is a separate complainant to other complaints received
9 th November 2015	<p>Email forwarded to Susana F from John McGowan from SIA security</p> <ul style="list-style-type: none"> • SIA staff limiting the numbers of smokers to 5, (6 if the last person is female) • Cannot control members of public that stop to talk or smoke with them • There are no poles supplied as of yet but the SIA ask the pavements not to be blocked • There are 0% drinks allowed outside the premises
9 th November 2015	<p>Email from Terry Kelly</p> <ul style="list-style-type: none"> • Has seen some bottles on the street on the way home but are not from premises stock • Anyone caught with a drink outside is told to leave it inside • At closing time no one is leaving with glasses and bottles • Are dealing with the customers behaviour in front of the premises but cannot deal with people in nearby streets as there is no access to there • Customers are asked to stay on the right hand side of the pub while smoking and the neighbouring front door is swept every day • Receives insults from complainant in front of a witness as they walk out of the door • All staff are aware of the rules and will work on patrons behaviour as much as they can
9 th November 2015	<p>Email from Carole Maseda (DPS)</p> <ul style="list-style-type: none"> • Has seen some bottles on the street but they are not from McGowans stock • Everybody caught with a drink outside is asking to leave it inside • At closing time no one is leaving with glasses or bottles • Staff are dealing with the patrons behaviour in front of

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	<p>the premises but they can not deal with other people's behaviour in the nearest street as they do not have access there</p> <ul style="list-style-type: none"> • Customers are asked to stay in front of the pub on the right side while smoking and the neighbours door is swept every day to keep the pavement clean • Carole states that she has personally received some insults from the complainant in front of a witness as soon as they come out of their door • All staff are aware of the rules and work on the patrons behaviour as much as possible
10 th November 2015	<p>Email to John MCGowan</p> <ul style="list-style-type: none"> • Email explaining that complaint is not from resident 1, it is from resident 2 and Licensing will await any further complaints • Request as to whether roped barriers will be provided at the front of the premises
10 th November 2015	<p>Email from John McGowan</p> <ul style="list-style-type: none"> • Confirmation from Mr McGowan stating he will order the barriers for outside the premises today
12 th November 2015	<p>NOTES FROM CCTV FOOTAGE</p> <p>Saturday 3rd October 2015 @ 23.15hrs</p> <ul style="list-style-type: none"> • 3 x females & 1 x male standing outside premises smoking <p>Saturday 3rd October 2015 @ 23.45hrs</p> <ul style="list-style-type: none"> • Glasses and bottles being held by customers outside premises that have been taken from inside • Approximately 20 persons occupying footway • Passers by appear to be struggling to get by • No visible SIA • Congregating outside neighbours door • Some bottles appear to have been purchased from off licence (male in blue seen earlier crossing over the road empty handed and then returning with bottles in hand) <p>Sunday 4th October 2015 @ 00.03hrs</p> <ul style="list-style-type: none"> • Nothing seen however at 00.00hrs there are two males and some others (not captured in footage) standing outside drinking • As noted earlier bottles do not appear to have been purchased in MCGowans
18 th November 2015	<p>Email to resident 1</p> <ul style="list-style-type: none"> • As per conversation the previous review for McGowans was 07.02.2011 • Explain that a discussion took place with the owner of

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	<p>McGowans and suggested that barriers (not fixed) be placed outside in order to contain customers smoking outside and to prevent customers from standing outside the neighbouring property</p> <ul style="list-style-type: none"> • The suggested number of customers smoking should be limited to 5 persons. • If customers are not prepared to wait to smoke and they choose to leave to smoke regardless, these customers should be refused re-entry • Reminder that this is a suggestion made to reduce any potential nuisance to passers by and to prevent anyone from standing outside the neighbouring property, but is not enforceable. • These actions would be a proactive measure to prevent further enforcement action being undertaken by the Licensing Team.
19 th November 2015	<p>Email from Julia Smeardon</p> <ul style="list-style-type: none"> • Contacted local police to obtain CAD numbers for Licensing in support of complaint against McGowans pub • Nick Mortimer has access to CAD numbers and therefore fail to understand why Susana F is requesting CAD numbers from Julia together with the noise records • Unable to complete application for review without this information • Hopes that Licensing can now action measures to prevent the pub from operating • No amount of "unenforceable" or "proactive" methods applied will prevent this pub from complying with regulations in the future
20 th November 2015	<p>Email from resident 2</p> <ul style="list-style-type: none"> • Glad to see the bar has been cornered off which helps but like stated it appears to be difficult to enforce. • Was walking past the pub at 22.27hrs on 19th November 2015 and patrons were spreading themselves across the pavement. Perhaps it is because there is no SIA requirement on a Thursday evening.
20 th November 2015	<p>Email to resident 2</p> <ul style="list-style-type: none"> • Thanking the resident for bringing complaint to Licensing's attention and will speak to the owner regarding the complaint

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23 rd November 2015	<p>Email to John McGowan and Terry Kelly</p> <ul style="list-style-type: none"> • Resident 2 has noticed a difference in the barriers being put out but as there are no door staff on Thursday nights, customers are still spilling across the pavement • Requested to look at CCTV footage from 19th November 2015 which shows these customers • There needs to be a way to contain these customers perhaps via notices or by the bar staff monitoring this
23 rd November 2015	<p>Email from John McGowan;</p> <ul style="list-style-type: none"> • stating he will look into ways of dealing with persons standing outside the barriers • Feels the ropes outside the premises are working because it creates a natural barrier on the pavement
23 rd November 2015	<p>Email to Julia Smeardon</p> <ul style="list-style-type: none"> • Confusion as to why CAD numbers or noise patrol records have been requested by Julia for Licensing as these have not been requested by Licensing • Confirmed that Licensing did not currently have enough evidence to take enforcement action against premises and when the noise team visited it appeared that they too did not find sufficient evidence • Email referred to Nick Mortimer for further information on accessing CADs
30 th November 2015	<p>Email from Julia Smeardon.</p> <ul style="list-style-type: none"> • Complaint regarding McGowans between 6.30pm-10.30pm on 29th November 2015.
30 th November 2015	<p>Email from Julia Smeardon</p> <ul style="list-style-type: none"> • Complaint from Julia Smeardon that Licensing are not gathering any information regarding McGowans and that information is being withheld from her and therefore she cannot substantiate her claims • Further complaint regarding Nick Mortimer from Licensing Police not volunteering information or assessing the situation fairly • Mentions suggestion by Susana F and Nick Mortimer to John McGowan to limit smokers outside is not being complied with because there were at least 10 persons invading the public pavement, diverting people into the road, shouting and swearing until a struggle eventually ensued. • Complaint of SIA staff doing little or nothing to contain the crowd even after being approached by Julia and

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	<p>resident 1 on two separate occasions where they (McGowans) permitted re-entry to customers who already consumed too much alcohol</p> <ul style="list-style-type: none"> • Julia mentions that she has reported the incident to the safer neighbourhood team and videoed the footage (included in review bundle)
30 th November 2015	<p>Email to Julia Smeardon</p> <ul style="list-style-type: none"> • Request for the exact timing of the complaint within a 30 minute period in order to be investigated • Reassurance that information is not being withheld by Licensing regarding the CADs. Nick Mortimer from the Licensing Police who is included in the email may be able to help locate the CADs
30 th November 2015	<p>Email from Julia Smeardon</p> <ul style="list-style-type: none"> • Timings given for issues on 29th November 2015
1 st December 2015	<p>Email from resident 1</p> <ul style="list-style-type: none"> • Request for previous review date at McGowans, 88 Walm Lane, NW2
1 st December 2015	<p>Email from resident 1</p> <ul style="list-style-type: none"> • Complaint regarding 29th November 2015 at 20.37hrs (customers making too much noise and shouting, people going in and out of the designated area at the front of the pub smoking area), 20.50hrs (one person was so drunk they had to be helped into a vehicle and had been shouting at the top of his voice), 21.20hrs (Julia asked security to ask customers to quieten down but they did not seem bothered and nothing was done), 21.55hrs (resident 1 went downstairs to ask SIA to get 'the house in order') & 22.50-23.00hrs (Julia was filming customers out of the window and they were covering their face).
2 nd December 2015	<p>Email sent to resident 1</p> <ul style="list-style-type: none"> • Details of last review date resent to resident 1
2 nd December 2015	<p>Email to resident 1</p> <ul style="list-style-type: none"> • Request as to whether the noise team have visited and whether their conclusion was 'not loud or annoying enough'
2 nd December 2015	<p>Email to John McGowan</p>

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	<ul style="list-style-type: none"> • Further complaint regarding issues on Sunday 29th November 2015 at 20.37hrs, 20.50hrs, 21.20hrs, 21.55hrs & 22.50-23.00hrs • Request for CCTV footage covering these timings
2 nd December 2015	<p>Email to John McGowan and Terry Kelly</p> <ul style="list-style-type: none"> • Complaint from resident 2 regarding Thursday 19th November 2015 at 22.27hrs whereby it is alleged that customers are spreading themselves across the pavement • CCTV footage requested
8 th December 2015	<p>Email from resident 1</p> <ul style="list-style-type: none"> • Complaint regarding noise where resident was woken up by customers leaving the premises on Sunday 6th / Monday 7th December 2015 between 01.15hrs and 01.30hrs
9 th December 2015	<p>Email to John McGowan & Terry Kelly</p> <ul style="list-style-type: none"> • Complaint regarding Sunday 6th December 2015 between 01.15-01.30hrs about customers who were leaving the premises at this time • CCTV footage request for this period of time
11 th December 2015	<p>Visit to McGowans, 88 Walm Lane, NW2</p> <ul style="list-style-type: none"> • Collected CCTV for 19th & 29th November 2015 • Spoke to DPS Carole Maseda regarding CCTV footage for 6th December. Carole explained that there was a customer who had been difficult to remove • Carole explained that she stopped selling alcohol an hour earlier as a result of pre-empting any issues • CCTV requested to demonstrate this • Later at 00.45hrs whilst in the area it was found that the shutters of McGowans were half down, the premises should have been fully closed at 00.30hrs with no customers • There were four persons inside the premises
14 th December 2015	<p>Email to John McGowan & Terry Kelly regarding visit on Friday night (11th December 2015)</p> <ul style="list-style-type: none"> • Discussion of the visit above • Warning that a review will take place if nuisance continues • Evident there is an effort being made but not effective enough in resolving ongoing issues • Request to meet at Civic Centre to discuss an action plan

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14 th December 2015	<p>Email from John McGowan</p> <ul style="list-style-type: none"> • Invitation to the premises to check CCTV and discuss any issues related to the premises • Confirmation that CCTV has been upgraded to HD and are therefore of good quality
15 th December 2015	<p>Review Application delivered by hand to Civic Centre</p> <ul style="list-style-type: none"> • Initial review application received by applicant Julia Smeardon but there appeared to be a replication application form and therefore this was resubmitted on 16th December 2015
15 th December 2015	<p>Visit to McGowans, 88 Walm Lane to view CCTV footage and to discuss complaints. A plan of action was discussed as a way of eradicating any nuisance to residents that may occur (Appendix 1)</p> <ul style="list-style-type: none"> • Confirmation via CCTV that the till had been closed on 6th December at 23.00hrs as a preventative measure to any issues • Confirmation that on 11th December the persons left in the premises were staff members and NOT customers
16 th December 2015	<p>Updated review application received via email</p> <ul style="list-style-type: none"> • Review application received from applicant Julia Smeardon
17 th December 2015	<p>Email to John McGowan and solicitor James Tompkins</p> <ul style="list-style-type: none"> • Action plan attached for premises as a result of meeting • Review application attached • Explanation to James Tompkins that a formal request should be made for the information referred to in the review application • Once all documentation has been sent to James, the review consultation will commence
18 th December 2015	<p>NOTES MADE FROM CCTV FOOTAGE Thursday 19th November 2015 @ 22.25hrs</p> <ul style="list-style-type: none"> • No persons occupying footpath as stated in complaint from resident 2
18 th December 2015	<p>NOTES MADE FROM CCTV FOOTAGE Sunday 29th November 2015 @ 20.37hrs</p> <ul style="list-style-type: none"> • 2 x males appear to be swaying • 1 x female outside • 1 x SIA member of staff

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	<p>Sunday 29th November 2015 @ 20.50hrs</p> <ul style="list-style-type: none"> • 1 x male and 1 x female talking outside barrier, male leaves, female re-enters <p>Sunday 29th November 2015 @ 21.20hrs</p> <ul style="list-style-type: none"> • @ 21.18hrs persons on footpath smoking. SIA directs them back into cordoned area • @21.22hrs 1 x male appears to be swaying and is taken down the road by 1 x male and 1 x female <p>Sunday 29th November 2015 @ 21.55hrs</p> <ul style="list-style-type: none"> • 5 x persons smoking in cordoned area <p>Sunday 29th November 2015 @ 22.50-23.00hrs</p> <ul style="list-style-type: none"> • @22.45hrs 1 x male stands in doorway of 86 Walm Lane. SIA appear unaware • @22.47hrs Male comes out of premises and can barely stand up. Another younger male is trying to lead him into a car. The male is seen moving back away from the cab and falls backwards onto the barriers. The male appears to be very intoxicated. The younger male then helps to put the older male into the front of the car. The SIA is then seen helping the male from the front of the car to the back seat of the car. • DPS Carole Maseda is seen talking to customers, it is unknown what is being said • @22.53hrs The neighbour upstairs videos the customers outside. A male makes rude gestures to the neighbour and the SIA leads him away from the pavement back over to the premises • 1 x male hugs a passer by and then when passer by asks for a hug, the male makes gestures to pretend to punch the passer by in the head. The SIA male laughs with the male as he is doing this. The passer by then leaves • 1 x male runs behind bicycle that has dropped what appears to be his cap and sits on the back of his bike. The owner of the bicycle does not appear to be bothered by this. The SIA is not visible at this point
21 st December 2015	<p>NOTES MADE FROM CCTV FOOTAGE Sunday 6th / Monday 7th December 2015 @01.05hrs</p> <ul style="list-style-type: none"> • @ 01.05hrs customers start leaving • @01.10hrs 10 x customers leaving premises • 1 x customer seen with two bottles in hand • @01.13hrs all customers have left from outside the premises
21 st December 2015	Email to Julia Smeardon

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	<ul style="list-style-type: none"> • Clarification of premises licence review application. The application requests that the noise team, Licensing Team and police submit all of the information held on systems. However these submissions should not be relied on, it may not be related to the dates and times the applicant may expect. • The onus is on the applicant to submit evidence • Other than the footage there are no other specific dates in the application in relation to the issues encountered • Further opportunity to submit any further specific dates or details of issues
21 st December 2015	<p>Email from resident 1</p> <ul style="list-style-type: none"> • States there are a number of CADs that have been reported in the review application related to the crimes and times the police were called upon during last year and this year
21 st December 2015	<p>Email to resident 1 and Julia Smeardon</p> <ul style="list-style-type: none"> • Enquiry as to whether there had been any issues from McGowan's over the weekend
21 st December 2015	<p>Email from resident 1</p> <ul style="list-style-type: none"> • Confirmation there were noise issues on Sunday night when customers were leaving on Sunday 20th December 2015 from 00.00-00.30hrs • People also inside the premises at the back of the building shouting
21 st December 2015	<p>Email to resident 1</p> <ul style="list-style-type: none"> • Request as to whether noise team was informed of the issues on Sunday night inside the premises
21 st December 2015	<p>Email from resident 1</p> <ul style="list-style-type: none"> • States that complaint was not reported to noise team because they do not believe it to be loud enough or by the time it is reported the people will have gone and they may have to wait up until 02.00hrs until someone turns up • Has previously tried to call the police when there were 20-30 people outside • The police had been called 3 times and there was no response, except a week later when a call was received related to an email that had been sent to the safer neighbourhood team
21 st December 2015	<p>Email from Julia Smeardon</p>

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	<ul style="list-style-type: none"> • Had clearly stipulated in previous emails that there is no access to the information required from various departments • Suggests that Licensing may be in a better position to obtain this • States that the onus is on her but that all council departments concur that McGowans is a problem premises • CAD numbers have already been submitted and therefore cannot understand why further CAD numbers are required • There are 20 years of objections and they must be on record somewhere but no one is willing to supply this to her • There has been no reason to collect and catalogue information that is the responsibility of the agencies involved • Explains there was extreme shouting and car slamming from 00.03hrs until 00.30hrs, the noise team were not called as they are too slow to respond, if they respond at all but the CCTV footage should show the issues • Asks why she is being asked questions, why no one was observing the pub and that there clearly appears to be an expectation that an anticipated problem occurred but as the resident she is expected to do all of the work
21 st December 2015	<p>Email to John McGowan</p> <ul style="list-style-type: none"> • Request for CCTV footage from 20th/21st December 2015 from 00.00-00.30hrs regarding complaint of persons leaving premises
22 nd December 2015	<p>Email to John McGowan's solicitor James Tompkins</p> <ul style="list-style-type: none"> • CCTV footage related to review has been placed on two memory sticks and will be handed to the premises today for his attention • Each recording is saved as the time and date of the complaint received for ease of reference • Noise team and Police Licensing included in the email with a request for any premises history to be submitted
22 nd December 2015	<p>Email from John McGowan's solicitor James Tompkins</p> <ul style="list-style-type: none"> • Notes there is reference made in review application to various documentation from different departments • Request for documentation to be sent to him
22 nd December 2015	<p>Email to Julia Smeardon</p> <ul style="list-style-type: none"> • Appreciates her frustration but the onus of the review process is on the applicant

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	<ul style="list-style-type: none"> • Although the grounds for review have been stated, the evidence to back this up does not appear to show all of the dates they have been inconvenienced • The Licensing Team does not hold any information prior to 2014 and therefore the opportunity to add any other specific dates was being given • When asked whether there had been any issues at the weekend, it was not because issues were expected but rather because it was the Christmas period, this would be the last time in 2015 a request for CCTV could be made • Now that further issues have been stated, CCTV can be requested from the premises • Unable to observe the premises as the Licensing Act 2003 does not allow us to do so • Any recent CCTV that has been viewed will be submitted as part of the review application • Perhaps the noise team have a longer history of the calls made to them with complaints and if and when they make representation this will be supplied • Understand that when the noise team are called they state there isn't enough noise to constitute a nuisance or they do not come out to witness it, there will at least be a record of the complaint • If a note is made of the times they have called the noise team this can form part of the information when the hearing takes place • The noise team can only deal with noise related to the premises in their home but it is the police that deal with any noise out on the street • The premises history related to complaints will be put together in January and sent to Julia and the premises • The premises review application will then begin once this has been sent out • This ensures that both parties have the same information and can make reference to it when responding to issues that have been presented
22 nd December 2015	<p>Email from Julia Smeardon</p> <ul style="list-style-type: none"> • Appreciates reply to email • Pleased that information is being shared between herself and Nick Mortimer
22 nd December 2015	<p>Visit to McGowans to drop off CCTV footage related to review and CCTV collected for complaint related to 20th/21st December 2015 from 00.00-00.30hrs</p>
23 rd December 2015	<p>Email from John McGowan's solicitor James Tompkins</p> <ul style="list-style-type: none"> • Had made a formal request for documentation prior to receiving my email • Can review matters in the New Year to evaluate what documentation has been received, what is outstanding

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	and then look at the timetable
29 th December 2015	<p>Email from noise team</p> <ul style="list-style-type: none"> • Refers to an email from resident 1 complaining about issues at the premises including shouting on the street • States Brent Licensing team will be reviewing the licence • Has been told to call the noise team when there are issues but the noise team have stated the noise is not loud enough or they cannot do anything as it is out on the street • CCTV footage cannot be provided as the landlord has removed the CCTV from the building • Asks for Susana F to be made aware of the complaint
29 th December 2015	<p>Email received from Julia Smeardon</p> <ul style="list-style-type: none"> • Complaint regarding noise from the premises in terms of music and persons shouting • Noise team were contacted at 20.00hrs regarding the loud music and noise • At 23.32hrs a phone app 'Shazam' was used to identify the singer and song being played by the premises, which the complainant states this means the music must therefore have been played at volume • Alleged that a male was sprawled across a car bonnet between 00.13hrs and 00.30hrs
29 th December 2015	<p>Email from resident 1</p> <ul style="list-style-type: none"> • Complaint regarding noise at premises on 28th December 2015 at 20.00hrs and 23.32hrs where there was loud music playing and on 29th December 2015 at 00.13hrs for 15 minutes where there was extreme shouting and one customer laying across someone's car bonnet outside the premises
4 th January 2016	<p>Email to Julia Smeardon</p> <ul style="list-style-type: none"> • Complaint will be investigated regarding 28th/29th December 2015 • Request for name of singer and song being played as per complaint
4 th January 2016	<p>Email to John McGowan, Terry Kelly & Carole Maseda</p> <ul style="list-style-type: none"> • Request for CCTV based on complaint received on Tuesday 29th December 2015 related to outside the premises from 00.13hrs-00.30hrs • Confirmation requested as to whether there was any music playing and whether it included a DJ

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4 th January 2016	<p>Email from John McGowan</p> <ul style="list-style-type: none"> • Confirmation that there were no bands or DJs at the premises • Noise team would have visited had there been issues • Ropes have been placed outside as requested, the street is cleaned at night, there has been no trouble or fights • Has been operating zero tolerance each night over the holiday break • Confirmation the CCTV will be ready to collect tomorrow
4 th January 2016	<p>Email from Carole Maseda</p> <ul style="list-style-type: none"> • Requested CCTV is ready to collect from premises
4 th January 2016	<p>Email from Terry</p> <ul style="list-style-type: none"> • Requested CCTV is ready to collect from premises • Confirmation there were no customers on car bonnets as shown by CCTV • Further confirmation there was no music on any night or afternoon
5 th January 2016	<p>Email to Terry Kelly, Carole Maseda and John McGowan</p> <ul style="list-style-type: none"> • CCTV will be picked in the afternoon • If alleged complaint is found not to be true, this will be noted
5 th January 2016	<p>NOTES MADE FROM CCTV FOOTAGE 20th/21st December 2015 @ 00.00-00.30hrs</p> <ul style="list-style-type: none"> • @ 23.55hrs 3 x males, one of them is really swaying • 1 x male goes inside, another male approaches premises and is talking outside, 1 x male appears to be just inside the lobby • @ 23.57hrs A 5th male joins outside and they all appear to be talking • @ 23.59hrs 1 x male and 1 x female come outside premises with two drinks in paper cups (it is not apparent what drink this is). A few persons go in and some come outside • @ 00.00hrs 2 x males go into the road and appear to be messing around. • 1 x male that had been outside earlier is swaying heavily and can barely stand up • @ 00.02hrs 7 x males outside premises, some of them appear to be saying goodbye • @ 00.03hrs 6 x males outside, 1 x male on the phone in entrance to 86 Walm Lane • @ 00.04hrs 4 x males outside, 1 x male moves

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	<p>away from 86 Walm Lane</p> <ul style="list-style-type: none"> • @ 00.05hrs 2 x males left outside premises, 1 x male still swaying, premises shutter comes down • Male who is swaying pulls other male up road and they leave • @ 00.06hrs – 00.16hrs no customers outside premises • @ 00.16hrs 2 x males reappear and look through the shutters • 1 x male is still swaying and stands outside 86 Walm Lane • 1 x male goes to 86 Walm Lane and appears to be talking to someone inside 86 Walm Lane and then keeps going between 86 and 88 Walm Lane, the male who had been swaying leaves • @ 00.18hrs 1 x male speaks to someone inside lobby door of premises whilst shutters are down and then leaves • @ 00.58hrs 1 x female leaves, shutter is pulled down
5 th January 2016	<p>Email to noise team</p> <ul style="list-style-type: none"> • Also received the complaint from resident 1 • CCTV footage has been requested from premises • Cannot identify whether music was being played in the premises as the CCTV does not have any sound • Licensing Team will not be reviewing the premises licence, the review has been submitted by Julia Smeardon • Further request for noise team premises history
6 th January 2016	<p>Email from Julia Smeardon</p> <ul style="list-style-type: none"> • Confirmation of the singer and song as being Lush Life by Zara Larsen
6 th January 2016	<p>NOTES MADE FROM CCTV FOOTAGE</p> <p>Monday 28th December 2015 @ 20.00hrs</p> <ul style="list-style-type: none"> • Footage viewed inside the premises, there appeared to be no one nodding their head or dancing to music, atmosphere does not appear to be one of music playing but this cannot be fully verified <p>Monday 28th December 2015 @ 23.32hrs</p> <ul style="list-style-type: none"> • Footage viewed inside the premises, there appeared to be no one nodding their head or dancing to music, atmosphere does not appear to be one of music playing but this cannot be fully verified

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	<p>Tuesday 29th December 2015 @ from 00.13hrs-00.30hrs</p> <ul style="list-style-type: none"> • @ 00.13hrs 3 x customers sat on step of premises • @ 00.15hrs 3 x females smoking, one with drink in her hand but hides it from bar staff when they come out to remove barriers to close up • @ 00.16hrs a few more customers come out • @ 00.17hrs 1 x male and 1 x female left outside premises, female then crosses the road, 1 x male then joins first male outside premises, has a short conversation and then crosses the road. The female then returns with the male to stand outside the premises • @ 00.18hrs Employee comes out to lobby to speak to 2 x males and female. Male crosses road, 1st male and female remain outside premises • @ 00.21hrs Employee appears to be telling female and male to move away from front of premises directing them up the road • 1 x female hands 2 x bottles of drink to member of staff and then 1 x male and 1 x female cross the road • @ 00.22hrs Shutters come down half way • @ 00.30hrs No further movement from premises • @ 00.44hrs Employee leaves, closes shutter and walks up the road
7 th January 2016	<p>Email sent to John McGowan's solicitor James Tompkins</p> <ul style="list-style-type: none"> • Additional evidence related to review application submitted by residents sent • Includes premises history for the noise team, Licensing team and the Licensing Police • Action plan put forward to premises as a result of complaints
7 th January 2016	<p>Email sent to Julia Smeardon</p> <ul style="list-style-type: none"> • Additional evidence related to review application submitted by residents sent • Includes premises history for the noise team, Licensing team and the Licensing Police • Action plan put forward to premises as a result of complaints

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Appendix 2

John McGowan
 McGowans
 88 Walm Lane
 London
 NW2 4QY

16 December 2015

Licensing Act 2003 – Action Plan

Dear John,

Thank you for meeting with me yesterday regarding the above premises. I am now writing to you to confirm our discussion and potential suggestions that were raised as a way of resolving any future nuisance to neighbouring residents.

Date:	15 th December 2015
Present:	John McGowan, Terry Kelly, Carole Maseda (DPS), Esther Chan, Susana Figueiredo
Location:	McGowans, 88 Walm Lane, NW10 4QY

Neighbouring Property

The complaints received surrounds customers standing outside the neighbouring property number 86 Walm Lane. The customers are allegedly urinating on the neighbours door and entrance, vomiting and leaving left over food. As you are aware I have seen footage from 2011/2012 which shows evidence of this. The complaint states this is still occurring.

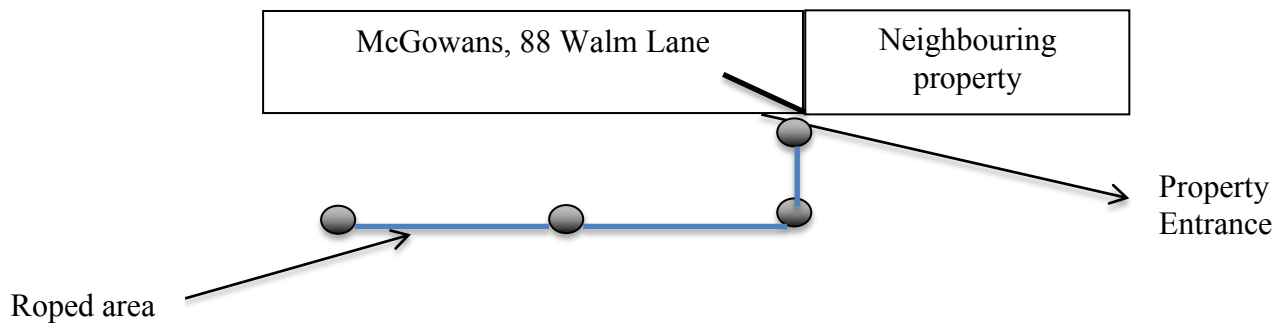
Suggested outcome:

- An extra CCTV monitor is placed behind the bar (as suggested by you) which is always fixed to view the outside entrance to the premises so that when there is only one member of staff present during the day there can be a constant monitoring to ensure there are no customers standing outside the roped area and particularly in front of the neighbouring property. In the evening, the monitoring of the CCTV monitor should be easier with two members of staff. Any customers standing outside of the roped area will be asked immediately to move into the roped area and any litter etc. will be swept from outside the neighbouring property should it be caused by your customers.
- A notice board stand placed between the rope area and the neighbouring property which states something along the lines of 'Strictly no standing beyond this point'.

Example notice board



- The roped area will be modified (as suggested by you) so that all customers will enter the premises through the top end of the street. This should cause a natural entrance away from the neighbouring property at number 86 Walm Lane.



Noise Nuisance

The complaint also states that music can be heard from the neighbours property when you have a DJ in place. There have been no noise abatement notices served on you as a result of these nuisances. However, you have suggested not having a DJ in order to prevent any noise issues.

Smoking

The complaints mention the amount of customers that are stood outside the premises at any one time. They are sprawled across the pavement preventing passers by from walking freely and the noise is disturbing neighbours. This includes littering of cigarette butts and smoking. As you are aware I have seen recent footage from 29th November 2015 which demonstrates this issue.

Suggested outcome:

- No more than 5 persons will be allowed to smoke outside at any one time. They will stand within the non-fixed roped area.
- Strictly no drinks outside of the premises which would contravene the Premises Licence in any case.
- The number of persons stood outside would be monitored on the extra CCTV monitor behind the bar to ensure there are only ever a maximum of 5 customers outside.

- The area outside the public house should be swept every hour (or other appropriate timing). These should be documented including date, time and signed by the person carrying out the sweeping so that it can be verified on CCTV. The sweeping should include the front entrance of the property next door where it is found that there is litter of any type present that may be associated to your premises.
- Notices displayed at the entrance clearly stating that only a maximum of 5 persons are permitted to smoke at any one time.

Door Supervisors

It was agreed that SIA staff will need to take a more distant approach with customers to ensure greater compliance.

Suggested outcome:

- In an attempt to be firm but fair you can create a zero tolerance for those customers that wish to go against the rules of the premises. If they do not wish to smoke within the barriered entrance, cause a nuisance or refuse to wait until there is sufficient space for them to smoke, they will be barred from the premises.
- All SIA timings should be documented and signed.
- SIA staff should have access to a way of documenting any issues they have, incidents that occur, who they bar from the premises, etc. If it is not the SIA staff documenting these issues, the bar staff should be able to document it for them as and when these issues arise.

Nuisance

As I understand from our conversation, the DPS Carole has been working in the premises since March 2015 and became the manager in May 2015. Carole mentioned that since working at the premises she has attempted and continues to attempt to flush out any of those customers who abuse the use of the premises for any illegal activities or who are creating a nuisance. In a recent complaint where Carole saw the customers were becoming non compliant she stopped serving alcohol one hour earlier than usual but there was still difficulty in getting these customers to leave when it was time to close at 00.30hrs. As a result a nuisance was caused to a neighbouring resident. I understand these persons have now been barred.

I also understood that you are mindful not to exclude a whole community because of legal action that may be taken against you for taking this stance. You spoke of already being subjected to legal action against you when you attempted to exclude a whole community and lost the case as a result of not just excluding those that were causing a nuisance and behaving in a disorderly manner. You also spoke of another premises that had legal action taken against them for the same reason and also lost because they excluded the whole community instead of those particular individuals who were causing issues.

Suggested Outcome:

- Zero tolerance for those customers that are causing issues in the premises, they will continue to be barred the next time they attempt to enter the premises.
- Preventative methods applied to areas such as the toilets to ensure there are no drugs being taken in the premises
- Ensuring SIA staff are aware of your policies and objectives so that they are clear on how to proceed.

Serving Customers

Some of the footage appears to show persons that are intoxicated. I believe Carole recognised one person who stood outside who had in fact just arrived. He was clearly intoxicated. We spoke about how customers such as these will give passers by the impression that you are allowing customers to drink to the point where they are drunk.

Suggested Outcome:

- Re-training for staff serving alcohol to customers
- Training for staff in dealing with difficult customers (in order to diffuse instead of fuel anger)
- Under no circumstances serving customers until the point where they are clearly drunk, the answer 'no' by bar staff should then feel less threatening.
- Notices in the bar area stating your refusal policy

Additional Suggestions:

Appearance

- Artificial hanging baskets to enhance the facia and soften the overall external look of the premises in line with the décor internally.

Cleansing:

- In addition to sweeping throughout the day, once all customers have left the vicinity at night, the outside of the premises should be re-swept and washed down with water (no detergents or chemicals to be used) so that there is a clear recognition from passers by that the perimeter of the premise is being maintained.

Please let me know if you wish to discuss any of the points listed above.

Yours sincerely



Susana Figueiredo
Licensing Inspector
Regulatory Services
Regeneration & Growth

John McGowan
McGowans
88 Walm Lane
London
NW2 4QY

16 December 2015

Licensing Act 2003 – Action Plan

Dear John,

Thank you for meeting with me yesterday regarding the above premises. I am now writing to you to confirm our discussion and potential suggestions that were raised as a way of resolving any future nuisance to neighbouring residents.

Date:	15 th December 2015
Present:	John McGowan, Terry Kelly, Carole Maseda (DPS), Esther Chan, Susana Figueiredo
Location:	McGowans, 88 Walm Lane, NW10 4QY

Neighbouring Property

The complaints received surrounds customers standing outside the neighbouring property number 86 Walm Lane. The customers are allegedly urinating on the neighbours door and entrance, vomiting and leaving left over food. As you are aware I have seen footage from 2011/2012 which shows evidence of this. The complaint states this is still occurring.

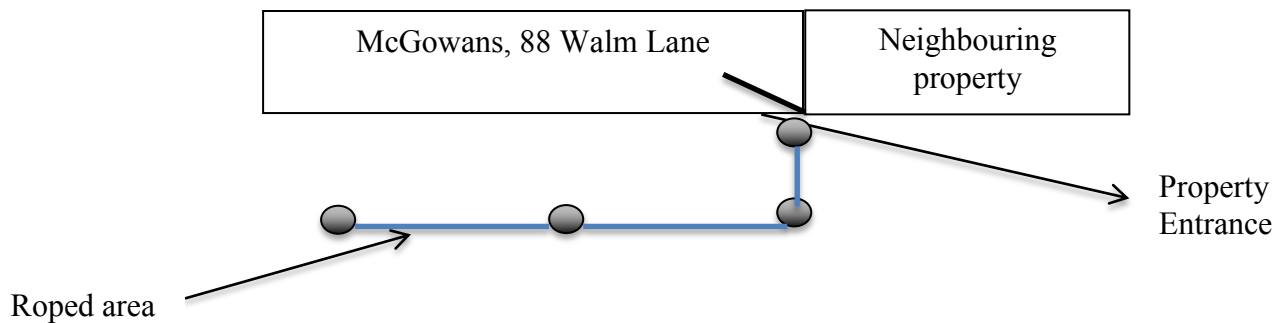
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Please let me know if you wish to discuss any of the points listed above.

Yours sincerely



Susana Figueiredo
Licensing Inspector
Regulatory Services
Regeneration & Growth

WITNESS STATEMENT

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

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Statement of: Nick Mortimer

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Brent Police Licensing Manager

This statement (consisting of _____ 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:  Date: 6th January 2016

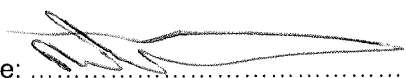
I have worked for the Metropolitan Police since 1975 in a variety of roles and have been specifically employed within licensing on London Borough of Brent since 2007. As a result of a premises licence review being brought against McGowans Public House, 88 Walm Lane, NW2 4QY I have searched for Computer Aided Despatch (a system that records calls made to Police expecting a response) messages to the venue. I can confirm that since January 2015 there have been 9 CAD messages that relate to either Anti Social Behaviour or Assaults, they are as follows:

- 13/2/15 CAD 10024,
- 16/4/15 CAD 2862,
- 4/12/15 CAD 11144,
- 5/12/15 CAD's 6206 and 7883,
- 7/12/15 CAD's 5782, 9817 and 9882,
- 21/12/15 CAD 9166.

From reading these messages I am aware that Police did not attend on every occasion and their attendance cancelled prior to arrival.

In addition the following crimes have been reported over the same time period
20/3/15 Ref:1906660/15 Victim states his phone was stolen from jacket pocket,
24/3/15 Ref:1907018/15 Theft employee,
3/7/15 Ref:1915439/15 Suspect slapped victim in the face and bit her on the nose,
4/10/15 Ref:1923078/15 Victim was in the pub when he was assaulted by Suspect . Suspect then punched victim causing swelling underneath the left eye.

I am willing to attend court and give evidence if necessary.

Witness Signature: 

Signature Witnessed by Signature:.....

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Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

16/05/1996

ACTION HISTORY

Premises: **88 Walm Lane, London, NW2 4QY**

Case ref: **SR/03723/96** Enquiry type: **DNM/Noise - Music**

Received: **16/05/1996 14:24:00** by via Telephone - General Public.

Case officer: M.L Silva Rosa Age of case: 5515 days

Complainants on this case: 5

Case Level Interested Parties

Prime Contact: No
Name: [REDACTED]
Address: [REDACTED]
Interest Type: Citizen / Customer / Complainant
Telephone: [REDACTED] Mobile: [REDACTED] Company Phone: [REDACTED]

Prime Contact: No
Name: [REDACTED]
Address: [REDACTED]
Interest Type: [REDACTED]
Telephone: [REDACTED] Mobile: [REDACTED] Company Phone: [REDACTED]

Prime Contact: No
Name: [REDACTED]
Address: [REDACTED]
Interest Type: Citizen / Customer / Complainant
Telephone: [REDACTED] Mobile: [REDACTED] Company Phone: [REDACTED]

Prime Contact: No
Name: [REDACTED]
Address: [REDACTED]
Interest Type: [REDACTED]
Telephone: [REDACTED] Mobile: [REDACTED] Company Phone: [REDACTED]

Prime Contact: No
Name: [REDACTED]
Address: [REDACTED]
Interest Type: [REDACTED]
Telephone: [REDACTED] Mobile: [REDACTED] Company Phone: [REDACTED]

Prime Contact: No
Name: [REDACTED]
Address: [REDACTED] NW2
Interest Type: Citizen / Customer / Complainant
Telephone: [REDACTED] Mobile: [REDACTED] Company Phone: [REDACTED]

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Prime Contact: No		
Name:	[REDACTED]	
Address:	[REDACTED]	
Interest Type: Citizen / Customer / Complainant		
Telephone:	Mobile:	Company Phone:

Prime Contact: No		
Name:	[REDACTED]	
Address:	[REDACTED]	
Interest Type:		
Telephone:	Mobile:	Company Phone:

Prime Contact: No		
Name:	[REDACTED]	
Address:	[REDACTED]	
Interest Type: Citizen / Customer / Complainant		
Telephone:	Mobile:	Company Phone:

Prime Contact: Yes		
Name:	[REDACTED]	
Address:	[REDACTED]	
Interest Type: Citizen / Customer / Complainant		
Telephone:	Mobile:	Company Phone:

Prime Contact: No		
Name:	[REDACTED]	
Address:	[REDACTED]	
Interest Type: Citizen / Customer / Complainant		
Telephone:	Mobile:	Company Phone:

Premises Level Interested Parties

Prime Contact: No		
Name: Mr John McGowan		
Address: The Post Code Pub Co Ltd, c/o Hillier Hopkins LLP, 64 Clarendon Road, Watford, Herts, WD17 1DA		
Interest Type: Business Owner		
Telephone: xxxxxxx	Mobile:	Company Phone: xxxxxxx

Prime Contact: No		
Name: Ms C Charlotte Woodley or Manager		
Address: McGowans, 88 Walm Lane, London, NW9 6LU		
Interest Type: Manager		
Telephone: 0208 830 1091	Mobile: 07598662126	Company Phone: xxxxxxx

Prime Contact: No		
Name: Mr John McGowan		
Address: McGowans, 225-227 Edgware Road, Colindale, NW9 6LU		
Interest Type: Business owner		
Telephone: 0208 2005256	Mobile: 07770680740	Company Phone: 0208 200 5256

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Prime Contact: No
Name: JDM Investments Ltd
Address: c/o Hillier Hopkins LLP, 64 Clarendon Road, Watford, WD17 1DA
Interest Type: Licence applicant / holder
Telephone: **Mobile:** **Company Phone:**

Prime Contact: No
Name: Andy Brooks
Address: 88 Walm Lane, London, NW2 4QY
Interest Type: Manager
Telephone: 07841194180 **Mobile:** **Company Phone:**

Prime Contact: No
Name: JDM Investments Ltd.
Address: JDM Investments Ltd, 2nd Floor Kirkdale House, Kirkdale Rd, London, E11 1HP
Interest Type: Freeholder
Telephone: **Mobile:** **Company Phone:**

Prime Contact: No
Name: The Post Code Pub Co Ltd The Post Code Pub Co Ltd
Address: c/o RSM Tenon Recovery CBX II West Wing, 382 - 390 Midsummer Boulevard, Milton Keynes, Buckinghamshire, MK9 2RG
Interest Type: Registered head office
Telephone: **Mobile:** **Company Phone:**

Prime Contact: No
Name: Postcode Pub Co Limited Postcode Pub Co Ltd
Address: 225/227 Edgware Rd, Colindale, London, NW9
Interest Type: Licence - Designated Premises Supervisor
Telephone: **Mobile:** **Company Phone:**

Prime Contact: No
Name: JDM Investments Ltd JDM Investments Ltd
Address: c/o Hillier Hopkins LLP, 64 Clarendon Rd, Watford, Herts, WD17 1DA
Interest Type: Registered head office
Telephone: **Mobile:** **Company Phone:**

Prime Contact: Yes
Name: Mr John McGowan McGowans Group
Address: 88 Walm Lane, London, NW2 4QY
Interest Type: Business owner
Telephone: **Mobile:** **Company Phone:**

Enquiry details: _____

CASE STATUS: June 2013 - Reminder Letters sent with S80 Notices.

NUIS - Nuisance-on notification

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

19:35 @ comps. Invite from comp for me to assess noise in [REDACTED] declined with reasons and even so...music not at nuisance level. [REDACTED] insisted on showing me some of [REDACTED] video recordings of ASB etc at the front and rear of the premises. Evident was:

- urinating (front)
- drug dealing (back)
- fighting.

[REDACTED] reported that the landlady likes "sniff" (cocaine) and the patrons are rowdy and lairy in their behaviour. [REDACTED] had sent video's on a disk to Adrian Adolphus and was awaiting response.

Discussed Review process that [REDACTED] can take as an individual.

24/05/2013 19:03:57

Caller: [REDACTED]

Company: N/A

Address: [REDACTED]

N/A

N/A

LONDON

N/A

TYPE OF NOISE/NUISANCE? NOISE ISSUE

ADDRESS OF NOISE/NUISANCE: MCGOWANS PUB AT 88

POSTCODE OF NOISE/NUISANCE: SAME

HAS THIS BEEN PREVIOUSLY REPORTED? YES

LATEST TIME TO BE CALLED BACK: ASAP BUT 11PM LATEST

EMAIL ADDRESS: [REDACTED]

DAYTIME TEL NO: [REDACTED]

EVENING TEL NO: [REDACTED]

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

ACTION - TAKEN - Date Time: 24/05/2013 19:00:01

Comments: NOISE AGAIN MCGOWANS PUB AT NO 88- USUAL PROBLEM V LOUD MUSIC COMING THROUGH FROM PUB AND THEY OFTEN HAVE LOCK-INS UNTIL 4AM

07/07/2007 **NUIS - Nuisance-on notification**

Action officer: **Jason Nelson**

Result of action: Action completed: **07/07/2007**

Action details:

Rec'd call @ 00:55 unable to call.

14/08/2007 **A - Referral record (to another team member)**

Action officer: **Jill Nesbit**

Result of action: **No Result Entered** Action completed: **14/08/2007**

Action details:

emailed Susana to advise

14/08/2007 23:47:06 **NUIS - Nuisance-on notification**

Action officer: **Jill Nesbit**

Result of action: Action completed: **14/08/2007 23:47:49**

Action details:

call at 23.47- [REDACTED], wanted us to know that people are in the beer garden making noise, no lam, just rowdiness, [REDACTED] didnt want a cb

01/09/2007 01:32:36 **NUIS - Nuisance-on notification**

Action officer: **Jill Nesbit**

Result of action: Action completed: **01/09/2007 01:47:55**

Action details:

call at 01.32- noise from people in beer garden of pub.
cb at 01.47- spoke to [REDACTED] who states that there are people laughing etc in the beer garden of premises, but that it was quiet now. long convo with compt ending at 02.00, in which [REDACTED] states that the pub are plannign to add pool tables etc into a building at the back and no planning etc, advised that i can refer to HSL for their info

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

13/10/2007

NUIS - Nuisance-on notification

Action officer: **Adekunle Majekodunmi**

Result of action:

Action completed: **13/10/2007**

Action details:

19/01/2008 01:52:06

NUIS - Nuisance-on notification

Action officer: **Jill Nesbit**

Result of action:

Action completed: **19/01/2008 02:02:35**

Action details:

call at 01.52-LAM.

cb at 02.02- the music had been on since 9.30-karaoke, however, the compt did state ■ had been out at another pub, lam stopped ato call. verbal advice given, compt stating what we should be doing etc, states it happens every weekend, verbal advice that ■ has to call when ■ is being disturbed so we can witness, a lot of the problem is ASB, advised will refer to HSL and police as they would look into that, at 02.11 ■ hung up on me

23/02/2008

NUIS - Nuisance-on notification

Action officer: **Jill Nesbit**

Result of action:

Action completed: **23/02/2008**

Action details:

call at 01.04-lam

service closed before processing

13/05/2008
(etc)

A - Correspondence sent (e.g. email,

Action officer: **M.L Silva Rosa**

Result of action: **No Result Entered**

Action completed: **13/05/2008**

Action details:

**Maria Silva-
Rosa/ENVIRONMENT/BRENT/**

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

GB

13/05/2008 14:36

To Jill

Nesbit/ENVIRONMENT/BRENT/GB@BRE
NT

cc

Subject Mc Gowans 88 Walm La
t

Hi Jill,

Please contact [REDACTED] with regard to the above.

Thanks

maria

15/05/2008 21:16:42 **NUIS - Nuisance-on notification**

Action officer: **M.L Silva Rosa**

Result of action:

Action completed: **15/05/2008 22:20:35**

Action details:

complaint from [REDACTED] re: karaoke till 3am. punters are at [REDACTED] has previously reported to police on 11/05. msr contacted [REDACTED]. noise off

14/06/2008 17:20:00 **NUIS - Nuisance-on notification**

Action officer: **Ben Milne**

Result of action:

Action completed: **14/06/2008 17:20:00**

Action details:

0026 - LAM and laughing ([REDACTED])
0106 - cb, [REDACTED] said LAM still going on. Will attend.
0117 - Arrived at [REDACTED] and went thru to the front loungeroom with the windows open. LAM from pub slightly audible but drowned out by very loud talking and yelling from patrons on the footpath out the front of McGowans (broken glasses and rubbish all over the footpath). [REDACTED] said that the music had been turned down and now it wasn't an issue.
0130 - [REDACTED] took us up to [REDACTED] room and showed us various clips [REDACTED] taken from [REDACTED] CCTV camera and handheld camera from the upstairs window. Showed various sorts of antisocial behaviour by patrons of McGowans. Gave advice to call when music is causing a nuisance for us to witness in [REDACTED] property but to follow up the other problems from the pub with the Licensing team.

05/07/2008 01:25:00 **NUIS - Nuisance-on notification**

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Action officer: **M.L Silva Rosa**

Result of action: **No Result Entered**

Action completed: **05/07/2008 14:19:00**

Action details:

complaint received from [REDACTED] re: Karoake
[REDACTED] trying to go to bed.

11/07/2008 15:03:00

A - Telephone call MADE by officer

Action officer:

Result of action: **No Result Entered**

Action completed: **11/07/2008 15:03:00**

Action details:

msr contacted [REDACTED] of HSL ext [REDACTED] and he will ask an inspector to visit the pub this weekend

07/09/2008 00:50:00

NUIS - Nuisance-on notification

Action officer: **Shanta Halai**

Result of action: **No Result Entered**

Action completed: **07/09/2008 01:03:00**

Action details:

00.50 Call received from [REDACTED] lam on.
01.03 Phoned [REDACTED] lam now eased off does not require a visit but would like the complaint logged as it was really loud last night.

15/12/2008 14:52:00

A - Correspondence received

Action officer: **Clive Dinsey**

Result of action: **No Result Entered**

Action completed: **15/12/2008 14:52:00**

Action details:

Company Details

Print Page. Open help text in a new window. The WebCheck service is available from Monday to Saturday 7.00am to 12 Midnight UK Time

Name & Registered Office:
JDM INVESTMENTS LIMITED
C/O HILLIER HOPKINS LLP
64 CLARENDON ROAD
WATFORD
HERTS
WD17 1DA

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Company No. 04610306

15/12/2008 15:02:34

Z-Initial Advisory Letter to Offender

Action officer: **Clive Dinsey**

Result of action: **No Result Entered**

Action completed: **15/12/2008**

Action details:

Document Text:

ENVIRONMENT & CULTURE

Tel:

Fax:

Email:

Web:

Environmental Health
Brent House, 349-357 High Road
Wembley, Middlesex, HA9 6BZ
(020) 8937 5252
(020) 8937 5150
env.health@brent.gov.uk

www.brent.gov.uk/eh

JDM Investments Ltd
c/o Hillier Hopkins LLP
64 Clarendon Road
Watford
WD17 1DA

Your Ref:

Our Ref:

Contact:

SR/03723/96

Clive Dinsey

15 December, 2008

Dear Sirs,

Noise Nuisance - Environmental Protection Act 1990

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

McGowans, 88 Walm Lane, London, NW2 4QY

One of the duties placed upon the Council is to investigate allegations of noise nuisance. A local resident has complained to us that an unacceptable level of noise caused by loud amplified music is disturbing them and they have given us your address as being the source of the problem. Our informant also says that he is disturbed by loud talking and shouting from the beer garden area and from the street where patrons often gather and on occasions engage in anti social behaviour and even fighting.

At this stage I do not know whether this complaint is true or false, however, the Council does have a legal duty to investigate all complaints of noise nuisance. As a matter of courtesy, the first thing I would like to do is to bring the allegation to your attention. You are welcome to contact me by telephone, e-mail or in writing if you would like to discuss this matter further.

If the noise being complained about is not a nuisance within the meaning of the law and further action by the Council is inappropriate, the person complaining will be informed of this. If this complaint is unfounded, then I regret the necessity of writing to you and apologise for this intrusion.

Should further complaints be received, as part of our Statutory duty we will investigate by monitoring the situation. We will visit the person making the complaint and make an assessment of the noise that they are complaining about. We may also use remote monitoring and recording devices to measure and record the noise being complained about.

If the Council is satisfied that a noise nuisance exists and that the noise coming from your premises is unacceptably loud, we will usually call on you to let you know. Additionally a Noise Abatement Notice will be served under the above Act, requiring the nuisance to be stopped and not repeated. If the terms of that notice are broken and you continue to cause unacceptable noise, the Council may then take Court action, where the maximum penalty on conviction for breaching the Notice is £20,000 for each offence, plus costs.

A referral has also been made to the Council's Health, Safety and Licensing Team. Should any of the allegations be substantiated, please note that this may lead to an application for a review of the premises licence.

Accordingly, I would be grateful if you would consider whether any activities at your premises could cause a disturbance to your neighbours and, if so, take whatever measures are necessary to reduce the noise.

Thank you for your co-operation.

Yours sincerely,

Clive Dinsey
Service Manager
Environmental Health

**15/12/2008 15:11:00
member)**

A - Referral record (to another team

Action officer: **Clive Dinsey**

Result of action: **No Result Entered**

Action completed:

Action details:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Case allocated to SPD

15/12/2008 15:17:00 **A - Correspondence sent (e.g. email, etc)**

Action officer: **Clive Dinsey**

Result of action: **No Result Entered**

Action completed: **15/12/2008 15:17:00**

Action details:

Hi Alan,

We have received several complaints about this place, not only from loud music but also from shouting, spitting in the street, fighting and other anti social type behaviour.

We have previously referred the matter to yourselves and for completeness of our case record, I'd be grateful if you could let me know what action HS&L have taken and/or plan to take.

Thanks

Clive Dinsey
Service Manager

17/12/2008 13:38:00 **A- Telephone call RECIEVED by officer**

Action officer: **Clive Dinsey**

Result of action: **No Result Entered**

Action completed: **17/12/2008 13:38:00**

Action details:

Spoke to Susanna in hsl. She is going to talk to [REDACTED] about licensing issues.

17/12/2008 13:49:00 **A - Correspondence received**

Action officer: **Clive Dinsey**

Result of action: **No Result Entered**

Action completed: **17/12/2008 13:49:00**

Action details:

Hi Clive,

Susana Figueiredo

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Alan Howarth/ENVIRONMENT/BRENT/GB 15/12/2008 15:30
To: Susana Figueiredo/ENVIRONMENT/BRENT/GB@B
RENT
cc
Subject: Fw: McGowans 88 Walm Lane
ct

Susana,
Please reply to Clive.
Thanks,
Alan

----- Forwarded by Alan Howarth/ENVIRONMENT/BRENT/GB on 15/12/2008 15:29 -----

Clive Dinsey/ENVIRONMENT/BRENT/GB 15/12/2008 15:17
To: Alan Howarth/ENVIRONMENT/BRENT/GB@BR
ENT
cc
Subject: McGowans 88 Walm Lane
t

Hi Alan,

We have received several complaints about this place, not only from loud music but also from shouting, spitting in the street, fighting and other anti social type behaviour.

We have previously referred the matter to yourselves and for completeness of our case record, I'd be grateful if you could let me know what action HS&L have taken and/or plan to take.

Thanks

Clive Dinsey
Service Manager

22/12/2008 15:53:55 **Z-Initial Advisory Letter to Offender**

Action officer: **Clive Dinsey**

Result of action: **No Result Entered**

Action completed:

Action details:

2 x letters to go by hand, one to Essex by 1st class post.

15/05/2010 **Case re-opened**

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Action officer:

Result of action: **No Result Entered**

Action completed:

Action details:

15/05/2010 18:56:00

NUIS - Nuisance-on notification

Action officer: **M.L Silva Rosa**

Result of action:

Action completed: **15/05/2010 21:33:00**

Action details:

complaint rec'd from [REDACTED] re: shouting.
msr and erlandus drove to Walm Lane. did not note any shouting. People standing at the entrance of door smoking. Phoned [REDACTED] who says noise had quietened down.

29/05/2010 01:29:00

NUIS - Nuisance-on notification

Action officer: **Stephen Doohan**

Result of action:

Action completed: **29/05/2010**

Action details:

call from [REDACTED] re LAM. No time to action. Called Pub and spoke with Assistant Manager, Nathan. Conversation difficult due to vol of music in pub. Warning given re LAM and advised to keep levels down. He informed me the music would be switched off.

24/06/2010 21:30:00

NUIS - Nuisance-on notification

Action officer: **Jill Nesbit**

Result of action:

Action completed: **24/06/2010 21:55:00**

Action details:

call at 21.30- [REDACTED]-LAM
arrived at 21.35- spoke to [REDACTED] who was locked out of [REDACTED] house- lam was audible from the street to the side, seemd the back door was open and there was a drummer next to the door, spoke to the manager Andy Brooks and advice given, slightly argumentative at first, advised lam should not be audible outside the prmeises in the street and asked him to shut the rear door which was a fire door, this was done and yusuf walked back round to the side and the lam was no longer audible, verbal advcie given to the manager, there seems to be a neighbour dispute between the 2 from what he was saying. long history of compts, advised that as i had heard it in the street tonight thats why we approached, offered to give advice to them etc. he shouwed me licence and they could play music, advised the timing wasnt the issue but the volume. left 21.55

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

23/07/2010 23:30:00 **NUIS - Nuisance-on notification**

Action officer: **Jason Nelson**

Result of action: Action completed: **24/07/2010**

Action details:

Rec'd call @ 23:30, sent 22:32, from [REDACTED]. Arrived @ 23:53 music heard from the side road due to the rear door being open. Spoke to bar staff, no licensee, or dps on the premises. Got them to close the rear door, and stopped the karaoke. We waited for the dps for 25 minutes and was a no show. About 20 patrons were present. [REDACTED] had gone out. Will request review of licence.

16/08/2010 **Telephone message received**

Action officer: **Shenelle Redhead**

Result of action: **No Result Entered** Action completed:

Action details:

Music, talking. Mainly friday and Saturday nights. Friday is Karaoke and Saturday is a Live Band Night. [REDACTED] states that this has been an on off occurrence for the past few years. Please contact [REDACTED] to discuss how to deal with this matter. Thanks- Shenelle 13.59

16/08/2010 12:52:00 **A - Referral record (to another Team/Agency)**

Action officer: **Jason Nelson**

Result of action: **No Result Entered** Action completed: **16/08/2010**

Action details:

Called HSL @ 12:52, spoke to Dennis, who said Estele will be dealing with it, and 1 of their officers made a visit and found out the same thing. (NO Licensee or Dps on site). HSL will contact Mr McGowan.

09/10/2010 21:56:00 **NUIS - Nuisance-on notification**

Action officer: **Peng Yau**

Result of action: **No Result Entered** Action completed: **09/10/2010 23:43:00**

Action details:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Caller [REDACTED] compl about LAM from McGowan pub.

09/10/2010 23:43:00 Telephone call MADE by officer

Action officer: **Peng Yau**

Result of action: **No Result Entered**

Action completed: **09/10/2010 23:48:00**

Action details:

called compl and [REDACTED] said [REDACTED] did not want visit as [REDACTED] wanted to go out from the house. LAM from Pub happened every Friday night especially karaoke, Saturday is the live band and wanted action done. Advised we need to witness the noise from [REDACTED] premises and [REDACTED] said the noise from music happened in regular pub hours and agreed to have a prearrange visit to witness the noise. advised we could forward the case to the team manager and arrangement could be arranged. [REDACTED] wanted us to contact [REDACTED] next week.

11/10/2010 A - Correspondence sent (e.g. email, etc)

From: ENV Noiseteam
Sent: 11 October 2010 17:39
To: Nelson, Jason; Phillips, Janice
Cc: Wood, Martin; Dinsey, Clive
Subject: FW: Acolaid Case SR/17198/06

Dear all,

I contacted [REDACTED] this afternoon, and [REDACTED] states that officers are bound to hear the music from the McGowans Pub at 9pm on Saturday nights.

Therefore it appears a proactive visit at the required time/day might hit the nail on the head. [REDACTED] would like to be contacted by email : [REDACTED] . to find if this will happen.

Last weekend, from what [REDACTED] says is that the officers did call [REDACTED] back but then the music had stopped.

Jason as you are the case officer and may be on duty during the weekend, can you please contact [REDACTED] to advise.

Regards

Maria

12/10/2010 18:40:00 A - Correspondence sent (e.g. email, etc)

Action officer: **Janice Phillips**

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Result of action: **No Result Entered**

Action completed: **12/10/2010 18:40:00**

Action details:

From: Phillips, Janice
Sent: 12 October 2010 18:40
To: Nelson, Jason
Subject: 03723 - 88 Walm Lane, London, NW2 4QY

18/10/2010 19:20:28 **NUIS - Proactive investigation/visit**

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **18/10/2010**

Action details:

Spoke to licence holder Ian (07598662126)
He believes comp is a male who was barred for making female bar staff fee uncomfortable.
Says he has a karaoke night and organiser is a sound engineer who advised move speakers away from rear wall and lower volume and bass. Ian says he lives on 2nd floor above and can hear no noise when entertainment is on. He wants to work with us and would be grateful to know if complaints are justified and asks we call him if so so he can reduce volume to a level not affecting n/bours. Advised possibility of a notice if too loud.

Advised comp visiting to advise licence holder and if disturbed in future to call us as soon as music starts.

19/10/2010 08:17:00 **A - Correspondence received**

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **19/10/2010 08:17:00**

Action details:

From: Moore, Stephen
Sent: 19 October 2010 08:17
To: ENV Noiseteam
Cc: Phillips, Janice
Subject: FW: Message

From: Thrale, David
Sent: 18 October 2010 17:54
To: Moore, Stephen
Subject: FW: Message

From: Heavey, Jackie
Sent: 18 October 2010 16:59
To: Thrale, David
Cc: Dinsey, Clive
Subject: Message

19/10/2010 11:07:00 **Telephone call MADE by officer**

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **19/10/2010 11:07:00**

Action details:

Called [REDACTED] as per message forwarded from SDM. [REDACTED] said that [REDACTED] called last night and someone was already dealing with matter.

09/11/2010

Officer file note

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **09/11/2010**

Action details:

Page: 1 Copy of licence

Premises Licence 201408

Generated on: 09/11/2010 13:25

Status

Current

Agent

Poppleston Allen Solicitors

Address: 37 Stoney Street

The Lace Market

Nottingham

NG1 1LS

Licensee

JDM Investments Limited

Address: 225-227 Edgware Road

London

NW9 6LU

Phone: 020 8200 5256

Contact Name: Angela Gardner

Registered Address: 225-227 Edgware Road

London

NW9 6LU

Premises Details

Address McGowans

88 Walm Lane

London

Post Town

Postcode NW2 4QY

Telephone number 020 8301 091

Non-Domestic Rateable Value 40000.00

Operating Schedule

Desired Start Date 24/11/2005

Desired End Date

Number Expected

Page: 2

Premises Licence 201408

Generated on: 09/11/2010 13:25

Operating Schedule

Activity Type Public House

Licensable Activities

Is a variation of the premises licence

while it is converted from the existing

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

licence(s) under section 34 or 37 of the
licensing act 2003 being applied for?

Yes

Films Yes

Live music Yes

Performances of dance Yes

Making music Yes

Dancing Yes

Provision of late night refreshment Yes

Supply of alcohol Yes

B. Films - Standard Times

Day Monday

Start Time 10:00

End Time 03:30

Day Tuesday

Start Time 10:00

End Time 03:30

Day Wednesday

Start Time 10:00

End Time 03:30

Day Thursday

Start Time 10:00

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Premises Licence 201408

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B. Films - Standard Times

End Time 03:30

Day Friday

Start Time 10:00

End Time 03:30

Day Saturday

Start Time 10:00

End Time 03:30

Day Sunday

Start Time 10:00

End Time 03:30

B. Films - Further Details

Seasonal Variations

Non-Standard Timings An additional hour to the standard and non-standard times
on the day when British Summertime commences.

From the end of permitted hours on new years eve to the
start of permitted hours on New years day.

E. Live music - Standard Times

Day Monday

Start Time 10:00

End Time 03:30

Day Tuesday

Start Time 10:00

End Time 03:30

Day Wednesday

Page: 4

Premises Licence 201408

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E. Live music - Standard Times

Start Time 10:00

End Time 03:30

Day Thursday

Start Time 10:00

End Time 03:30

Day Friday

Start Time 10:00

End Time 03:30

Day Saturday

Start Time 10:00

End Time 03:30

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Day Sunday

Start Time 10:00

End Time 03:30

E. Live music - Further Details

Seasonal Variations

Non-Standard Timings An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

G. Performances of dance - Standard Times

Day Monday

Start Time 10:00

End Time 03:30

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Premises Licence 201408

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G. Performances of dance - Standard Times

Day Tuesday

Start Time 10:00

End Time 03:30

Day Wednesday

Start Time 10:00

End Time 03:30

Day Thursday

Start Time 10:00

End Time 03:30

Day Friday

Start Time 10:00

End Time 03:30

Day Saturday

Start Time 10:00

End Time 03:30

Day Sunday

Start Time 10:00

End Time 03:30

G. Performances of dance - Further Details

Seasonal Variations

Non-Standard Timings An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

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Premises Licence 201408

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I. Provision of facilities for making music - Standard Times

Day Monday

Start Time 10:00

End Time 03:30

Day Tuesday

Start Time 10:00

End Time 03:30

Day Wednesday

Start Time 10:00

End Time 03:30

Day Thursday

Start Time 10:00

End Time 03:30

Day Friday

Start Time 10:00

End Time 03:30

Day Saturday

Start Time 10:00

End Time 03:30

Day Sunday

Start Time 10:00

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

End Time 03:30

I. Provision of facilities for making music - Further Details

Seasonal Variations

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Premises Licence 201408

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I. Provision of facilities for making music - Further Details

Non-Standard Timings An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

J. Provision of facilities for dancing - Standard Times

Day Monday

Start Time 10:00

End Time 03:30

Day Tuesday

Start Time 10:00

End Time 03:30

Day Wednesday

Start Time 10:00

End Time 03:30

Day Thursday

Start Time 10:00

End Time 03:30

Day Friday

Start Time 10:00

End Time 03:30

Day Saturday

Start Time 10:00

End Time 03:30

Day Sunday

Page: 8

Premises Licence 201408

Generated on: 09/11/2010 13:25

J. Provision of facilities for dancing - Standard Times

Start Time 10:00

End Time 03:30

J. Provision of facilities for dancing - Further Details

Seasonal Variations

Non-Standard Timings An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

L. Late night refreshment - Standard Times

Day Monday

Start Time 23:00

End Time 03:30

Day Tuesday

Start Time 23:00

End Time 03:30

Day Wednesday

Start Time 23:00

End Time 03:30

Day Thursday

Start Time 23:00

End Time 03:30

Day Friday

Start Time 23:00

End Time 03:30

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Premises Licence 201408

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L. Late night refreshment - Standard Times

Day Saturday

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Start Time 23:00

End Time 03:30

Day Sunday

Start Time 23:00

End Time 03:30

L. Late night refreshment - Further Details

Seasonal Variations

Non-Standard Timings An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

M. Supply of alcohol - Standard Times

Day Monday

Start Time 10:00

End Time 03:00

Day Tuesday

Start Time 10:00

End Time 03:00

Day Wednesday

Start Time 10:00

End Time 03:00

Day Thursday

Start Time 10:00

Page: 10

Premises Licence 201408

Generated on: 09/11/2010 13:25

M. Supply of alcohol - Standard Times

End Time 03:00

Day Friday

Start Time 10:00

End Time 03:00

Day Saturday

Start Time 10:00

End Time 03:00

Day Sunday

Start Time 10:00

End Time 03:00

M. Supply of alcohol - Further Details

On/Off Sales On the premises

Seasonal Variations

Non-Standard Timings An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Premises Supervisor

Name Mr Ian Conneely

Address 103 Varsity Drive

Twickenham

Postcode TW1 1AS

Phone

Email

Licence Number 01572

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Premises Licence 201408

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Premises Supervisor

Issuing Licensing Authority London Borough of Hounslow

O. Hours premises are open to the public - Standard Times

Day Monday

Start Time 10:00

End Time 03:30

Day Tuesday

Start Time 10:00

End Time 03:30

Day Wednesday

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Start Time 10:00
End Time 03:30
Day Thursday
Start Time 10:00
End Time 03:30
Day Friday
Start Time 10:00
End Time 03:30
Day Saturday
Start Time 10:00
End Time 03:30
Day Sunday
Start Time 10:00
End Time 03:30
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Premises Licence 201408

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O. Hours premises are open to the public - Further Details

Seasonal Variations

Non-Standard Timings An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Mandatory Conditions

Mandatory conditions (a) No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended.

(b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

All persons present on the premises who are required to carry out a security activity must be licensed by the Security Industry Authority.

Admission of children must be restricted according to film classification.

Embedded Conditions

Embedded conditions (Late Night

Refreshment):

Embedded conditions (Off Sales):

Embedded conditions (On Sales):

Embedded conditions (Hotel):

Embedded conditions (Restaurant):

Embedded conditions (Entertainment):

Other Conditions

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Premises Licence 201408

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Other Conditions

Conditions consistent with the operating schedule

1. CCTV shall be installed and maintained in a working condition.
2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.
3. 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.
4. 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.
5. Door supervisors of a sufficient number and gender mix, shall be employed from 21:00 hours on any day when the

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

premises are open for the sale of alcohol past midnight.

6. No external drinking areas shall be used after 23:00 hours.
7. No entry or re-entry shall be permitted between 00:30 hours and the close of business each day.
8. The total number of people permitted on the premises including staff and performers shall not exceed 60.
9. Notices requesting customers to leave quietly shall be displayed at each exit.
10. The licensee or his/her deputy shall be a member of, and actively participate in the local pubwatch scheme.
11. All alcohol and soft drinks shall be served in plastic or toughened glasses.
12. A free 'hot line' to a local taxi company shall be made available to customers.
13. Facilities within the premises shall be made available for customers to await taxis.
14. A secure facility to store controlled drugs and weapons prior to collection shall be available at all times.
15. The police shall be informed of all drugs and weapons seized from customers as soon as reasonably practical after

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Premises Licence 201408

Generated on: 09/11/2010 13:25

Other Conditions

the seizure.

16. A comprehensive record of all seized drugs and weapons shall be kept and made available to police and licensing officers.
17. A free supply of drinking water shall be made available to customers.
18. No person under the age of 18 shall be admitted to any part of the premises where entertainment of an adult nature is being provided.
19. No person under 18 shall be permitted on the premises after 21:00 hours
20. The Portman Group proof of age scheme or similar such scheme shall be adopted.

Conditions attached after a hearing by the licensing authority

That door supervisors, or when no door supervisors are on duty a suitable member of staff, must supervise the exit of every person from the premises, and instruct that each person leaves the area quietly.

Signs must be displayed at each entry and exit to the premises and/or licensed area instructing customers to respect the surrounding neighbours and leave quietly.

Whether access to the premises by children is restricted or prohibited

No person under the age of 18 shall be admitted to any part of the premises where entertainment of an adult nature is being provided.

No person under 18 shall be permitted on the premises after 21:00 hours.

Case history

30/07/2010 [Premises Licence - Change of DPS 646689](#)

23/07/2010 [Premises Licence - Complaint 643974](#)

22/07/2010 [Premises Licence - Change of DPS 643434](#)

01/06/2010 [Premises Licence - Complaint 623618](#)

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Premises Licence 201408

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Case history

20/05/2010 [Premises Licence - Annual Payment 618367](#)

19/08/2009 [Premises Licence - Change of DPS 530447](#)

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

10/12/2008 [Premises Licence - Annual Payment 455680](#)
13/05/2008 [Premises Licence - Complaint 374315](#)
11/02/2008 [Premises Licence - Complaint 341100](#)
05/02/2008 [Premises Licence - Annual Payment 339163](#)
04/02/2008 [Premises Licence - Change of DPS 339573](#)
02/01/2008 [Premises Licence - Complaint 328314](#)
04/09/2007 [Premises Licence - Change of DPS 295914](#)
09/03/2007 [Premises Licence - Licensee Transfer Application 275796](#)
14/02/2007 [Premises Licence - Change of DPS 250343](#)
07/12/2006 [Premises Licence - Annual Payment 239909](#)
09/08/2005 [Premises Licence - Conversion Application 201408](#)
Inspections carried out
Date Type By Details
19/07/2010 Annual Inspection Susana Figueiredo Satisfactory
Recent letters sent
Name Date sent By
[Annual Fee Acknowledgement](#) 14/09/2010 Estelle Lendore

09/11/2010 13:30:00 **Officer file note**

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **09/11/2010**

Action details:

Had meeting with Susana (HSL) and [REDACTED] (Complainant) @ 12:00 in the meeting room. We discussed to do 3 visits, 2 day visits and 1 night visit to monitor the events that take place. The case will be up for review. Officers have been asked to do proactive visits around Friday and Saturday nights.

12/11/2010 21:00:21 **NUIS - Proactive investigation/visit**

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **12/11/2010**

Action details:

drove by at 9pm. no door staff noted. Parked up and walked round. No LAM and no door staff. Visit too close to 9pm

13/11/2010 01:03:14 **NUIS - Nuisance-on notification**

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **13/11/2010**

Action details:

MW unable to respond to this call

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Case Ref: 5948877 taken for client/dept: 5853 BRENT COUNCIL - NUISANCE CONTROL TEAM EMAIL

was set to PENDING when this email was sent - 13/11/2010 01:03:31

Caller: [REDACTED]
Company: N/A
Address: [REDACTED]
N/A
N/A
N/A
LONDON
[REDACTED]

TYPE OF NOISE/NUISANCE? NOISE ISSUE

ADDRESS OF NOISE/NUISANCE: MCGOWANS PUB, WALM LANE

POSTCODE OF NOISE/NUISANCE: NW2 4QY

HAS THIS BEEN PREVIOUSLY REPORTED? YES

LATEST TIME TO BE CALLED BACK: 2.00AM

EMAIL ADDRESS: N/A

DAYTIME TEL NO: [REDACTED]

EVENING TEL NO: [REDACTED]

ACTION - TAKEN - Date Time: 13/11/2010 00:55:43

Comments: INSISTED THAT A RECORD BE MADE OF THIS CALL.

FAO JASON NELSON (GILL)

REGARDING ONGOING ISSUE WITH NO.88 WALM LANE (MCGOWANS PUB) KARAOKE NOISE EVERY WEEKEND, AND IS HAPPENING NOW AS WELL.

HAD A MEETING WITH JASON NELSON LAST WEEK AT BRENT HOUSE REGARDING THIS AND WAS TOLD HE WAS A PRIORITY AND TO CALL US ONCE THE NOISE STARTS.

>> End of Email from myPALive! <<

13/11/2010 18:15:29

Telephone call MADE by officer

Action officer: **Martin Wood**

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Result of action: **No Result Entered**

Action completed: **13/11/2010**

Action details:

13/11/2010 20:49:25

NUIS - Nuisance-on notification

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **13/11/2010**

Action details:

21:00 cb [REDACTED] noise on

21:29 at [REDACTED] in rear sf bedroom can hear LAM at nuisance level and voice from ext beer garden. LAM ends after 1 min. Resumes 21:30 @ nuisance level. Comp says rear fire exit used to access beer garden. Volume reduces/increases Jazz/ Blues. Intrusive. Would prevent reasonable enjoyment of property. Bass guitar noise audible.

21:35 music noise ongoing at nuisance level.

21:37 a lull in the music ... no music (a boxing match is scheduled for this evening). Took number for other occ ([REDACTED])

23:15 called [REDACTED] - all quiet.

23:44 as above. some noise but not intrusive.

19/11/2010 21:08:00

NUIS - Proactive investigation/visit

Action officer: **Jill Nesbit**

Result of action:

Action completed: **20/11/2010 21:13:00**

Action details:

visited premises at 21.08- no lam audible outside and rear door closed, no door supervisors spoke to the manager Ian and advised, he said that they didnt have any tonight as there hadnt been any trouble, advice given to him regarding this and that it is a licence condition, he said they would be shutting approx midnight, karaoke running although no-one singing atov.

20/11/2010 01:40:00

NUIS - Nuisance-on notification

Action officer: **Jill Nesbit**

Result of action:

Action completed: **20/11/2010 01:40:00**

Action details:

Case Ref: 5960235 taken for client/dept: 5853 BRENT COUNCIL - NUISANCE CONTROL TEAM EMAIL

was set to PENDING when this email was sent - 20/11/2010 01:07:01

Caller: [REDACTED]

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Company: N/A
Address: [REDACTED]
N/A
N/A
LONDON
N/A
[REDACTED]

TYPE OF NOISE/NUISANCE? NOISE ISSUE

ADDRESS OF NOISE/NUISANCE: MCGOWANS PUB

POSTCODE OF NOISE/NUISANCE: [REDACTED]

HAS THIS BEEN PREVIOUSLY REPORTED? YES

LATEST TIME TO BE CALLED BACK: 02.00AM

EMAIL ADDRESS: N/A

DAYTIME TEL NO: N/A

EVENING TEL NO: N/A

ACTION - TAKEN - Date Time: 20/11/2010 00:59:21

Comments: CALLER HAS BEEN MADE AWARE THAT THE NOISE TEAM ARE NOT ACCEPTING ANY MORE CALLS - HOWEVER HE MENTIONED THAT HE HAS BEEN MARKED AS PRIORITY.

RE MCGOWANS PUB NOISE ISSUE

FAO JASON NELSON, SUSAN FIGURIEDO

>> End of Email from myPALive! <<

Case Ref: 5960245 taken for client/dept: 5853 BRENT COUNCIL - NUISANCE CONTROL TEAM EMAIL

was set to PENDING when this email was sent - 20/11/2010 01:14:44

Caller: [REDACTED]
Company: N/A
Address: [REDACTED]
N/A
N/A
LONDON
N/A

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

TYPE OF NOISE/NUISANCE? NOISE ISSUE

ADDRESS OF NOISE/NUISANCE: MCGOWANS PUB

POSTCODE OF NOISE/NUISANCE: [REDACTED]

HAS THIS BEEN PREVIOUSLY REPORTED? YES

LATEST TIME TO BE CALLED BACK: 02.00AM

EMAIL ADDRESS: N/A

DAYTIME TEL NO: N/A

EVENING TEL NO: N/A

ACTION - TAKEN - Date Time: 20/11/2010 01:13:40

Comments: ***RELOGGED FROM 5960235 - CALLER CALLED TO ADD THAT THERE IS NOW FIGHTING OUTSIDE THE PUB AND WANTED THIS INFORMATION LOGGED***

CALLER HAS BEEN MADE AWARE THAT THE NOISE TEAM ARE NOT ACCEPTING ANY MORE CALLS - HOWEVER HE MENTIONED THAT HE HAS BEEN MARKED AS PRIORITY.

RE MCGOWANS PUB NOISE ISSUE

FAO JASON NELSON, SUSAN FIGURIEDO

>> End of Email from myPALive! <<

20/11/2010 21:20:00

NUIS - Nuisance-on notification

Action officer: **Omomayowa Alabi**

Result of action: **No Result Entered**

Action completed: **23/11/2010**

Action details:

case details passed on from MW to SH; cb made at 22.48hrs whilst on the way- noise was still on. arrived into premises at 22.55hrs. observations made from the living room which was on the same side as the front of the pub entrance. the music was not at an amplified level from there however, guitar-like music was audible. the music was louder along the hallway. at 23.00hrs, the music stopped only to resume a minute later. we offered to go and get the noise

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

levels down and call him while in there so that he could confirm if he was satisfactory with the reduced levels but he said he was going out after we leave.

23.07hrs- we went to the mcgowans pubs, spoke with ian conneely, the DPS and advised him that the guitar being played was loud. we checked his license and the pub was licensed to play live music btw 10am and 3.30am, however we advised that it must not be played at a level which would disturb people living around. we could also feel vibrations on the floor while the music was been played. ian said he had only received 3 complaints in the 4 month period. he got the music stopped at 23.16hrs and we advised that he doesnt use microphones when playing. we got his contact no- 07598662126 and informed him that we would stay in the area for a while and monitor the situation. he said he had contacted the service asking for advice on noise measures and for help on someone to help with the noise equipment but he received no response. we advised that we would pass on the message to the NCT. left at 23.24hrs. cb [REDACTED] at 23.27hrs- there was no answer on [REDACTED] phone
oa

23/11/2010 17:45:00 **A - Correspondence sent (e.g. email, etc)**

Action officer: **Omomayowa Alabi**

Result of action: **No Result Entered**

Action completed: **23/11/2010**

Action details:

From: Alabi, Omomayowa
Sent: 23 November 2010 17:45
To: Nelson, Jason
Cc: Halai, Shanta
Subject: service request

24/11/2010 13:45:28 **Loud party warning letter**

Action officer: **Omomayowa Alabi**

Result of action: **No Result Entered**

Action completed: **23/11/2010**

Action details:

Document Text:

ENVIRONMENT AND NEIGHBOURHOOD SERVICES

Tel:
Direct Line
Fax:
Email:

Web:
Date:
Environmental Health
Brent House, 349-357 High Road

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Wembley, Middlesex, HA9 6BZ
(020) 8937 5252
020-8937 5573
(020) 8937 5150
env.health@brent.gov.uk

www.brent.gov.uk/eh
23/11/2010
Mr. Ian Connelly
McGowan's Public House
88 Walm Lane
London
NW2 4QY

Your Ref:
Our Ref:
Contact:

SR/03723/96
Jason Nelson

Dear Mr. Connelly,

Noise Nuisance - Environmental Protection Act 1990
McGowan's Public House 88 Walm Lane, London, NW2 4QY

I am writing to inform you that on Saturday 20th November 2010, officers received a complaint from local resident(s) regarding loud music coming from your premises. A visit and an assessment of the noise was carried out by officers from this department. The attending officers spoke to you as you confirmed that you are the Designated Premises Supervisor, requesting that the noise be reduced to a satisfactory level and to take measures to ensure that a noise nuisance was not caused as a result of the activities on your premises.

On this occasion because you complied with our request to reduce the volume of music no further action will be taken.

Should further complaints be received, as part of our Statutory duty we will investigate by monitoring the situation. We will visit the person making the complaint and make an assessment of the noise that they are complaining about. We may also use remote monitoring and recording devices to measure and record the noise being complained about.

If the Council is satisfied that a noise nuisance exists and that the noise coming from your premises is unacceptably loud, we will usually call on you to let you know. Additionally a Noise Abatement Notice will be served under the above Act, requiring the nuisance to be stopped and not repeated. If the terms of that notice are broken and you continue to cause unacceptable noise, the Council may then take Court action, where the maximum penalty on conviction for breaching the abatement Notice is £20,000 for each offence. In addition the Council would seek to claim all costs incurred in taking any Court action.

Accordingly, I would be grateful if you would consider whether any activities at the McGowan's premises could cause a disturbance to your neighbours and, if so, take whatever measures are necessary to reduce the noise even if these activities are permitted by the Licensing Department. Further information regarding our service is available in our noise policy which is downloadable from www.brent.gov.uk/eh. If you would prefer a hard copy please do not hesitate to contact us.

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Thank you for your co-operation.

Yours sincerely,

Omomayowa Alabi
Enforcement Officer
Environmental Health

26/11/2010

NUIS - Proactive investigation/visit

Action officer: **M.L Silva Rosa**

Result of action: **No Result Entered**

Action completed: **26/11/2010**

Action details:

no door supervisor noted or could be identified. 3 people smoking outside
inner lobby door closed and outer lobby door open. but no music when patrons went in and
out
rear fire exit door closed.

04/12/2010 22:34:00

NUIS - Proactive investigation/visit

Action officer: **Jason Nelson**

Result of action:

Action completed: **04/12/2010**

Action details:

Arrived @ 22:34 live music was playing, 1 brass player, 1 guitar player, 1 keyboard player.
Music was not loud the double doors were closed, the fire exit door was also closed. Spoke to
Ian and explained that a licence review will take place, and he agreed that midnight would be
fine for the end of operation during the week. I also advised him about door supervisors when
operating past 21:00.

08/01/2011 00:26:00

NUIS - Proactive investigation/visit

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **08/01/2011**

Action details:

Arrived @ 00:26, pub still open and operating business. About 25-30 people in the pub, and
4-5 outside smoking. 1 Man was inside the double doors smoking, and no door supervisors.
Ian (dps) was the only person serving behind the bar, and tonight is karaoke night and in full
swing, Ian could hardly hear what i was saying to him so i had to lean over the bar to talk in
his ear. I stated that he is in breach of the licence, and he said to his understanding, he only
had to employ door supervisors if they had planned to operate past midnight. I explained that
I had witnessed a patron smoking in the premise and if he had door supervisors that wouldn't

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

have happened, and if anything was to happen he being on his own couldn't do anything. Ian gave me his Area Managers name and number (Terry 07713 167 126). I stated that I will be passing my evidence to HSL.
Alcohol still being served.

08/01/2011 02:03:00 **A - Correspondence sent (e.g. email, etc)**

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **08/01/2011**

Action details:

From: Nelson, Jason
Sent: 08 January 2011 02:03
To: Lendore, Estelle
Subject: 88 Walm Lane, McGowans.

10/01/2011 08:50:00 **A - Correspondence received**

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **10/01/2011**

Action details:

From: Lendore, Estelle
Sent: 10 January 2011 08:50
To: Nelson, Jason
Subject: RE: 88 Walm Lane, McGowans.

31/01/2011 **Officer file note**

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **31/01/2011**

Action details:

Discussed applying for review with HSL. Awaiting form.

07/02/2011 **Officer file note**

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **07/02/2011**

Action details:

Asked JJP / JEN to send review forms out to all parties.

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

04/03/2011

A - Correspondence received

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **09/03/2011**

Action details:

From: Adrian.Adolphus@met.pnn.police.uk [mailto:Adrian.Adolphus@met.pnn.police.uk]

Sent: 04 March 2011 17:56

To: Nelson, Jason

Subject: McGowans, NW2 4QY

Dear Jason,

The attached for your information... <<McGowans QL Review
030311.doc>> <<MgGowans QL rep letter 040311.doc>>

Adrian Adolphus

Licensing Sergeant PS10QK
Wembley Police Station
603 Harrow Road
Wembley
HA0 2HH
T:020 8733 3206
M:07776 462 611
Int: 743206

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Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

09/03/2011 14:05:43
officer

Telephone call RECEIVED by

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **09/03/2011**

Action details:

██████ wants update from JGN and added ot was noisy last night after Arsenal game. Asked why █ did not call us and █ said █ was going out. Pointed out noise cannot affect █ if █ out and reminded █ of my last visit (when David Haye boxing match on) when █ went out but asked me to phone ██████████ in order to verify if noisy. █ said I never called █. I told █ that I did but █ said it was not too bad. █ said █ was probably drunk. (JGN enters office and states he will call Mr K today).

09/03/2011 16:12:00

Telephone call MADE by officer

Action officer: **Jason Nelson**

Result of action:

Action completed: **09/03/2011**

Action details:

Called ████████ @ 16:12, and no answer. "the person you are calling is not available please try later or send a text"

25/05/2011 11:00:00

Officer file note

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **25/05/2011**

Action details:

Still awaiting review date from HSL. Will let complainant know.

25/05/2011 11:30:00

Case thought to be resolved

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **25/05/2011**

Action details:

04/06/2011

NUIS - Nuisance-on notification

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **04/06/2011 21:18:16**

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Action details:

22:14 cb. advised band will start again in 10mins.
22:44 at [REDACTED] lounge. No music noise audible.
22:46 in dining room. Music noise is audible.
(More audible in hallway to bathroom and WC (not part of assessment))
22:50 in sfr bedroom comp shows us video taken today for purpose of hearing volume of music noise during day time hours.
22:52 music noise from band: Oasis (Champagne Supernova). Comps s/g sash window is open apporx 6".
22:55 CRD goes out to balcony via neighoburing rear spare room. New song begins. Snow Patrol (Chasing Cars) (.. 'if Lay here...etc'). Music noise is at nuisance level as is intrusive and annoying. Volume seems to increase.
23:00 New song. The Police (Every Breath You Take). At nuisance level. Can clearly hear chorus etc.
23:04 song ends + 1min. Red Hot Chile Peppers (City of Angels). Nuisance confirmed basd upon volume, character and duration of noise and time of night. Aessment ends at 23:05. CRD suggests involve ASB for comps accusations of trespass by patrons. (Serve on DPS/Licence Holder/Owner)

04/06/2011 21:18:45

Caller: [REDACTED]
Company: N/A
Address: [REDACTED]
[REDACTED]
N/A
N/A
LONDON
N/A
[REDACTED]

TYPE OF NOISE/NUISANCE? NOISE ISSUE

ADDRESS OF NOISE/NUISANCE: 88 WALM LANE

POSTCODE OF NOISE/NUISANCE: N/A

HAS THIS BEEN PREVIOUSLY REPORTED? YES

LATEST TIME TO BE CALLED BACK: 10PM

EMAIL ADDRESS: N/A

DAYTIME TEL NO: n/a

EVENING TEL NO: n/a

ACTION - TAKEN - Date Time: 04/06/2011 21:14:03

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Comments: LOUD MUSIC COMING FROM ADJACENT PROPERTY, A PUB

>> End of Email from myPALive! <<

05/06/2011 02:10:39 **A - Correspondence sent (e.g. email, etc)**

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **05/06/2011 02:10:47**

Action details:

From: Wood, Martin
Sent: 05 June 2011 02:10
To: Hsl Mailbox
Cc: Nelson, Jason
Subject: McGowans

Dear Colleagues

Please can I have a copy of the current Premises Licence.

I witnessed a noise nuisance from this premises over the weekend.

Thanks
Martin

06/06/2011 14:50:00 **Officer file note**

Action officer: **Jason Nelson**

Result of action: **No Result Entered**

Action completed: **06/06/2011**

Action details:

**Environment & Culture Dept
Health, Safety & Licensing
Unit
P.O. Box 411, Brent House
349-357 High Road, Wembley
Middlesex HA9 6EP
Telephone: 020 8937 5359
Fax: 020 8937 5357
Email: hsl@brent.gov.uk**

Noise Team Premises History
McGowans, 88 Walm Lane, NW2 4QY
London Borough of Brent

Premises Licence

PART A

*This Premises Licence was granted by Brent Council, Licensing Authority for the area of Borough of Brent under the **Licensing Act 2003**.*

Signed.....
Director of Environment and Culture

Date: 15 November 2006

Licence number 201408

Licence start date: 24/11/2005

Part 1 - Premises Details

McGOWANS, 88 Walm Lane, London, NW2 4QY
Telephone: 020 8830 1091

Licensable activities and the times authorised by this licence

Films:

Day	Start Time	End Time
Monday	10:00	03:30
Tuesday	10:00	03:30
Wednesday	10:00	03:30
Thursday	10:00	03:30
Friday	10:00	03:30
Saturday	10:00	03:30
Sunday	10:00	03:30

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Live Music:

Day	Start Time	End Time
Monday	10:00	03:30
Tuesday	10:00	03:30
Wednesday	10:00	03:30
Thursday	10:00	03:30
Friday	10:00	03:30
Saturday	10:00	03:30
Sunday	10:00	03:30

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on New Years eve to the start of permitted hours on New years day.

Performances of Dance:

Day	Start Time	End Time
Monday	10:00	03:30
Tuesday	10:00	03:30
Wednesday	10:00	03:30
Thursday	10:00	03:30
Friday	10:00	03:30
Saturday	10:00	03:30
Sunday	10:00	03:30

Non standard timings: An additional hour to the standard and non-standard

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

times on the day when British Summertime commences.

From the end of permitted hours on New Years eve to the start of permitted hours on New Years day.

Provision of Entertainment Facilities for Making Music:

Day	Start Time	End Time
Monday	10:00	03:30
Tuesday	10:00	03:30
Wednesday	10:00	03:30
Thursday	10:00	03:30
Friday	10:00	03:30
Saturday	10:00	03:30
Sunday	10:00	03:30

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on New Years eve to the start of permitted hours on New Years day.

Provision of Entertainment Facilities for Dancing:

Day	Start Time	End Time
Monday	10:00	03:30
Tuesday	10:00	03:30
Wednesday	10:00	03:30
Thursday	10:00	03:30
Friday	10:00	03:30
Saturday	10:00	03:30
Sunday	10:00	03:30

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on New Years eve to the start of permitted hours on New Years day.

Provision of Late Night Refreshment:

Day	Start Time	End Time
Monday	23:00	03:30
Tuesday	23:00	03:30
Wednesday	23:00	03:30
Thursday	23:00	03:30
Friday	23:00	03:30
Saturday	23:00	03:30
Sunday	23:00	03:30

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on New Years eve to the start of permitted hours on New Years day.

Supply of Alcohol:

Day	Start Time	End Time
Monday	10:00	03:00
Tuesday	10:00	03:00
Wednesday	10:00	03:00

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Thursday	10:00	03:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	03:00

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on New Years eve to the start of permitted hours on New years day.

Whether alcohol is authorised to be supplied on or off the premises: **On**

The Opening Hours of the Premises:

Day	Start Time	End Time
Monday	10:00	03:30
Tuesday	10:00	03:30
Wednesday	10:00	03:30
Thursday	10:00	03:30
Friday	10:00	03:30
Saturday	10:00	03:30
Sunday	10:00	03:30

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on New Years eve to the start of permitted hours on New Years day.

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Part 2

Details of Holder of Premises Licence:

Name: Postcode Pub Co Limited
Address: 225/227 Edgware Road, Colindale, London, NW9 6LU
Telephone: 020 8200 5256
Registered Address: Postcode Pub Co Limited, 225/227 Edgware Road, Colindale, London, NW9 6LU
Registered Number: 3684724

Details of Designated Premises Supervisor:

Name: Miss Jolanta Natalia Hernik
Address: 88 Walm Lane, London , NW2 4QY
Telephone: 07963 565 550
Personal Licence Number: 152935
Issuing Authority: London Borough of Brent

Annexe 1 - Mandatory Conditions

(a) No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended.

(b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

All persons present on the premises who are required to carry out a security activity must be licensed by the Security Industry Authority.

Admission of children must be restricted according to film classification.

Embedded Conditions

Not Applicable

Annexe 2 - Conditions Consistent With the Operating Schedule

1. CCTV shall be installed and maintained in a working condition.
2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

3. 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.
4. 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.
5. Door supervisors of a sufficient number and gender mix, shall be employed from 21:00 hours on any day when the premises are open for the sale of alcohol past midnight.
6. No external drinking areas shall be used after 23:00 hours.
7. No entry or re-entry shall be permitted between 00:30 hours and the close of business each day.
8. The total number of people permitted on the premises including staff and performers shall not exceed 60.
9. Notices requesting customers to leave quietly shall be displayed at each exit.
10. The licensee or his/her deputy shall be a member of, and actively participate in the local pubwatch scheme.
11. All alcohol and soft drinks shall be served in plastic or toughened glasses.
12. A free 'hot line' to a local taxi company shall be made available to customers.
13. Facilities within the premises shall be made available for customers to await taxis.
14. A secure facility to store controlled drugs and weapons prior to collection shall be available at all times.
15. The police shall be informed of all drugs and weapons seized from customers as soon as reasonably practical after the seizure.
16. A comprehensive record of all seized drugs and weapons shall be kept and made available to police and licensing officers.
17. A free supply of drinking water shall be made available to customers.
18. No person under the age of 18 shall be admitted to any part of the premises where entertainment of an adult nature is being provided.

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

19. No person under 18 shall be permitted on the premises after 21:00 hours

20. The Portman Group proof of age scheme or similar such scheme shall be adopted.

Annexe 3 - Conditions Attached After a Hearing by the Licensing Authority

That door supervisors, or when no door supervisors are on duty a suitable member of staff, must supervise the exit of every person from the premises, and instruct that each person leaves the area quietly.

Signs must be displayed at each entry and exit to the premises and/or licensed area instructing customers to respect the surrounding neighbours and leave quietly.

Annexe 4 - Plans

See attached sheet.

06/06/2011 15:12:35

Officer file note

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **06/06/2011**

Action details:

2 x COMPANIES HOUSE INFO

Name & Registered Office:

THE POST CODE PUB CO LIMITED

c/o RSM TENON RECOVERY CBX II, WEST WING

382-390 MIDSUMMER BOULEVARD

MILTON KEYNES

BUCKINGHAMSHIRE

MK9 2RG

Company No. 03684724

AND

Name & Registered Office:

JDM INVESTMENTS LIMITED

C/O HILLIER HOPKINS LLP

64 CLARENDON ROAD

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

WATFORD
HERTS
WD17 1DA
Company No. 04610306

06/06/2011 16:04:57

Z-N - Covering EPA Letter

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

Document Text:

ENVIRONMENT AND NEIGHBOURHOOD SERVICES

Tel:
Direct Line
Fax:
Email:

Web:
Date:
Environmental Health
Brent House, 349-357 High Road
Wembley, Middlesex, HA9 6BZ
(020) 8937 5252
020-8937 5573
(020) 8937 5150
env.health@brent.gov.uk

www.brent.gov.uk/eh
07/06/2011

JDM Investments Ltd
2nd Floor Kirkdale House
Kirkdale Rd
London
E11 1HP

Your Ref:
Our Ref:
Contact:

SR/03723/96
Martin Wood

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Dear Sir or Madam,

Environmental Protection Act 1990
McGowans, 88 Walm Lane, London, NW2 4QY

On the 04 June 2011, Officers from Environmental Health noted loud music emanating from the above premises at such a level as to constitute a statutory nuisance within the meaning of the law.

Therefore I am obliged to serve the enclosed Notice under Section 80 of the Environmental Protection Act 1990. This is intended to deal with this matter, not by taking proceedings in respect of this incident, but enabling the Council to take formal legal action should there be any further noise nuisance.

Should further complaints be received, we will investigate by monitoring the situation. Monitoring will either take the form of periodic visits, to be carried out day or night, by officers who will engage in non-intrusive monitoring (i.e. without alerting you prior to the visit) usually by visiting the person making the complaint, and/or the use of remote monitoring equipment which measures and records the noise being complained about.

Contravention of the notice could lead to the instigation of criminal proceedings against you. The maximum fine for each offence currently stands at £20,000 upon conviction.

Please note that there is a right of appeal to the notice. Application has to be made to the Magistrates Court within 21 days. The details are provided on the notes to the notice.

If there continues to be a persistent noise nuisance, the council will also consider applying to the Courts for a warrant in order to seize all audio equipment from your premises.

Accordingly, I would strongly advise that you cease to cause noise nuisance and refrain from playing loud music at such a level as to disturb your neighbours.

Should you require any further information, please do not hesitate to contact me at the above address.

Yours sincerely,

Martin Wood
Enforcement Officer
Environmental Health

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

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Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

env.health@brent.gov.uk

www.brent.gov.uk/eh
07/06/2011

The Post Code Pub Co Ltd
c/o RSM Tenon Recovery CBX II West Wing
382 - 390 Midsummer Boulevard
Milton Keynes
Buckinghamshire
MK9 2RG

Your Ref:
Our Ref:
Contact:

SR/03723/96
Martin Wood

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McGowans, 88 Walm Lane, London, NW2 4QY

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Should you require any further information, please do not hesitate to contact me at the above address.

Noise Team Premises History McGowans, 88 Walm Lane, NW2 4QY

Yours sincerely,

Martin Wood
Enforcement Officer
Environmental Health

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

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env.health@brent.gov.uk

www.brent.gov.uk/eh
07/06/2011

Postcode Pub Co Limited
225/227 Edgware Rd
Colindale
London
NW9

Your Ref:
Our Ref:
Contact:

SR/03723/96
Martin Wood

Dear Sir or Madam,

Environmental Protection Act 1990
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Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

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Yours sincerely,

Martin Wood
Enforcement Officer
Environmental Health

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

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07/06/2011

JDM Investments Ltd
c/o Hillier Hopkins LLP
64 Clarendon Rd
Watford
Herts
WD17 1DA

Your Ref:
Our Ref:
Contact:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

SR/03723/96
Martin Wood

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Environmental Protection Act 1990
McGowans, 88 Walm Lane, London, NW2 4QY

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Accordingly, I would strongly advise that you cease to cause noise nuisance and refrain from playing loud music at such a level as to disturb your neighbours.

Should you require any further information, please do not hesitate to contact me at the above address.

Yours sincerely,

Martin Wood
Enforcement Officer
Environmental Health

07/06/2011 10:36:17

Z-S80 EPA Noise -Music

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Document Text:

LONDON BOROUGH OF BRENT
Environmental Protection Act 1990
Section 80
Abatement notice in respect of statutory nuisance

JDM Investments Ltd
2nd Floor Kirkdale House
Kirkdale Rd
London
E11 1HP

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Council of the London Borough of Brent being satisfied of the existence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at the premises known as McGowans, 88 Walm Lane, London, NW2 4QY within the district of the said Council arising from the playing of amplified music and amplified speech.

HEREBY REQUIRE YOU as the owner of the premises from which the noise is or would be emitted forthwith from the service of this notice, to abate the same and also

HEREBY PROHIBIT the recurrence of the said nuisance and for that purpose require you to: Cease or cause to cease the playing of amplified music and amplified speech at such a level as to constitute a nuisance

IN the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of any offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale (currently £5,000), together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

Dated: 07/06/2011 Signed:

Print Name: Martin Wood
Environmental Health
Authorised Officer

Environmental Health, Brent House, 349-357 High Road, Wembley, Middlesex, HA9 6BZ
Tel: 0208 937 5252, Fax: 0208 937 5150, Email: env.health@brent.gov.uk

Ref: EH/96/03723/MW

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

NB The person served with this notice may appeal against the notice to Brent Magistrates' Court, 448 High Road, London NW10 2DZ within twenty-one days beginning with the date of service of the notice (see notes attached).

A Similar notice has been served on:

The Post Code Pub Co Ltd, c/o RSM Tenon Recovery CBX II West Wing 382 - 390
Midsummer Boulevard Milton Keynes Buckinghamshire, MK9 2RG,
Postcode Pub Co Limited, 225/227 Edgware Rd Colindale London , NW9,
JDM Investments Ltd, c/o Hillier Hopkins LLP 64 Clarendon Rd Watford Herts, WD17 1DA,

If you require further information or have a query in respect of this notice, please call Martin Wood on 020 8937 5252

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows:-
APPEALS UNDER SECTION 80 (3) of the ENVIRONMENTAL PROTECTION ACT 1990
("the 1990 Act")

(1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act to Brent Magistrates Court, 448 High Road, London NW10 2DZ against an abatement notice served upon him by Brent Council.

(2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case-

(a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);

(b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);

(c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonably in character or extent, or are unnecessary;

(d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;

(e) where the nuisance to which the notice relates -

(i) is a nuisance falling within section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade or business premises, or(ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or

(iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,

that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;

(f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -

(i) any notice served under section 60 or 66 of the Control of Pollution Act 1974 ("the 1974 Act") (control of noise on construction sites and from certain premises), or

(ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or

(iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);

(g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the Noise and Statutory Nuisance Act 1993

(loudspeakers in streets or roads);

(h) that the abatement notice should have been served on some person instead of the appellant, being -

(i) the person responsible for the nuisance, or

(ii) the person responsible for the vehicle, machinery or equipment, or

(iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or

(iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;

(i) that the abatement notice might lawfully have been served on some person instead of the appellant being -

in the case where the appellant is the owner of the premises, the occupier of the premises; or

in the case where the appellant is the occupier of the premises, the owner of the premises,

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

and that it would have been equitable for it to have been so served;

(j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -

(i) a person also responsible for the nuisance, or (ii) a person who is also owner of the premises, or

(iii) a person who is also an occupier of the premises, or

(iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.

(3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.

(4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which these regulations apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.

(5) On the hearing of the appeal the court may:-

(a) quash the abatement notice to which the appeal relates, or

(b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or dismiss the appeal;

(c) and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.

(6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -

with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or

as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person.

(7) In exercising its powers under paragraph (6) above, the court -

(a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and

(b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

Where:-

an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -

(b) either:-

compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused

in the course of the performance of some duty imposed by law on the appellant, and

(c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.

This paragraph applies where -

the nuisance to which the abatement notice relates -

is injurious to health, or

is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or

the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

(3) Where paragraph (2) applies the abatement notice -

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and

shall include a statement as to which of the grounds set out in paragraph (2) apply

LONDON BOROUGH OF BRENT
Environmental Protection Act 1990
Section 80
Abatement notice in respect of statutory nuisance

The Post Code Pub Co Ltd
c/o RSM Tenon Recovery CBX II West Wing
382 - 390 Midsummer Boulevard
Milton Keynes
Buckinghamshire
MK9 2RG

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Council of the London Borough of Brent being satisfied of the existence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at the premises known as McGowans, 88 Walm Lane, London, NW2 4QY within the district of the said Council arising from the playing of amplified music and amplified speech.

HEREBY REQUIRE YOU as the occupier of the premises from which the noise is or would be emitted forthwith from the service of this notice, to abate the same and also

HEREBY PROHIBIT therecurrence of the said nuisance and for that purpose require you to: Cease or cause to cease the playing of amplified music and amplified speech at such a level as to constitute a nuisance

IN the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

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The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

Dated: 07/06/2011 Signed:

Print Name: Martin Wood
Environmental Health
Authorised Officer

Environmental Health, Brent House, 349-357 High Road, Wembley, Middlesex, HA9 6BZ
Tel: 0208 937 5252, Fax: 0208 937 5150, Email: env.health@brent.gov.uk

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Ref: EH/96/03723/MW

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(c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonably in character or extent, or are unnecessary;

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(iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,

that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;

(f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -

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(g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the Noise and Statutory Nuisance Act 1993

(loudspeakers in streets or roads);

(h) that the abatement notice should have been served on some person instead of the appellant, being -

(i) the person responsible for the nuisance, or

(ii) the person responsible for the vehicle, machinery or equipment, or

(iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or

(iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;

(i) that the abatement notice might lawfully have been served on some person instead of the appellant being -

in the case where the appellant is the owner of the premises, the occupier of the premises; or

in the case where the appellant is the occupier of the premises, the owner of the premises,

and that it would have been equitable for it to have been so served;

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

(j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -

(i) a person also responsible for the nuisance, or (ii) a person who is also owner of the premises, or

(iii) a person who is also an occupier of the premises, or

(iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.

(3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.

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(5) On the hearing of the appeal the court may:-

(a) quash the abatement notice to which the appeal relates, or

(b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or dismiss the appeal;

(c) and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.

(6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -

with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or

as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person.

(7) In exercising its powers under paragraph (6) above, the court -

(a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and

(b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

Where:-

an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -

(b) either:-

compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused

in the course of the performance of some duty imposed by law on the appellant, and

(c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.

This paragraph applies where -

the nuisance to which the abatement notice relates -

is injurious to health, or

is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or

the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

(3) Where paragraph (2) applies the abatement notice -

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and

shall include a statement as to which of the grounds set out in paragraph (2) apply

LONDON BOROUGH OF BRENT
Environmental Protection Act 1990
Section 80
Abatement notice in respect of statutory nuisance

Postcode Pub Co Limited
225/227 Edgware Rd
Colindale
London
NW9

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Council of the London Borough of Brent being satisfied of the existence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at the premises known as McGowans, 88 Walm Lane, London, NW2 4QY within the district of the said Council arising from the playing of amplified music and amplified speech.

HEREBY REQUIRE YOU as the occupier of the premises from which the noise is or would be emitted forthwith from the service of this notice, to abate the same and also

HEREBY PROHIBIT therecurrence of the said nuisance and for that purpose require you to: Cease or cause to cease the playing of amplified music and amplified speech at such a level as to constitute a nuisance

IN the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of any offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale (currently £5,000), together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

Dated: 07/06/2011 Signed:

Print Name: Martin Wood
Environmental Health
Authorised Officer

Environmental Health, Brent House, 349-357 High Road, Wembley, Middlesex, HA9 6BZ
Tel: 0208 937 5252, Fax: 0208 937 5150, Email: env.health@brent.gov.uk

Ref: EH/96/03723/MW

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

NB The person served with this notice may appeal against the notice to Brent Magistrates' Court, 448 High Road, London NW10 2DZ within twenty-one days beginning with the date of service of the notice (see notes attached).

A Similar notice has been served on:

JDM Investments Ltd 2nd Floor Kirkdale House Kirkdale Rd London, E11 1HP,
The Post Code Pub Co Ltd, c/o RSM Tenon Recovery CBX II West Wing 382 - 390
Midsummer Boulevard Milton Keynes Buckinghamshire, MK9 2RG,
JDM Investments Ltd, c/o Hillier Hopkins LLP 64 Clarendon Rd Watford Herts, WD17 1DA,

If you require further information or have a query in respect of this notice, please call Martin Wood on 020 8937 5252

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows:-
APPEALS UNDER SECTION 80 (3) of the ENVIRONMENTAL PROTECTION ACT 1990
("the 1990 Act")

(1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act to Brent Magistrates Court, 448 High Road, London NW10 2DZ against an abatement notice served upon him by Brent Council.

(2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case-

(a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);

(b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);

(c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonably in character or extent, or are unnecessary;

(d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;

(e) where the nuisance to which the notice relates -

(i) is a nuisance falling within section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade or business premises, or(ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or

(iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,

that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;

(f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -

(i) any notice served under section 60 or 66 of the Control of Pollution Act 1974 ("the 1974 Act") (control of noise on construction sites and from certain premises), or

(ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or

(iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);

(g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the Noise and Statutory Nuisance Act 1993

(loudspeakers in streets or roads);

(h) that the abatement notice should have been served on some person instead of the appellant, being -

(i) the person responsible for the nuisance, or

(ii) the person responsible for the vehicle, machinery or equipment, or

(iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or

(iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;

(i) that the abatement notice might lawfully have been served on some person instead of the appellant being -

in the case where the appellant is the owner of the premises, the occupier of the premises; or

in the case where the appellant is the occupier of the premises, the owner of the premises,

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

and that it would have been equitable for it to have been so served;

(j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -

(i) a person also responsible for the nuisance, or (ii) a person who is also owner of the premises, or

(iii) a person who is also an occupier of the premises, or

(iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.

(3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.

(4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which these regulations apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.

(5) On the hearing of the appeal the court may:-

(a) quash the abatement notice to which the appeal relates, or

(b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or dismiss the appeal;

(c) and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.

(6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -

with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or

as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person.

(7) In exercising its powers under paragraph (6) above, the court -

(a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and

(b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

Where:-

an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -

(b) either:-

compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused

in the course of the performance of some duty imposed by law on the appellant, and

(c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.

This paragraph applies where -

the nuisance to which the abatement notice relates -

is injurious to health, or

is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or

the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

(3) Where paragraph (2) applies the abatement notice -

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and

shall include a statement as to which of the grounds set out in paragraph (2) apply

LONDON BOROUGH OF BRENT
Environmental Protection Act 1990
Section 80
Abatement notice in respect of statutory nuisance

JDM Investments Ltd
c/o Hillier Hopkins LLP
64 Clarendon Rd
Watford
Herts
WD17 1DA

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Council of the London Borough of Brent being satisfied of the existence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at the premises known as McGowans, 88 Walm Lane, London, NW2 4QY within the district of the said Council arising from the playing of amplified music and amplified speech.

HEREBY REQUIRE YOU as the owner of the premises from which the noise is or would be emitted forthwith from the service of this notice, to abate the same and also

HEREBY PROHIBIT therecurrence of the said nuisance and for that purpose require you to: Cease or cause to cease the playing of amplified music and amplified speech at such a level as to constitute a nuisance

IN the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of any offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale (currently £5,000), together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

Dated: 07/06/2011 Signed:

Print Name: Martin Wood
Environmental Health
Authorised Officer

Environmental Health, Brent House, 349-357 High Road, Wembley, Middlesex, HA9 6BZ
Tel: 0208 937 5252, Fax: 0208 937 5150, Email: env.health@brent.gov.uk

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Ref: EH/96/03723/MW

NB The person served with this notice may appeal against the notice to Brent Magistrates' Court, 448 High Road, London NW10 2DZ within twenty-one days beginning with the date of service of the notice (see notes attached).

A Similar notice has been served on:

JDM Investments Ltd 2nd Floor Kirkdale House Kirkdale Rd London, E11 1HP,
The Post Code Pub Co Ltd, c/o RSM Tenon Recovery CBX II West Wing 382 - 390
Midsummer Boulevard Milton Keynes Buckinghamshire, MK9 2RG,
Postcode Pub Co Limited, 225/227 Edgware Rd Colindale London , NW9,

If you require further information or have a query in respect of this notice, please call Martin Wood on 020 8937 5252

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

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(c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonably in character or extent, or are unnecessary;

(d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;

(e) where the nuisance to which the notice relates -

(i) is a nuisance falling within section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade or business premises, or(ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or

(iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,

that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;

(f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -

(i) any notice served under section 60 or 66 of the Control of Pollution Act 1974 ("the 1974 Act") (control of noise on construction sites and from certain premises), or

(ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or

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(loudspeakers in streets or roads);

(h) that the abatement notice should have been served on some person instead of the appellant, being -

(i) the person responsible for the nuisance, or

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(iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or

(iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;

(i) that the abatement notice might lawfully have been served on some person instead of the appellant being -

in the case where the appellant is the owner of the premises, the occupier of the premises; or

in the case where the appellant is the occupier of the premises, the owner of the premises,

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

and that it would have been equitable for it to have been so served;

(j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -

(i) a person also responsible for the nuisance, or (ii) a person who is also owner of the premises, or

(iii) a person who is also an occupier of the premises, or

(iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.

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(a) quash the abatement notice to which the appeal relates, or

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with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or

as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person.

(7) In exercising its powers under paragraph (6) above, the court -

(a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and

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SUSPENSION OF NOTICE

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an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -

(b) either:-

compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused

in the course of the performance of some duty imposed by law on the appellant, and

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is injurious to health, or

is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or

the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

(3) Where paragraph (2) applies the abatement notice -

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and

shall include a statement as to which of the grounds set out in paragraph (2) apply

10/06/2011 17:30:23 Telephone call RECEIVED by officer

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **10/06/2011 17:35:25**

Action details:

John Mc Gowan (john@mcgowangroup.co.uk) politely asks if Karaoke would be a better option than a live band. Suggested not as assessment from residential had included being able to name sounds sung by singer. Pointed out hole in ceiling and that my opinion is it is not acoustic. He said only party wall has been treated. He agrees to receive list of acoustic consultants.

10/06/2011 17:45:39 A - Correspondence sent (e.g. email, etc)

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **10/06/2011 17:45:41**

Action details:

From: Wood, Martin
Sent: 10 June 2011 17:45
To: 'john@mcgowangroup.co.uk'
Cc: Nelson, Jason
Subject: List of acoustic consultants

Dear Mr McGowan

List is attached as per our telephone discussion.

I hope you'll be able to secure a good price and get the premises properly sound proofed to contain noise level from live acts.

Please let me or Jason Nelson know if you have any questions.

Regards
Martin

Martin Wood
Enforcement Officer

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

10/06/2011 17:59:33

A - Correspondence received

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **10/06/2011 18:08:11**

Action details:

From: John McGowan [mailto:john@mcgowangroup.co.uk]

Sent: 10 June 2011 17:49

To: Wood, Martin

Cc: Nelson, Jason

Subject: Re: List of acoustic consultants

Thank you martin, I have cancelled this weekends bands in light of what you told me and will engage an engineer to sort this mater out once and for all. Thank you.

Regards

John D mcgowan
225/227 Edgware Road
Colindale
NW9 6LU

Mob: 07770 680 740
Tel:020 8200 5256
Fax:020 8205 3088
email: john@mcgowangroup.co.uk
www.mcgowangroup.co.uk

16/06/2011 15:21:59
email, etc)

A - Correspondence sent (e.g.

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **16/06/2011**

Action details:

From: Wood, Martin

Sent: 16 June 2011 15:20

To: 'John McGowan'

Cc: Nelson, Jason

Subject: RE: List of acoustic consultants

Hello John

I think it's best you let me or Jason Nelson know who you've appointed and we can ask the complainant if they are willing to have their number passed onto the

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

acoustician and ask are willing to assist. If they are unwilling to assist a good acoustic consultant should still be able to proceed. Hopefully the complainant will be helpful.

Best wishes
Martin

From: John McGowan [mailto:john@mcgowangroup.co.uk]
Sent: 14 June 2011 09:50
To: Wood, Martin
Subject: RE: List of acoustic consultants

Morning martin,

Could you arrange with the tenant Mr. Kemp access to his flat for acoustic testing or maybe you could give them my mobile for an appointment.

John D mcgowan
Mcgowans Ltd
225/227 Edgware Road
Colindale
NW9 6LU

Mob: 07770 680 740
[Tel:020 8200 5256](tel:02082005256)
Fax:020 8205 3088
email: john@mcgowangroup.co.uk
www.mcgowangroup.co.uk

From: Wood, Martin [mailto:Martin.Wood@brent.gov.uk]
Sent: 10 June 2011 17:46
To: John McGowan
Cc: Jason.Nelson@brent.gov.uk
Subject: List of acoustic consultants

Dear Mr McGowan

List is attached as per our telephone discussion.

I hope you'll be able to secure a good price and get the premises properly sound proofed to contain noise level from live acts.

Please let me or Jason Nelson know if you have any questions.

Regards
Martin

Martin Wood
Enforcement Officer
Environmental Health
Brent House
349 High Rd, Wembley
Middlesex, HA9 6BZ

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Tel: 020 8937 5252
Fax 020 8937 5150
E-mail: martin.wood@brent.gov.uk
Web: www.brent.gov.uk/eh

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The use of Brent Council's e-mail system may be monitored and communications read in order to secure effective operation of the system and other lawful purposes.

20/06/2011 A - Correspondence sent (e.g. email, etc)

Action officer: **Clive Dinsey**

Result of action: **No Result Entered**

Action completed: **20/06/2011**

Action details:

From: Dinsey, Clive
Sent: 20 June 2011 09:38
To: Nelson, Jason
Subject: old Cases

06/07/2011 14:51:00 A - Correspondence sent (e.g. email, etc)

Action officer: **Janice Phillips**

Result of action: **No Result Entered**

Action completed: **06/07/2011 14:51:00**

Action details:

From: Phillips, Janice
Sent: 06 July 2011 14:58
To: Nelson, Jason; Wood, Martin
Cc: Doohan, Stephen; Nesbit, Jill
Subject: 03723/06-88 Walm Lane, London, NW2 4QY

06/07/2011 14:52:00 Telephone call RECEIVED by officer

Action officer: **Janice Phillips**

Result of action: **No Result Entered**

Action completed: **06/07/2011 14:52:00**

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Action details:

Ray Sacks,(0208 653 4126) Acoustic consultant called to say acting for McGowans. Asked that he get McGowans to confirm he is acting on their behalf so we can go ahead and discuss case with him. Mr Sacks wanted to know if quantitative measurements had been taken at complainants with associated spectral data for comparison to check effectiveness of any mitigation measures. Advised assessment was likely to have been subjective however will discuss further after we hear from McGowans.

07/07/2011 16:52:00
officer

Telephone call RECEIVED by

Action officer: **Janice Phillips**

Result of action: **No Result Entered**

Action completed: **07/07/2011 16:52:00**

Action details:

tel call received by ray sacks, acoustic consultant wanting information. advised best to speak to mw & jgn for details. he agreed.

07/07/2011 16:55:00

A - Correspondence received

Action officer: **Janice Phillips**

Result of action: **No Result Entered**

Action completed: **07/07/2011 16:55:00**

Action details:

From: Ray Sacks [<mailto:ray.sacks@sacksjones.co.uk>]

Sent: 07 July 2011 16:02

To: ENV Health

Subject: Fwd: List of acoustic consultants

Attention Janice;

The email trail between John McGowan and Martin Wood is below. Note the top email says:

Martin I have asked ray sacks to deal with our noise issues and we have appointed him too deal with all negotiations and settlement of all matters with regards to 88 walm lane.

Regards,

Ray

Ray Sacks BSc(Eng) MIOA FICHe CEng
Engineering Consultant

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

ray.sacks@sacksjones.co.uk

0795 1750 666

Begin forwarded message:

From: "John McGowan" <john@mcgowangroup.co.uk>
Date: 6 July, 2011 4:02:23 pm BST
To: <ray.sacks@sacksjones.co.uk>
Cc: <Martin.Wood@brent.gov.uk>
Subject: Fw: List of acoustic consultants

Ray. Thank you for all your help. Martin wood is the visiting officer with concerns at 88 walm lane and is happy to arrange access.

Martin I have asked ray sacks to deal with our noise issues and we have appointed him too deal with all negotiations and settlement of all matters with regards to 88 walm lane.

-----Original Message-----

From: Martin Wood
To: John McGowan
Cc: Jason.Nelson@brent.gov.uk
Subject: RE: List of acoustic consultants
Sent: 16 Jun 2011 3:30 PM

Hello John

I think it's best you let me or Jason Nelson know who you've appointed and we can ask the complainant if they are willing to have their number passed onto the acoustician and ask are willing to assist. If they are unwilling to assist a good acoustic consultant should still be able to proceed. Hopefully the complainant will be helpful.

Best wishes

Martin

**11/07/2011 11:53:23
officer**

Telephone call RECEIVED by

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **11/07/2011**

Action details:

quick call from Ray Sacks (he was calling from Italy) asking me to look at the job. Called again some minutes later. Advised him my assessment was subjective and that from live band I could name artist and song. He told me band is housed in rear extension which is a later addition. I told him that despite new manager telling me they had a sound limiter and an

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

acoustic ceiling I doubted both. He considers extension floor is concrete that existing premises with cellar has timber joists and flooring and that noise is transmitting thru party wall rather than through rear extension. He will propose a skin to the wall and isolate speakers from causing vibration thru structure. He returns in 2 weeks.

ray.sacks@sacksjones.co.uk

14/07/2011 A - Correspondence sent (e.g. email, etc)

Action officer: **Clive Dinsey**

Result of action: **No Result Entered**

Action completed:

Action details:

From: Dinsey, Clive
Sent: 14 July 2011 15:42
To: Nelson, Jason
Subject: FW: old Cases

16/07/2011 NUIS - Nuisance-on notification

Action officer: **Omomayowa Alabi**

Result of action: **No Result Entered**

Action completed: **16/07/2011**

Action details:

case passed on from KJ.
cb made at 10.12hrs- [REDACTED] said that the volume had been turned down but was still on. visit made. arrived at 10.52hrs- entry granted; no noise nuisance witnessed. advised [REDACTED] that we would drive round if in the area and check that the levels are not intrusive.
oa

-----Original Message-----

From: ENV Noiseteam
Sent: 16 July 2011 22:01
To: Alabi, Omomayowa; Halai, Shanta
Subject: FW: myPALive! - Case Ref: 6342307: NOISE ISSUE: NW2 4QY

-----Original Message-----

From: myPALive! [mailto:customerservice@mypalive.com]
Sent: 16 July 2011 21:31
To: ENV Noiseteam
Subject: myPALive! - Case Ref: 6342307: NOISE ISSUE: NW2 4QY

Case Ref: 6342307 taken for client/dept: 5853 BRENT COUNCIL - NUISANCE CONTROL TEAM EMAIL

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

was set to PENDING when this email was sent - 16/07/2011 21:31:34

Caller: [REDACTED]
Company: N/A
Address: [REDACTED]
[REDACTED]
N/A
N/A
LONDON
N/A
[REDACTED]

TYPE OF NOISE/NUISANCE? NOISE ISSUE
ADDRESS OF NOISE/NUISANCE: 88 WALM LANE (PUB)
POSTCODE OF NOISE/NUISANCE: NW2 4QY
HAS THIS BEEN PREVIOUSLY REPORTED? YES
LATEST TIME TO BE CALLED BACK: WHENEVER
EMAIL ADDRESS: N/A
DAYTIME TEL NO: [REDACTED]
EVENING TEL NO: [REDACTED]

ACTION - TAKEN - Date Time: 16/07/2011 21:28:36

Comments: LOUD MUSIC

>> End of Email from myPALive! <<

12/08/2011 17:54:00 NUIS - Nuisance-on notification

Action officer: **M.L Silva Rosa**

Result of action: Action completed: **12/08/2011 19:10:00**

Action details:

-----Original Message-----

From: myPALive! [<mailto:customerservice@mypalive.com>]

Sent: 12 August 2011 17:52

To: ENV Noiseteam

Subject: myPALive! - Case Ref: 6385152: NOISE ISSUE: N/A

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Case Ref: 6385152 taken for client/dept: 5853 BRENT COUNCIL - NUISANCE CONTROL TEAM EMAIL

was set to PENDING when this email was sent - 12/08/2011 17:49:40

Caller:

Address:

LONDON

TYPE OF NOISE/NUISANCE? NOISE ISSUE
ADDRESS OF NOISE/NUISANCE: MCGOWANS PUB, WALM LANE
POSTCODE OF NOISE/NUISANCE: N/A
HAS THIS BEEN PREVIOUSLY REPORTED? YES
LATEST TIME TO BE CALLED BACK: 9:30PM
ACTION - TAKEN - Date Time: 12/08/2011 17:45:32
Comments: KAREOKE STARTS AT 8:30PM EVERY FRIDAY NIGHT.
>> End of Email from myPALive! <<

*msr contacted [REDACTED]. disturbed by karaoke, live band and noise from people drinking outside
19.18hrs arrived with Badry and requested to speak to Manager/licencee. Was put on the phone to Paulinia Pavlickova (tel 0788234054). Informed her of the complaints and to ensure steps taken to prevent noise nuisance. Says they close doors at 9pm.*

19.35hrs updated [REDACTED]

15/08/2011 09:35:19

NUIS - Nuisance-on notification

Action officer: **Francesca Hammond**

Result of action: **No Result Entered**

Action completed:

Action details:

LAM and shouting at 2pm last night the morning, the pub had closed but there were having a private party. [REDACTED] went to [REDACTED] own pub and when [REDACTED] came home [REDACTED] found urine at [REDACTED] door step. [REDACTED] wants the pub closed as [REDACTED] has heard their license is up for renewal.

The complainant is [REDACTED] on telephone number [REDACTED].

[REDACTED] will like a call back to make sure [REDACTED] message is getting through as [REDACTED] is not satisfied with the service as the clients of the pub are making [REDACTED] life a misery, abuse, cigarette butts and urine at [REDACTED] door stop. [REDACTED] stated that [REDACTED] is not exaggerating and feels it is not the way ti live.

Thank you FH

15/08/2011 09:46:00

Telephone Message

Action officer:

Result of action: **No Result Entered**

Action completed:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Action details:

16/08/2011 11:18:00 Telephone call MADE by officer

Action officer: **Juhaina Junaid**

Result of action: **No Result Entered**

Action completed: **16/08/2011 11:19:00**

Action details:

23/09/2011 A - Correspondence sent (e.g. email, etc)

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **23/09/2011**

Action details:

From: Wood, Martin
Sent: 23 September 2011 11:31
To: Nelson, Jason
Subject: FW: 88 Walm lane

From: Dandeniya, Hiroshini
Sent: 23 September 2011 10:03
To: Wood, Martin
Subject: 88 Walm lane

09/02/2012 A - Correspondence received

Action officer: **Jill Nesbit**

Result of action:

Action completed: **09/02/2012**

Action details:

-----Original Message-----

From: myPALive! [mailto:customerservice@mypalive.com]

Sent: 09 February 2012 00:15

To: ENV Noiseteam

Subject: myPALive! - Case Ref: 6660365: NOISE ISSUE: NW2 4QY

Case Ref: 6660365 taken for client/dept: 5853 BRENT COUNCIL - NUISANCE CONTROL TEAM EMAIL

was set to PENDING when this email was sent - 09/02/2012 00:14:32

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Caller: [REDACTED]

Company: N/A

Address: N/A

[REDACTED]
N/A

N/A

LONDON

N/A

[REDACTED]

TYPE OF NOISE/NUISANCE? NOISE ISSUE

ADDRESS OF NOISE/NUISANCE: MCGOWANS PUB, WALM LANE

POSTCODE OF NOISE/NUISANCE: NW2 4QY

HAS THIS BEEN PREVIOUSLY REPORTED? YES

LATEST TIME TO BE CALLED BACK: NO CALLBACK REQUIRED

EMAIL ADDRESS: N/A

DAYTIME TEL NO: [REDACTED]

EVENING TEL NO: [REDACTED]

ACTION - TAKEN - Date Time: 09/02/2012 00:08:10

Comments: FAO JASON NELSON.

LOUD NOISE, FIGHTING ETC....OUTSIDE MAGOWANS PUB ON WALM LANE. POLICE ON SITE CURRENTLY AND MAKING ARRESTS, CALLER WISHES TO REPORT THIS TO ADD TO THE THE FILE FOR THIS ONGOING ISSUE.

>> End of Email from myPALive! <<

21/08/2012 14:02:00

A - Correspondence received

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **21/08/2012 14:02:00**

Action details:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

From: online@brent.gov.uk [mailto:online@brent.gov.uk]

Sent: 21 August 2012 14:02

To: ENV Noiseteam

Subject: New case: Noise Complaint [REDACTED]

You have been assigned a new case or an existing case is overdue. Please click on the link below to access the case.

Form details are listed below.

[Record actions for this case](#)

[View all unassigned cases](#)

If you do not want future email notifications to contain form details, then please

[click here to exclude details from future notifications](#)

Noise Complaint - Ref.

Complainant Details

Title

First name

Surname

Address Ref.

[Location Map](#)

Address

Town

County

Postcode

Email address

Mobile/Daytime telephone number

Landline/Evening telephone number

Details of Nuisance

Site of Nuisance

88 Warm Lane,
Willesden Green,
London,
NW2 4QY

Type of Noise

Outdoor noise nuisance after 11pm

Further Details

I would like to make a formal complaint on McGowan's pub in Willesden Green.

My apartment backs on to the pub's outdoor gardens which means i pick up a lot of the noise (which I'm willing

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

to handle in the day). The issue is after 11pm where there is still a considerable amount of noise coming from the outdoor corridor of the pub (at the back). The noise escalates with the customers drinking and smoking outside and being very rowdy. This becomes very difficult in the evenings when going to sleep as the noise continues till 1-1.30am.

I am not aware the next steps but please keep me informed if I can be helpful in anyway. I also would like to be kept anonymous regarding this matter.

Regards,

About this form

<i>Issued by</i>	Brent Council Environmental Health Brent House 349-357 High Road Wembley Middlesex HA9 6BZ
<i>Assigned to</i>	Nuisance Control
<i>Contact phone</i>	020 8937 5252
<i>Channel</i>	Customer Portal
<i>Received on</i>	21/08/2012
<i>Form reference</i>	1136741
<i>Status</i>	Submitted on 21/08/2012 13:53
<i>Contact method</i>	Self service
<i>Type</i>	Noise Complaint

23/08/2012 20:00:00

NUIS - Proactive investigation/visit

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **23/08/2012 20:15:00**

Action details:

Visit made to McGowans. Spoke to DPS Ms Corinne Jarett. She advised rear door is locked at 21.00hrs and they stop serving at midnight and premises vacated by 00.30hrs. She is not aware of any noise in beer garden but pointed toward neighbour she thinks complained and

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

said "he always complains". I advised we will monitor situation for ourselves and assess for nuisance. She gave her number as 07794776447

24/08/2012 18:15:00 Telephone call MADE by officer

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **24/08/2012 18:20:00**

Action details:

CB comp [REDACTED]. Update given. Advised NFA at this stage unless we have further evidence of nuisance. [REDACTED] requested email with service details.

24/08/2012 18:24:00 A - Correspondence sent (e.g. email, etc)

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **24/08/2012 18:24:00**

Action details:

From: Joshi, Ketan
Sent: 24 August 2012 18:24
To: [REDACTED]
Subject: Nuisance Control Team

Dear [REDACTED],

Our evening service number is 0208 937 1234. Our service operates from 6pm-2am 7 nights a week.

Regards

Ketan Joshi
Enforcement Officer
Safer Streets
(020) 8937 5176
0793 022 3214
www.brent.gov.uk

07/01/2013 20:07:00 Telephone call MADE by officer

Action officer: **M.L Silva Rosa**

Result of action: **No Result Entered**

Action completed: **07/01/2013 20:14:00**

Action details:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

07/01/2013 20:44:00
email, etc)

A - Correspondence sent (e.g.

Action officer: **M.L Silva Rosa**

Result of action: **No Result Entered**

Action completed: **07/01/2013 20:44:00**

Action details:

From: Silva-rosa, Maria

Sent: 07 January 2013 20:44

To: 'adrian.adolphus@met.pnn.police.uk'; Figueiredo, Susana

Subject: Mc Gowans, 88 Walm La NW2

Dear Sgt Adolphus and Susana,

██████████ contacted our service tonight with regard to anti-social behaviour associated with the above pub during the Christmas period. Please see details of complaint below and my telephone conversation with ██████████. ██████████ had requested Sgt Adolphus's tel. no. However, I advised ██████████ that I will email the request to Sgt Adolphus.

Kind regards and a Happy 2013

Maria L Silva Rosa
Enforcement Officer
Nuisance Control Team
London Borough of Brent

Tel: (020) 8937 5252/5163

14/01/2013 11:30:00

A - Correspondence received

Action officer: **M.L Silva Rosa**

Result of action: **No Result Entered**

Action completed: **07/01/2013 11:30:00**

Action details:

From: Adrian.Adolphus@met.pnn.police.uk [mailto:Adrian.Adolphus@met.pnn.police.uk]

Sent: 10 January 2013 20:42

To: Silva-rosa, Maria

Cc: Nicola.McDonald@met.police.uk; Nick.Mortimer@met.police.uk

Subject: Mc Gowans, 88 Walm La NW2

06/02/2013 12:15:00
officer

Telephone call RECEIVED by

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **06/02/2013 12:20:00**

Action details:

Noise Team Premises History
McGowans, 88 Walm Lane, NW2 4QY
06/02/2013 12:24:00 Telephone call MADE by officer

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **06/02/2013 12:24:00**

Action details:

Called DPS Ms Corinne Jarett 07794776447 to address latest noise complaint by [REDACTED].
No answer. Voicemail not left as unsure she is still working there.

06/02/2013 12:45:00
email, etc)

A - Correspondence sent (e.g.

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **06/02/2013 12:45:00**

Action details:

From: Joshi, Ketan
Sent: 06 February 2013 12:45
To: ENS Noise Team
Cc: 'adrian.adolphus@met.pnn.police.uk'; Figueiredo, Susana
Subject: McGowans Pub, 88 Walm Lane, London, NW2 4QY

30/03/2013
etc)

A - Correspondence sent (e.g. email,

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **30/03/2013**

Action details:

From: Joshi, Ketan
Sent: 30 March 2013 01:13
To: [REDACTED]
Subject: Noise Complaint [REDACTED]

From: online@brent.gov.uk [<mailto:online@brent.gov.uk>]
Sent: 29 March 2013 20:48
To: ENV Noiseteam
Subject: New case: Noise Complaint [REDACTED]

You have been assigned a new case or an existing case is overdue. Please click on the link below to access the case.

Form details are listed below.

[Record actions for this case](#)

[View all unassigned cases](#)

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

If you do not want future email notifications to contain form details, then please

[click here to exclude details from future notifications](#)

Noise Complaint - Ref.

Complainant Details

Title

First name

Surname

Address

Town

County

Postcode

Email address

Mobile/Daytime telephone number

Landline/Evening telephone number as above

Details of Nuisance

Site of Nuisance

Type of Noise

Further Details

88 WALM LANE NW24QY

music noise and customers

It is regular that most evenings music can be heard throughout our hallway. Sometimes there are customers still inside the pub even after the pub is closed . on 28/03/2013 I could hear people at gone 3.00 am and heard them leave through the back of the pub , because the shutters went down at the front by 1.00am.

About this form

Issued by

Assigned to

Contact phone

Channel

Received on

Form reference

Brent Council
Environmental Health
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Nuisance Control
020 8937 5252
Customer Portal
29/03/2013
1501986

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

<i>Status</i>	Submitted on 29/03/2013 20:33
<i>Contact method</i>	Self service
<i>Type</i>	Noise Complaint

04/04/2013 09:50:48 Telephone call RECEIVED by officer

Action officer:

Result of action: **No Result Entered** Action completed:

Action details:

04/04/2013 10:08:41 Telephone Message

Action officer: **Glean Brooks**

Result of action: **No Result Entered** Action completed:

Action details:

04/04/2013 12:00:00 Telephone call MADE by officer

Action officer: **Juhaina Junaid**

Result of action: **No Result Entered** Action completed: **04/04/2013 12:20:00**

Action details:

17/04/2013 00:06:00 NUIS - Nuisance-on notification

Action officer: **Ketan Joshi**

Result of action: **No Result Entered** Action completed: **17/04/2013 00:46:00**

Action details:

00.06 NON rec'd

00.46 CB comp. "this person's phone is currently unavailable, please try again later". Unable to action further as other NONs waiting to be dealt with.

-----Original Message-----

From: The Contact People [mailto:customerservice@thecontactpeople.co.uk]

Sent: 17 April 2013 00:06

To: ENV Noiseteam

Subject: myPALive! - Case Ref: 7337897: NOISE ISSUE: AS GIVEN

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Case Ref: 7337897 taken for client/dept: 5853 BRENT COUNCIL - NUISANCE CONTROL TEAM
EMAIL

was set to PENDING when this email was sent - 17/04/2013 00:05:18

Caller: [REDACTED]

Company: N/A

Address: [REDACTED]

N/A

N/A

LONDON

N/A

TYPE OF NOISE/NUISANCE? NOISE ISSUE

ADDRESS OF NOISE/NUISANCE: MCGOWENS - 88 WALM LANE

POSTCODE OF NOISE/NUISANCE: AS GIVEN

HAS THIS BEEN PREVIOUSLY REPORTED? YES

LATEST TIME TO BE CALLED BACK: ASAP

EMAIL ADDRESS: NONE GIVEN

DAYTIME TEL NO: AS GIVEN

EVENING TEL NO: AS GIVEN

ACTION - TAKEN - Date Time: 17/04/2013 00:02:34

Comments: LOUD MUSIC COMING FROM PUB NEXT DOOR

>> End of Email from myPAlive! <<

23/04/2013 23:45:00

NUIS - Nuisance-on notification

Action officer: **Stephen Doohan**

Result of action: **No Result Entered**

Action completed: **23/04/2013 00:05:00**

Action details:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

complaint of LAM by [REDACTED]. 00.00 call back - [REDACTED] only wanted to register complaint. Visit declined as [REDACTED] stated that [REDACTED] was unwell. Advised [REDACTED] that registering the complaint would not help progress [REDACTED] case - we would need to witness to take

08/05/2013 15:30:00
officer

Telephone call RECEIVED by

Action officer: **Juhaina Junaid**

Result of action: **No Result Entered**

Action completed: **08/05/2013 15:40:00**

Action details:

01/06/2013 18:56:59

N - Reminder Letter S80

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed: **01/06/2013 18:56:59**

Action details:

Document Text:

ENVIRONMENT AND NEIGHBOURHOOD SERVICES

Tel:
Direct Line
Fax:
Email:

Web:
Date:
Environment and Protection
Brent House, 349-357 High Road
Wembley, Middlesex, HA9 6BZ
(020) 8937 5252
020-8937 5176
(020) 8937 5150
environmentandprotection@brent.gov.uk

www.brent.gov.uk/eh
01/06/2013

Postcode Pub Co Ltd
225/227 Edgware Rd
Colindale
London
NW9

Your Ref:
Our Ref:
Contact:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

SR/03723/96
Martin Wood

Dear Postcode Pub Co Limited,

Noise Nuisance - Environmental Protection Act 1990
88 Walm Lane, London, NW2 4QY

Further to the noise abatement notice served on you dated 07/06/2011, Environmental Health still continues to receive complaints of loud amplified music emanating from your premises.

Should the Council be satisfied that the terms of the notice: "Cease or cause the playing of amplified music and amplified speech at such a level as to constitute a nuisance" are being breached it will not hesitate to institute legal proceedings. If the case is proven a fine can be imposed up to £5000.

If further offences of noise nuisance continue, the Council can apply for a warrant to enter premises, if needs be by force and confiscate all noise equipment.

Therefore I would ask you to consider whether any activities on your premises, giving rise to noise, could cause a disturbance and if so, take whatever measures are required to reduce the noise.

No further warning will be given.

Please do not hesitate to contact me to discuss any issues raised in this letter.

Yours sincerely,

Martin Wood
Enforcement Office
Environment and Protection

ENVIRONMENT AND NEIGHBOURHOOD SERVICES

Tel:
Direct Line
Fax:
Email:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Web:
Date:
Environment and Protection
Brent House, 349-357 High Road
Wembley, Middlesex, HA9 6BZ
(020) 8937 5252
020-8937 5176
(020) 8937 5150
environmentandprotection@brent.gov.uk

www.brent.gov.uk/eh
01/06/2013
JDM Investments Ltd
2nd Floor Kirkdale House
Kirkdale Rd
London
E11 1HP

Your Ref:
Our Ref:
Contact:

SR/03723/96
Martin Wood

Dear JDM Investments Ltd.,

Noise Nuisance - Environmental Protection Act 1990
88 Walm Lane, London, NW2 4QY
Further to the noise abatement notice served on you dated 07/06/2011, Environmental Health still continues to receive complaints of loud amplified music emanating from your premises.

Should the Council be satisfied that the terms of the notice: "Cease or cause the playing of amplified music and amplified speech at such a level as to constitute a nuisance" are being breached it will not hesitate to institute legal proceedings. If the case is proven a fine can be imposed up to £5000.

If further offences of noise nuisance continue, the Council can apply for a warrant to enter premises, if needs be by force and confiscate all noise equipment.

Therefore I would ask you to consider whether any activities on your premises, giving rise to noise, could cause a disturbance and if so, take whatever measures are required to reduce the noise.

No further warning will be given.

Please do not hesitate to contact me to discuss any issues raised in this letter.

Yours sincerely,

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Martin Wood
Enforcement Office
Environment and Protection

07/06/2013 12:30:00
officer

Telephone call RECEIVED by

Action officer: **Juhaina Junaid**

Result of action: **No Result Entered**

Action completed: **07/06/2013 12:40:00**

Action details:

call recieved from Mr John Mcgowans.

He has recieved MW's letter and wanted to know if we have witnessed anything. I informs him of the last 3 complaints, following which a reminder letter was sent to him. He states, they have no music playing at the premises and wants us to varify the complaints next time.

As I inform him of the May complaint, where complainant claimed there was noise from the patrons leaving at 4.30 am, Mr Mcgowan states, the pub was closed but it would have been some customers and staff having a drink and leaving the site at that time.

I warned him that this would be a breach of their license conditions, as his license would not allow him to serve alcohol after his closing time. I also remind him that as the license holder it would be his responsibility that such even does not take place without appropriate license such as a TENS or within licensed hours. Mr Mcgowan says he will deal with this.

I thank him for calling us back and promise to pass on the details of his all to MW. Mr Mcgowan's contact number is 07770680740

07/06/2013 13:00:00
email, etc)

A - Correspondence sent (e.g.

Action officer: **Juhaina Junaid**

Result of action: **No Result Entered**

Action completed: **07/06/2013 13:10:00**

Action details:

From: Junaid, Juhaina
Sent: 07 June 2013 13:04
To: ENS Licensing and Monitoring
Subject: 88 Walm Lane, London, NW2 4QY

10/07/2013
Acollate <

> Scanned Document Attached view via

Action officer: **Gillian Murray**

Result of action: **No Result Entered**

Action completed:

Action details:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Returned letter saved to case

17/06/2014 09:24:08 Telephone Message

Action officer:

Result of action: **No Result Entered**

Action completed:

Action details:

Resident from number [REDACTED] reported noise nuisance of loud music, people shouting yesterday, ongoing since a month and this is happening every night, difficult to sleep for the resident. Please investigate.RP 9.20

17/06/2014 09:24:08 Telephone Message

Action officer:

Result of action: **No Result Entered**

Action completed:

Action details:

23/06/2014 17:35:18 Case thought to be resolved

Action officer:

Result of action: **No Result Entered**

Action completed: **23/06/2014 17:35:18**

Action details:

23/06/2014 17:39:00 Case re-opened

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **23/06/2014 17:39:00**

Action details:

Last action 2013, need to re-visit and advise management

24/06/2014 10:35:32 Telephone call RECEIVED by officer

Action officer:

Result of action: **No Result Entered**

Action completed:

Action details:

24/06/2014 10:41:17 Telephone Message

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Action officer:

Result of action: **No Result Entered**

Action completed:

Action details:

24/06/2014 12:50:00

NUIS - Proactive investigation/visit

Action officer: **M.L Silva Rosa**

Result of action:

Action completed: **24/06/2014 13:14:00**

Action details:

From: ENS Noise Team

Sent: 24 June 2014 13:27

To: Silva Rosa, Maria

Subject: Fwd: Acolaid Case SR/06398/14

12:50 hours. Contacted [REDACTED].

13:14 hours visited 88 Walm La. Met Niall O Regan. says he is the license holder, the DPS, and manager since 2/3 weeks ago. Tel 07570724668. Informed him of the complaints and warned him that there should be no noise nuisance regardless of licence. And that matter will be referred to the licensing police and possibility of licence review.

Sent from my iPhone

24/06/2014 19:45:00
officer

Telephone call RECEIVED by

Action officer: **Glean Brooks**

26/06/2014 14:52:04
officer

Telephone call RECEIVED by

Action officer:

Result of action: **No Result Entered**

Action completed:

Action details:

26/06/2014 15:18:08

Telephone Message

Action officer:

Result of action: **No Result Entered**

Action completed:

Action details:

19/07/2014

Case thought to be resolved

Action officer: **M.L Silva Rosa**

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Result of action: **No Result Entered**

Action completed: **19/07/2014**

Action details:

both parties advised,

06/10/2014 12:10:00

A - Correspondence received

Action officer: **Juhaina Junaid**

Result of action: **No Result Entered**

Action completed: **06/10/2014**

Action details:

From: Patel, Rashmi

Sent: 06 October 2014 12:10

To: ENS Noise Team

Subject: Acolaid Case SR/11249/14

06/10/2014 12:40:00

Telephone call MADE by officer

Action officer: **Juhaina Junaid**

Result of action: **No Result Entered**

Action completed: **06/10/2014 12:45:00**

Action details:

10/10/2014

NUIS - Nuisance-on notification

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

UNABLE CB BY 22:30

10/10/2014 21:05:24

Caller: [REDACTED]

LATEST TIME TO BE CALLED BACK: 10.30

EVENING TEL NO: [REDACTED]

Comments: CALLER SAYS LOUD KARAOKE MUSIC COMING FROM 88 WALM LANE. HAS BEEN LOUD SINCE 8PM AND CAN HEAR IT THROUGH THE WALLS QUITE CLEARLY

15/10/2014 16:35:00

Telephone call MADE by officer

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **15/10/2014 16:40:00**

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

Action details:

07/07/2015

Telephone message received

Action officer: **M.L Silva Rosa**

Result of action: **No Result Entered**

Action completed: **07/07/2015**

Action details:

From: ENS Noise Team

Sent: 07 July 2015 12:50

To: Silva Rosa, Maria

Subject: Fwd: Acolaid Case SR/06398/14

Pls CB and advise about our eve service

07/07/2015 12:52:00

Telephone call MADE by officer

Action officer: **M.L Silva Rosa**

Result of action:

Action completed: **07/07/2015 12:52:00**

Action details:

15/08/2015 21:50:00

NUIS - Nuisance-on notification

Action officer: **Jill Nesbit**

Result of action:

Action completed: **15/08/2015 22:11:00**

Action details:

email at 21.50 - [REDACTED]-lam

decided to drive there and call from outside, arrived at 22.11 - in [REDACTED] premises, lam was audible in hallway next to premises but upsatirs [REDACTED] took us into a small kitchn where [REDACTED] alleges they spend a lot of time, music barley audible at this time, they said it had been louder earlier on, kitchen was at the back of the premises, no nuisanc witnessed atov, advice given to cb if gets louder. [REDACTED] mentioned that barnet had closed the mcgowans there and [REDACTED] thinks the people form there are now coming here, [REDACTED] mentioned something about crime etc, advised i will speak to lic police next week to see if they have had anything, left at 22.22

22/08/2015

NUIS - Nuisance-on notification

Action officer: **Ketan Joshi**

Result of action: **No Result Entered**

Action completed: **22/08/2015**

Action details:

Noise Team Premises History
McGowans, 88 Walm Lane, NW2 4QY
18/09/2015 NUIS - Nuisance-on notification

Action officer: **M.L Silva Rosa**

Result of action: **No Result Entered**

Action completed: **18/09/2015**

Action details:

-----Original Message-----

From: The Contact People [<mailto:customerservice@thecontactpeople.co.uk>]

Sent: 18 September 2015 23:45

To: ENS Noise Team

Subject: The Contact People Case Ref 8595232: NOISE ISSUE: N/A

Case Ref: 8595232 taken for client/dept: 5853 BRENT COUNCIL - NUISANCE CONTROL TEAM
EMAIL

was set to PENDING when this email was sent - 18/09/2015 23:44:53

Caller: [REDACTED] Tel Number: n/a

Address: N/A

ADDRESS OF NOISE/NUISANCE: MCGOWANS
88 WALM LN, LONDON NW2 4QY

[REDACTED]

POSTCODE OF NOISE/NUISANCE: N/A

HAS THIS BEEN PREVIOUSLY REPORTED? YES

LATEST TIME TO BE CALLED BACK: N/A

EMAIL ADDRESS: N/A

ACTION - TAKEN - Date Time: 18/09/2015 23:38:07

Comments: CALLER DOESN'T NOT WISH TO BE CONTACTED BUT WOULD LIKE THE ONGOING
NOISE ISSUE DEALT WITH ASAP.

>> End of Email from The Contact People <<

*00.17 hrs drove to Walm lane. Doors closed. Shutters partly down. No one
outside. Quiet.*

19/09/2015 23:19:14

NUIS - Nuisance-on notification

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

19/09/2015 23:20:46

NUIS - Nuisance-on notification

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

Noise Team Premises History

McGowans, 88 Walm Lane, NW2 4QY

19/09/2015 23:20:38

Caller: [REDACTED] Tel Number: DOESNT WANT TO BE RANG
Address: [REDACTED]

ADDRESS OF NOISE/NUISANCE: MCGOWANS [REDACTED]
LATEST TIME TO BE CALLED BACK: DOESNT WANT TO BE RANG
EMAIL ADDRESS: [REDACTED]

Comments: LOUD MUSIC FROM PUB. LICENSED TO MIDNIGHT BUT EVERY FRIDAY AND SATURDAY AND SOMETIMES WEDNESDAYS THEY HAVE A LOCK IN. THEN PEOPLE LEAVE AT 4AM AND THE PEOPLE MAKE A NOISE. SHE SAID SHES TIRED OF RINGING TO MAKE NOISE COMPLAINTS.

25/10/2015 A - Correspondence received

Action officer: **Jennifer Barrett**

Result of action: **No Result Entered**

Action completed: **25/10/2015**

Action details:

05/11/2015 17:30:46 A - Correspondence sent (e.g. email, etc)

Action officer: **Jennifer Barrett**

Result of action: **No Result Entered**

Action completed: **05/11/2015 17:30:50**

Action details:

From: Barrett, Jennifer
Sent: 05 November 2015 17:29
To: Figueiredo, Susana
Cc: Wood, Martin
Subject: FW: Your query (ref: [REDACTED])

From: RG - Regulatory Services [<mailto:brent@mail.icasework.com>]
Sent: 05 November 2015 17:17
To: [REDACTED]
Subject: Your query (ref: [REDACTED])

19/11/2015 19:49:00 A - Correspondence sent (e.g. email, etc)

Action officer: **Rockwell Charles**

Result of action: **No Result Entered**

Action completed: **19/11/2015 19:49:00**

Noise Team Premises History
McGowans, 88 Walm Lane, NW2 4QY

Action details:

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REGENERATION AND GROWTH
REGULATORY SERVICES
BRENT CIVIC CENTRE
ENGINEERS WAY
WEMBLEY
HA9 0FJ

TEL: 020 8937 5359
EMAIL: business.licence@brent.gov.uk

London Borough of Brent

Premises Licence

PART A

*This Premises Licence was granted by Brent Council, Licensing Authority for the area of the Borough of Brent under the **Licensing Act 2003**.*

Signed.....
Head of Regulatory Services

Date: 12 January 2016

Licence number 201408

Licence start date: 24/11/2005

Part 1 - Premises Details

MCGOWAN'S, 88 Walm Lane, London, NW2 4QY

Licensable activities and the times authorised by this licence

Films:

Day	Start Time	End Time
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	10:00	00:00

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Live Music:

Day	Start Time	End Time
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	10:00	00:00

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Recorded Music:

Day	Start Time	End Time
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	10:00	00:00

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Performances of Dance:

Day	Start Time	End Time
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	10:00	00:00

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Provision of Entertainment Facilities for Making Music:

Day	Start Time	End Time
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	10:00	00:00

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Provision of Entertainment Facilities for Dancing:

Day	Start Time	End Time
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	10:00	00:00

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Provision of Late Night Refreshment:

Day	Start Time	End Time
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:00
Saturday	23:00	00:00
Sunday	23:00	00:00

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Supply of Alcohol:

Day	Start Time	End Time
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	10:00	00:00

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Whether alcohol is authorised to be supplied on or off the premises: **On**

The Opening Hours of the Premises:

Day	Start Time	End Time
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	00:30
Saturday	10:00	00:30
Sunday	10:00	00:30

Non standard timings: An additional hour to the standard and non-standard times on the day when British Summertime commences.

From the end of permitted hours on new years eve to the start of permitted hours on New years day.

Part 2

Details of Holder of Premises Licence:

Name: JDM Investments Ltd

Address: McGowan House , 64a Watling Street, Radlett, HERTFORDSHIRE, WD7 7NP

Telephone: [REDACTED]

Email: [REDACTED]

Registered Address: 64a Watling Street, Radlett, Hertfordshire, WD7 7NP

Details of Designated Premises Supervisor:

Name: Miss Carole Maseda

Address: [REDACTED]

Personal Licence Number: [REDACTED]

Issuing authority: [REDACTED]

Annexe 1 - Mandatory Conditions

No Irresponsible Drinks Promotions

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Free Water

The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

Small Measures to be Available

The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available

Minimum Price of Alcohol

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) —duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) —permitted price is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) —relevant person means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) —relevant person means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) —value added tax means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (—the first day) would be different from the permitted price on the next day (—the second day) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Requirement for a DPS

(1) No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door Supervisors and Security Staff to be Licensed by the SIA (when required)

Where the licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions:

a) premises where the premises licence authorises plays or films

b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises

certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

Film Classification When required

(i) The admission of children to the exhibition of any film must be restricted in accordance with the recommendation of the designated film classification body unless section (ii) applies.

(ii) Where the licensing authority notifies the holder of the licence that this subsection applies the admission of children must be restricted in accordance with any recommendation made by the licensing authority.

In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority

under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

Embedded Conditions

Not Applicable

Annexe 2 - Conditions Consistent With the Operating Schedule

1. CCTV shall be installed and maintained in a working condition.
2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.
3. 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.
4. 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.
5. Door supervisors of a sufficient number and gender mix, shall be employed from 21:00 hours on any day when the premises are open for the sale of alcohol past midnight.
6. No external drinking areas shall be used after 23:00 hours.
7. No entry or re-entry shall be permitted between 00:30 hours and the close of business each day.
8. The total number of people permitted on the premises including staff and performers shall not exceed 60.
9. Notices requesting customers to leave quietly shall be displayed at each exit.
10. The licensee or his/her deputy shall be a member of, and actively participate in the local

pubwatch scheme.

11. All alcohol and soft drinks shall be served in plastic or toughened glasses.
12. A free 'hot line' to a local taxi company shall be made available to customers.
13. Facilities within the premises shall be made available for customers to await taxis.
14. A secure facility to store controlled drugs and weapons prior to collection shall be available at all times.
15. The police shall be informed of all drugs and weapons seized from customers as soon as reasonably practical after the seizure.
16. A comprehensive record of all seized drugs and weapons shall be kept and made available to police and licensing officers.
17. A free supply of drinking water shall be made available to customers.
18. No person under the age of 18 shall be admitted to any part of the premises where entertainment of an adult nature is being provided.
19. No person under 18 shall be permitted on the premises after 21:00 hours
20. The Portman Group proof of age scheme or similar such scheme shall be adopted.

Annexe 3 - Conditions Attached After a Hearing by the Licensing Authority

That door supervisors, or when no door supervisors are on duty a suitable member of staff, must supervise the exit of every person from the premises, and instruct that each person leaves the area quietly.

Signs must be displayed at each entry and exit to the premises and/or licensed area instructing customers to respect the surrounding neighbours and leave quietly.

That all licensable activities must cease by 00:00 Monday to Sunday.

That the hours during which the premises is permitted to open to the public be 00:30 (the following day) Monday to Sunday)

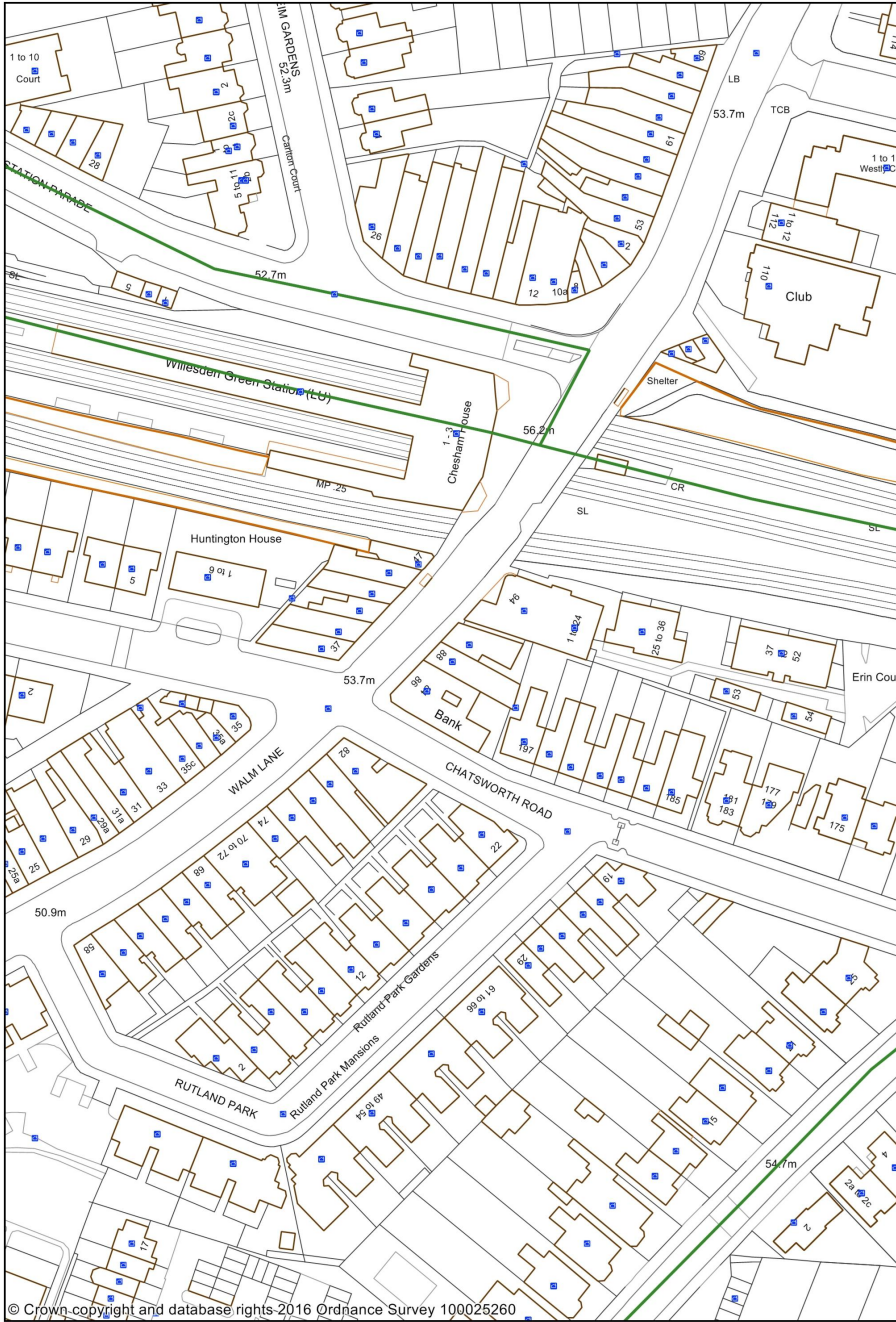
That two door supervisors shall be present from 20:00 until all customer have been dispersed from the premises on Fridays and Saturdays to control entrance to the premises and to control order within the premises/

That a noise limiter be set at a level agreed by Brent Council's Safer Streets shall be used at all times.

Annexe 4 - Plans

See attached sheet.

McGowans, 88 Walm Lane NW2



1:1250

0 0.02 0.04 kilometres



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