



Alcohol and Entertainment Licensing Sub-Committee

Wednesday 20 February 2019 at 10.00 am
Board Room 4 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

Ahmed (Chair)
Long
W Mitchell Murray

Substitute Members

Councillors:

Allie, Chohan, Hector, Kennelly, McLeish, Maurice and
RS Patel

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 4011; Email: devbai.bhanji@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item	Page
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1	Apologies for absence and clarification of alternate members
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2	Declarations of Interests
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Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.

3	Application for a Variation to a Premises Licence by Indes Bar Ltd for the premises known as The Arch, 324 Harrow Road, Wembley, HA9 6LL, pursuant to the provisions of the Licensing Act 2003	1 - 36
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Date of the next meeting: **Date Not Specified**



- Please remember to ***SWITCH OFF*** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.

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LICENSING ACT 2003

Application for a Variation to a Premises Licence

1. The Application

Name of Applicant:	Indes Bar Ltd
Name & Address of Premises:	The Arch, 324 Harrow Road, Wembley HA9 6LL
Applicants Agent:	

1. Application

The application is to vary the licence as follows:

- Extend the hours for regulated entertainment to 04:00hrs Thursday to Saturday.
- Extend the hours for the sale & supply of alcohol to 03:30hrs Thursday to Saturday
- Extend the opening hours to 04:30hrs Thursday to Saturday.
- To change condition No. 9 – to extend the hour that the outside drinking area is in use to 00:30hrs.
- To change Condition No. 15 – To extend the 'No Entry/Re-Entry' condition to 01:00hrs.
- On major event days – to be able to sell and consume alcohol on the forecourt.
- On major event days - the sale of alcohol to cease 1 hour before kick-off.

2. Background

The premises are currently licensed for regulated entertainment, late night refreshment and to remain open from 07:00hrs to 01:30hrs Monday to Sunday and the sale and supply of alcohol from 10:00hrs to 01:00hrs Monday to Sunday.

3. Promotion of the Licensing Objectives

See page 11 of the application

4. Relevant Representations

Representations have been received from the Police, Licensing Officers and the Nuisance Control Team.

5. Interested Parties

None

6. Policy Considerations

Paragraph Nos: 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 & plan
- B. Copy of Police Representation
- C. Copy of Licensing Representation
- D. Copy of Nuisance Control Team Representation
- E. Copy of Licence
- F. OS Map



Brent

APPLICATION TO VARY A PREMISES LICENCE

Application to vary a premises licence
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.....INDEX BAR LTD.....

..... [insert name of applicant(s)] being the
premises licence holder, apply to vary a premises licence under section 34 of the Licensing
Act 2003 for the premises described in Part 1 below

Premises licence number

202011

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

THE ARCH
324 HARROW ROAD

Post Town WEMBLEY

Post Code HA9 6LL

Telephone number at premises (if any)

0208 127 1141

Non-domestic rateable value of premises

£

Part 2 - Applicant details

Daytime contact telephone number		[REDACTED]	
E-mail address (optional)		[REDACTED]	
Current postal address if different from premises address			
Post Town		Post Code	

Part 3 - Variation

Please tick ✓ Yes

Do you want the proposed variation to have effect as soon as possible?

☒

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

☐ Yes

☐ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

1) TO EXTEND ALL LICENSABLE ACTIVITIES ON THURS, FRIDAY AND SATURDAY MORNING TILL 4AM, PLUS WOH STANDARD TIMINGS LISTED WITHIN EACH ACTIVITY TILL 4AM
 2) TO CHANGE CONDITION - NO ENTRY OR RE-ENTRY SHOULD BE ADMITTED AFTER 01:00.
 TO CHANGE CONDITION 9, ALL OUTSIDE DRINKING AREAS SHALL CEASE AT 00:30.
 3) ON EVENT DAYS TO SELL AND CONSUME ALCOHOL ON THE FORECOURT TO REDUCE THE QUEUE INSIDE THE PREMISES, THE SALE OF ALCOHOL TO STOP ONE HOUR BEFORE KICK OFF ON FOOTBALL EVENT DAYS.
 4) ALL OTHER EXISTING CONDITIONS TO REMAIN.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

--

Part 4 – Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Please tick ✓ Yes

Provision of regulated entertainment (please see guidance note 3)

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

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

☒

Sale by retail 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 8)			Will the performance of a play take place indoors or outdoors or both – please tick [✓] (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 6)		
Fri					
Sat			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 7)		
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick [✓] (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon	07:00	01:30	Please give further details here (please read guidance note 5)	Both	✓
Tue	07:00	01:30			
Wed	07:00	01:30			
Thur	07:00	04:00	State any seasonal variations for the exhibition of films (please read guidance note 6)		
Fri	07:00	04:00			
Sat	07:00	04:00	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 7)		
Sun	07:00	04:30			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	01:30	State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue	07:00	01:30	
Wed	07:00	01:30	
Thur	07:00	04:00	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 (please read guidance note 7)
Fri	07:00	04:00	
Sat	07:00	04:00	
Sun	07:00	01:30	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [✓] (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed					
Thur			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Fri					
Sat					
Sun					
			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 (please read guidance note 7)		

E

Live Music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick [✓] (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon	07:00	01:30	Please give further details here (please read guidance note 5)	Both	
Tue	07:00	01:30			
Wed	07:00	01:30			
Thur	07:00	04:00	State any seasonal variations for the performance of live music (please read guidance note 6)		
Fri	07:00	04:00			
Sat	07:00	04:00			
Sun	07:00	01:30	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 7)		

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick [✓] (please read guidance note 4)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	07:00	01:30	Please give further details here (please read guidance note 5)	Both	
Tue	07:00	01:30			
Wed	07:00	01:30			
Thur	07:00	04:00	State any seasonal variations for playing recorded music (please read guidance note 6)		
Fri	07:00	04:00			
Sat	07:00	04:00			
Sun	07:00	01:30	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick [✓] (please read guidance note 4).	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	07:00	01:30			
Tue	07:00	01:30	State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed	07:00	01:30			
Thur	07:00	04:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	07:00	04:00			
Sat	07:00	04:00			
Sun	07:00	01:30			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
			Will this entertainment take place indoors or outdoors or both – please tick [✓] (please read guidance note 4).	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	07:00	01:30			
Tue	07:00	01:30	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Wed	07:00	01:30			
Thur	07:00	04:00	Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	07:00	04:00			
Sat	07:00	04:00			
Sun	07:00	01:30			

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [✓] (please read guidance note 4).		Indoors	<input checked="" type="checkbox"/>
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)			
Mon	23:00	01:30				
Tue	23:00	01:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)			
Wed	23:00	01:30				
Thur	23:00	04:00	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 7)			
Fri	23:00	04:00				
Sat	23:00	04:00				
Sun	23:00	01:30				

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box ✓) (please read guidance note 9)		On the premises	<input checked="" type="checkbox"/>
					Off the premises	
					Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)			
Mon	10:00	01:00				
Tue	10:00	01:00	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 7)			
Wed	10:00	01:00				
Thur	10:00	03:30				
Fri	10:00	03:30				
Sat	10:00	03:30				
Sun	10:00	01:00				

IN ALL CASES PLEASE COMPLETE K, L, & M BELOW

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 10)

N/A

L

Hours premises are open to the public
Standard days and timings
(please read guidance note 8)

State any seasonal variation (please read guidance note 6)

Day	Start	Finish
Mon	07:00	01:30
Tue	07:00	01:30
Wed	07:00	01:30
Thur	07:00	04:30
Fri	07:00	04:30
Sat	07:00	04:30
Sun	07:00	01:30

Non-standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

CONDITION 15 TO CHANGE TO - 'NO ENTRY OR RE-ENTRY SHALL BE PERMITTED AFTER 01:00 hrs

CONDITION 4 TO CHANGE TO - 'ALL OUTSIDE DRINKING AREAS SHALL CEASE' AT 00:30 hrs.

- I have enclosed the premises licence

Please tick ✓ Yes



- I have enclosed the relevant part of the premises licence



If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

N/A

M Describe any additional steps that you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 11)

ALL EXISTING CONDITION TO REMAIN ~~THE SAME~~ AS THEY
ALREADY PROMOTE THE FOUR LICENSING OBJECTIVES.

b) The prevention of crime and disorder

AS ABOVE

c) Public safety

AS ABOVE

d) The prevention of public nuisance

AS ABOVE

e) The protection of children from harm

AS ABOVE

Please tick ✓ Yes

- I have made or enclosed payment of the fee ☐
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (Please read guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature [Signature]
Date 10/12/18
Capacity DIRECTOR

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 14). If signing on behalf of the applicant please state in what capacity.

Signature
Date
Capacity

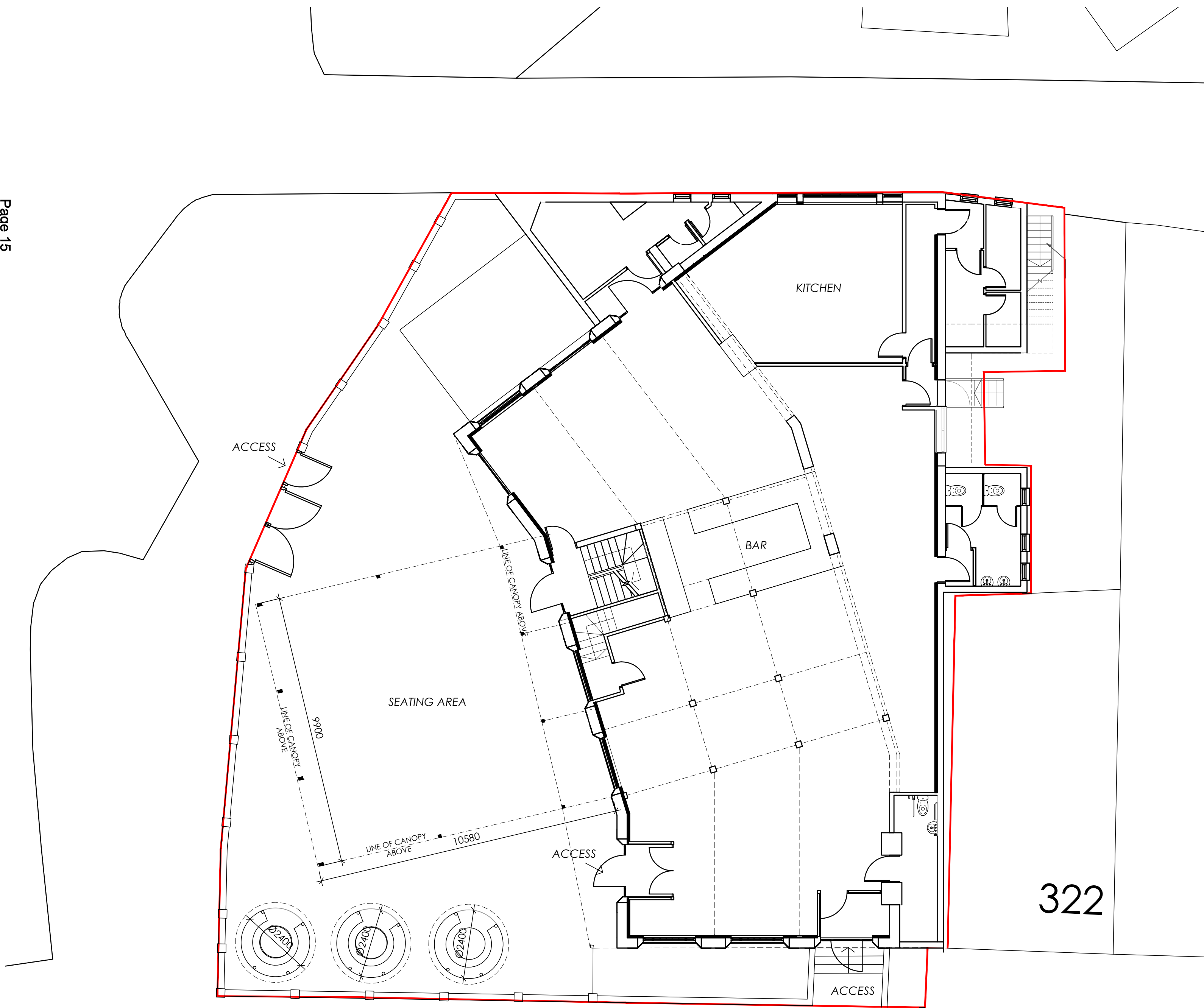
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 15)

SAVAN PATEL
324 HARROW ROAD

Post town WEMBLEY MIDDLESEX

Post code HA9 6LL

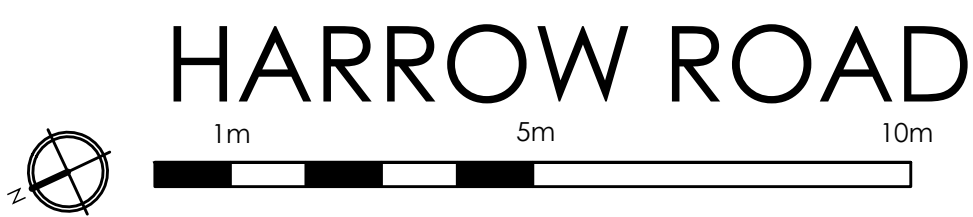
Telephone number [REDACTED]



GROUND FLOOR PLAN

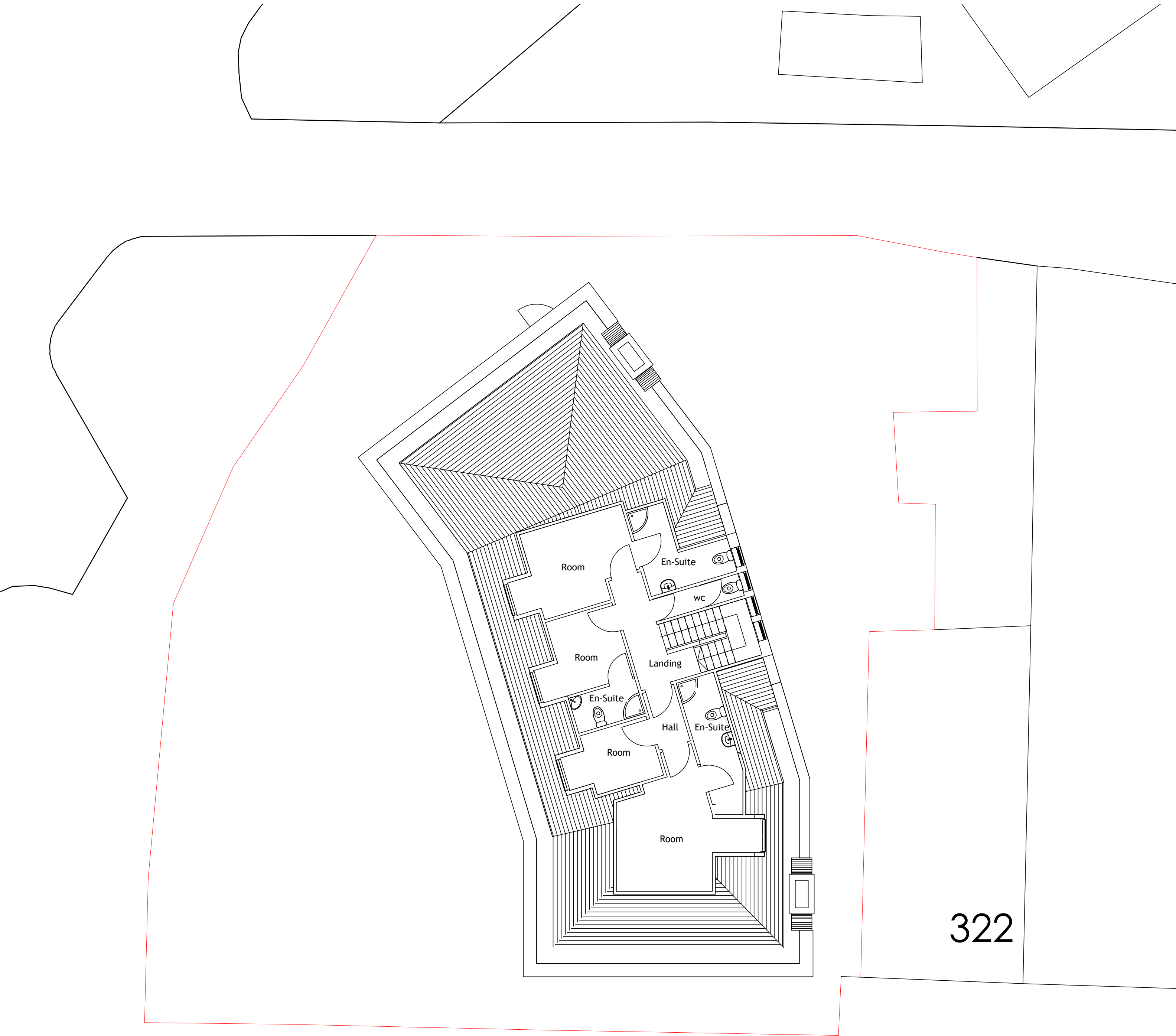


FIRST FLOOR PLAN



PROJECT	DWG NO.	SCALE	DETAIL	16.11.2018						PROJECT NO.	<div>PR Architecture Ltd.</div> <div>Chartered Architect</div> <div>120, Pinner Road, Harrow, HA1 4JD. Tel: 0208 357 2304</div>
THE ARCH, 324 HARROW ROAD, WEMBLEY, HA9 6LL	10	1:100 @ A1	EXISTING GROUND AND FIRST FLOOR PLANS	ISSUED FOR DISCUSSION						17.18	
EXISTING BUILDING											

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LOFT FLOOR PLAN



PROJECT	DWG NO.	SCALE	DETAIL	16.11.2018							PROJECT NO.
THE ARCH, 324 HARROW ROAD, WEMBLEY, HA9 6LL	11	1:100 @ A1	EXISTING LOFT FLOOR PLAN	ISSUED FOR DISCUSSION							17.18
EXISTING BUILDING											

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**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

The Licensing Authority

*Brent Civic Centre
Engineers Way
Wembley
Middlesex
HA9 0FJ*

Your ref:

Our ref: 01QK/600/18/2157

North West BOCU

Brent Licensing Department

*Wembley Police Station
603 Harrow Road
Wembley
HA0 2HH*

Tel: 07824868710

Email: nicola.mcdonald@met.police.uk

Web: www.met.police.uk

Date: 29/01/2019

Police representation to Premises Licence application for 'The Arch' 324 Harrow Road, Wembley, HA9 6LL.

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.

Officer: **Nicola McDonald**
Licensing Constable PC 157QK

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 to vary the premises licence under section 34 of the act.

The Police representations are concerned with all four licensing objectives.

The application was submitted with plans. These plans are listed as the existing plans.

With regard to the ground floor plan it is not labelled sufficiently. This adds to the confusion under part 3 of the application, proposing variations to have effect. Item 3 suggests 'on event days to sell and consume alcohol on the forecourt'. There is no area labelled as the forecourt and only one existing bar inside the main building is labelled for sales of alcohol. Should there be a second bar for sales on event days?

Part 3 number 4 suggests conditions shall remain on the licence (apart from number 15 and number 9 ((page 10)). Currently condition 14 is a capacity for the premises of 340 persons including staff. Can a fire risk assessment be provided to the public safety team at Brent Council highlighting how this capacity has come about and does it include the use of the 'forecourt'.

Part 3 number 1 mentions 'non standard timings listed' however there are no 'non standard timings' listed on the application.

The applicant has made no indication where the customers using private transport will park there vehicles and how he will prevent public nuisance at noise sensitive times of the night.

At this stage there are too many inconsistencies and lack of detail within the plans for Police to make a proportionate judgement of the application. I look forward to receiving more detailed plans from the applicant so the risk to the licensing objectives can be assessed by Police correctly.

Yours Sincerely

Nicola McDonald PC 2157NW
Licensing Constable Brent Police Licensing

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Indes Bar Limited
The Arch
324 Harrow Road
Wembley
HA9 6LL

1 February 2019

Licensing Representation to the Application for a variation of the Premises Licence for The Arch, 324 Harrow Road, Wembley, HA9 6LL

I certify that I have considered the application shown above and I wish to make representations.

Officer: Susana Figueiredo – Licensing Inspector

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 vary the premises licence under section 34 of the Act.

The Licensing Authority may make representations concerning any of the four licensing objectives below;

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

Premises Inspection – 12th September 2018

An inspection was undertaken at the premises at 12.00hrs on 12th September 2018 by Licensing Inspector Esther Chan. Esther spoke to the manager Kevin in person and then with Savan on the telephone. Esther explained that a new plan would need to be submitted with the relevant changes including the new side extension.

Premises Inspection – 28th September 2018

An inspection was undertaken at the premises at 23.25hrs on 28th September 2018 by the Licensing Inspector Esther Chan. An observation was made of three females

approaching the front gate who were then permitted entry. As you are aware this is a breach of your premises licence condition which does not permit anyone to enter or re-enter after 23.00hrs.

There was also slight music emanating from the premise

Premises Inspection – 30th January 2019

I carried out an inspection in relation to the above application for a variation of the current premises licence. The following was found:-

- The plan submitted with the application form is incorrect and needs amending
- The plan submitted with the application form requires labelling
- The application mentions that the 'existing conditions promote the 4 licensing objectives', however if a closing hour of 04.00hrs is being requested, then I will need some more information on the business model in order to be able to make a relevant representation to the application and how each of the licensing objectives will be met to ensure these are not contravened.
- The application mentions that the closing time of 04.00hrs should be applied to all non-standard timings but there is no mention of when these non-standard timings are. This will need filling in.
- Comment cannot be made on the outside drinking area on event days as the plan is not labelled to show where the external area is.

During my visit to the premises, I recall having visited the premises during the previous consultation in 2018 where I made comments that the plans were incorrect. Including the visit of 30th January 2019, you have now been told three times that the plans are incorrect.

I also noticed that two of the fire exits were locked and blocked, one by some items in the corridor and one by the side extension to the building. This will need to be rectified immediately whilst you are open to members of the public.

Summary

At this point in time, I am unable to make any further comments on the application. As a result, I have no other option other than to reject the application until such a time that you can address the above points.

Yours sincerely



Susana Figueiredo
Licensing Inspector
Planning, Transportation, Licensing

From: Wood, Martin
Sent: 28 January 2019 13:42
To: Business Licence <business.licence@brent.gov.uk>
Cc: Patel, Yogini <Yogini.Patel@brent.gov.uk>
Subject: FW: CONSULT - Variation - The Arch, 324 Harrow Road, HA9 6LL

Dear Licensing

NCT have considered this application and are concerned that granting the variation in hours could result in public nuisance being experienced by residents in the immediate vicinity. The noise caused by patrons exiting the premises and finding suitable transport home is likely to be detrimental to the residential amenity and result in public nuisance. This is exacerbated by the inadequate level of public transport available at the proposed closing hours. There are no other such licenced premises in the immediate locality with hours mirroring those applied for.

On the same grounds of concern for public nuisance we also object to the proposed variation to condition 9.

Kind regards

Martin Wood
Environmental Health Officer
Regulatory Services
Regeneration & Environmental Services

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Brent

Planning, Transportation & Licensing
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

TEL: 020 8937 5359
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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***

Original grant date: 17 August 2005
Current issue date: 03 October 2018

.....
Authorised signatory

Premises licence number: 202011

Part 1 – premises details

Postal address of premises, or if none, ordinance survey map reference or description

**The Arch
324 Harrow Road, Wembley, Brent, HA9 6LL**

Where the licence is time limited the dates

Licensable activities authorised by the licence

Section Live Music:(Indoors)
Section Recorded Music:(Indoors)
Section Anything of a similar description to that falling within (E), (F) or (G):(Indoors)
Section Films:(Indoors)
Section Indoor sporting events:()
Section I: Provision of Late Night Refreshments:(Indoor)
Section J: Sale or Supply of Alcohol:(On and off the premises)

The times the licence authorises the carrying out of licensable activities

Section Live Music:(Indoors)

Day	Start Time	End Time
Monday	07:00	01:30
Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	01:30
Saturday	07:00	01:30
Sunday	07:00	01:30

Section Recorded Music:(Indoors)

Day	Start Time	End Time
Monday	07:00	01:30
Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	01:30
Saturday	07:00	01:30
Sunday	07:00	01:30

Section Anything of a similar description to that falling within (E), (F) or (G):(Indoors)

Day	Start Time	End Time
Monday	07:00	01:30
Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	01:30
Saturday	07:00	01:30
Sunday	07:00	01:30

Section Films:(Indoors)

Day	Start Time	End Time
Monday	07:00	01:30
Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	01:30
Saturday	07:00	01:30
Sunday	07:00	01:30

Section Indoor sporting events:()		
Day	Start Time	End Time
Monday	07:00	01:30
Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	01:30
Saturday	07:00	01:30
Sunday	07:00	01:30

Section I: Provision of Late Night Refreshments:(Indoor)		
Day	Start Time	End Time
Monday	23:00	01:30
Tuesday	23:00	01:30
Wednesday	23:00	01:30
Thursday	23:00	01:30
Friday	23:00	01:30
Saturday	23:00	01:30
Sunday	23:00	01:30

Section J: Sale or Supply of Alcohol:(For consumption on and off the premises)		
Day	Start Time	End Time
Monday	10:00	01:00
Tuesday	10:00	01:00
Wednesday	10:00	01:00
Thursday	10:00	01:00
Friday	10:00	01:00
Saturday	10:00	01:00
Sunday	10:00	01:00

07:00 New Year's Eve - 01:00 on 2nd January.

The opening hours of the premises

Day	Start Time	End Time
Monday	07:00	01:30
Tuesday	07:00	01:30
Wednesday	07:00	01:30
Thursday	07:00	01:30
Friday	07:00	01:30
Saturday	07:00	01:30
Sunday	07:00	01:30

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

For consumption on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of the premises licence

Indes Bar Limited

Registered number of holder, for example company number, charity number (where applicable)

Registered Number:

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Savan Patel

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Licence Number:

Issuing authority:

Annex 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—

1. (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 must 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^{ll} is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b)—permitted price^{ll} 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^{ll} 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^{ll} 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^{ll} 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^{ll}) would be different from the permitted price on the next day (—the second day^{ll}) 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).

Annex 2 – Conditions consistent with the operating schedule

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 Door supervisors shall wear clothing that can be clearly and easily

identified on CCTV.

3 On football event days, SIA door supervisors are employed for the duration of the event (includes a minimum of 4 hours prior to the designated kick-off).

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

5 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.

6 A "Challenge 21" policy shall be adopted and adhered to 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) all ejections of patrons
- (c) any complaints received
- (d) any faults in the CCTV system or searching equipment or scanning equipment
- (e) any refusal of the sale of alcohol
- (f) any visit by a relevant authority or emergency service.

8 On major event days at Wembley Stadium the following shall apply:

- * Customers shall not be allowed to congregate outside the premises.
- * No drinks shall be served in glass containers.
- * The DPS or deputy 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.
- * The premises will close 1 hour prior to the designated kick-off time and not re-open until 15 minutes after kick-off (football only)

9 The outside drinking areas shall cease at 23:30hrs.

10 Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises.

11 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.

12 A noise limiter shall be fitted to any amplified noise system and shall be set at a level approved by

Brent Council's Licensing Unit.

13 A suitable air cooling system shall be installed and maintained.

14 The maximum number of persons within the premises shall not exceed 340 not including staff.

15 No entry or re-entry shall be permitted after 23:00 hours.

16 The sound level of the video and associated apparatus shall be arranged so as not to cause nuisance to local residents.

17 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.

18 Notices asking customers to leave quietly shall be conspicuously displayed at all exits.

Annex 3 – Conditions attached after a hearing by the licensing authority

1. The applicant must ensure that all fire exit doors remain closed (except as required for entry and exit) at all times when food is being cooked on the barbecue at the premises.

2. All external doors and windows must remain closed at all times when amplified live or recorded music, karaoke or a disc jockey is provided at the premises.

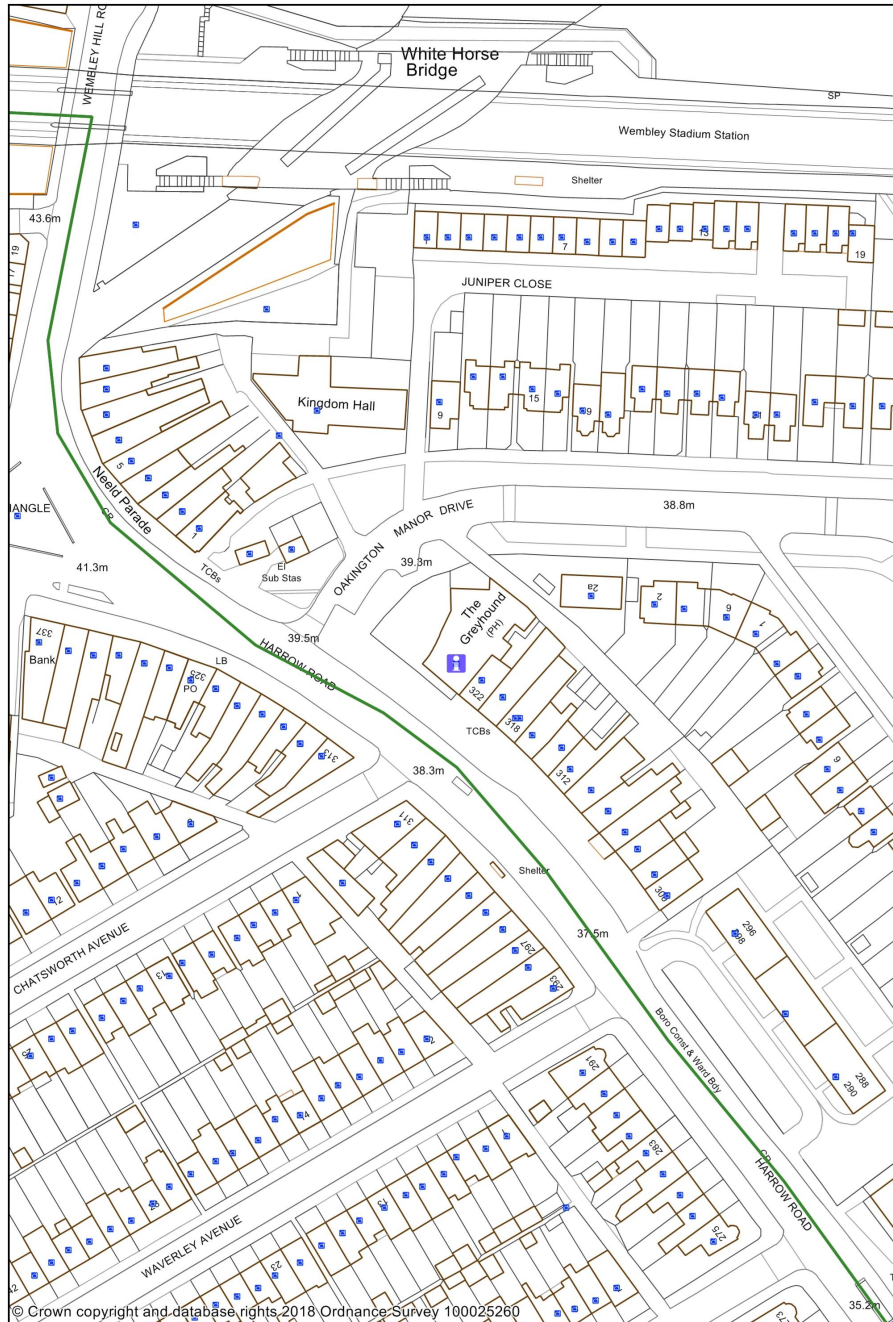
3. On any day that customers of the applicant consume beverages in any outside area included in the licensed area (as defined in the plan submitted with the operating schedule and approved by the Local Authority) the applicant must remove all glass containers (i.e. glasses and bottles) from the immediate vicinity of the premises.

4. 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.

Annex 4 – Plans

See attached

The Arch 324 Harrow Road Wembley



1:1250

0 0.02 0.04 kilometres



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