



Alcohol and Entertainment Licensing Sub-Committee

Friday 14 June 2019 at 9.30 am

Board Room 2 - 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
1	Apologies for absence and clarification of alternate members
2	Declarations of Interests
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 Temporary Event Notice by Mr Kuppusamy Kirupakaran for the premises known as Crystals, South Way, Wembley, HA9 0HB, pursuant to the provisions of the Licensing Act 2003 1 - 32
4	Application for a Temporary Event Notice by Mr Kuppusamy Kirupakaran for the premises known as Crystals, South Way, Wembley, HA9 0HB pursuant to the provisions of the Licensing Act 2003 33 - 50

Date of the next meeting: Tuesday 18 June 2019



- 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 Temporary Event Notice

1. The Application

Name of Applicant:	Mr Kuppusamy Kirupakaran
Name & Address of Premises:	Crystals, South Way, Wembley, HA9 0HB
Applicants Agent:	

1. Application

- To extend the licensable activities from the existing 3am to 4am,
- Extend the last entry (by one hour) to - 02:00 (2am)
- Provision of ID Scanning for under 30 years only at our own discretion,
- Extend the Closing time from 4am to 4.30am.

The event is from 22 – 24 June 2019

2. Background

None

3. Promotion of the Licensing Objectives

The following licensing objectives should be promoted;

- The prevention of public nuisance
- The prevention of Crime and Disorder
- Public Safety and
- The protection of children from harm

4. Relevant Representations

Representations have been received from the Police.

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
- B. Copy of Police Representation
- C. OS Map

Applicant: **Mr Kuppusamy Kirupakaran**

Previous Names: **Mr Kuppusamy Kirubakaran**

Date of birth:

Place of birth:

National Insurance Number:

Applicant Address:

Email Address:

Telephone number:

Mobile number:

Premises: Address: **Mezzanine Floor, 1, Pop In Commercial Centre, South Way, Wembley, Brent, HA9 0HF**

Premises Licence Number/Club Certificate Number: **575291/**

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description: **n/a**

Please describe the nature of the premises: **Club**

Please describe the nature of the event: **Bollywood Dancing**

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on):

The sale by retail of alcohol: **Yes**

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club: **Yes**

The provision of regulated entertainment: **Yes**

The provision of late night refreshment: **Yes**

Are you giving a late temporary event notice? **No**

Please state the dates on which you intend to use these premises for licensable activities: **22 June 2019 until 24 June 2019**

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock):

Day: 22/06/2019

Start Time: 03:00

End Time: 04:00

Further Details: Extending the licensable activities from 3am to 4am, Extending the Last Entry (by one hour) to - 02:00 (2am) and ID Scanning for under 30 years only at our own discretion, Extending the Closing time from 4am to 4.30am

Day: 23/06/2019

Start Time: 03:00

End Time: 04:00

Further Details:Extending the licensable activities from 3am to 4am, Extending the Last Entry (by one hour) to - 02:00 (2am) and ID Scanning for under 30 years only at our own discretion, Extending the Closing time from 4am to 4.30am

Day: 24/06/2019

Start Time: 03:00

End Time: 04:00

Further Details:Extending the licensable activities from 3am to 4am, Extending the Last Entry (by one hour) to - 02:00 (2am) and ID Scanning for under 30 years only at our own discretion, Extending the Closing time from 4am to 4.30am

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers: **30**

If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption: **On the premises**

Personal Licence Holder:

Previous TENS:

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?: **Yes**

Number of temporary event notices = 1

Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?: **No**

Associates and Business Colleagues:

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? **No**

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?: **No**

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? **No**

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?: **No**

The Licensing Officer
Health Safety and Licensing
London Borough of Brent
Brent Civic Centre
Engineers Way
Wembley
HA9 7FJ

NW CU Police Licensing Team
Brent Borough
74 Northolt Road
South Harrow
Middlesex
HA2 ODN

Date: 07/06//2019
QK Corres / Ref: QK/292/253NW/19
LA Ref: 16254

Police Representations to the Temporary Event Notice for

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MEZZANINE FLOOR, 1, Commercial Centre, South Way, HA9 0HF

I certify that I have considered the notice shown above and I wish to make representations that the use of the premises for the temporary event would undermine the crime prevention initiative, for the reasons indicated below.

Officer:	PS Damien Smith 253NW
NW BCU	Brent Licensing Team

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.

A Temporary Event Notice has been given under section 100 Licensing Act 2003 by

Kuppusamy Kirubakaran for Bollywood dancing 22-24th June 2019

Police are formally making representations to the notice under section 104 Licensing Act 2003. The Police objection is primarily concerned with the crime and disorder and prevention of public nuisance objectives.

Please complete and return this form to nwmailbox.licensingbrent@met.police.uk
The mailbox is monitored & managed in my absence by the Police licensing team.

Police are making representations as the premises user has not provided enough information with the Temporary Event Notice (TEN) for police to be satisfied that the event will uphold all four Licensing Objectives.

Police require more information in order that this temporary event can be considered.

PLEASE ANSWER THE BELOW QUESTIONS IN FULL USING CAPITAL LETTERS

SECTION A: Venue Details

1. Venue Details:

Name	
Address	
Postcode	

2. Applicant (s) Details:

Name (Include any middle name(s))	Date of Birth	Telephone

3. Does anyone applying for this TEN currently hold a Personal Licence

YES [] NO []

If you have selected “**YES**” then please complete **section B/C/D** below

4. Does the venue you are applying for a TEN currently hold a premise Licence

YES [] NO []

If you have selected “**YES**” then please complete **section C/D** belowIf you have selected “**NO**” then please complete **section D** below**SECTION B: Personal Licence Holder Details****1. Personal Licence owners details**

Name of Personal Licence Holder		Licence Number	Issuing Borough
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2. Does the venue you are applying for a TEN currently hold a premise Licence

YES [] NO []

If you have selected “**YES**” then please complete **section C/D** belowIf you have selected “**NO**” then please complete **section D** below

SECTION C: Premise Licence Details

1. Premise Licence Details

Premise Licence Number

2. Will the venue be implementing all of its current licensing conditions for this event

YES [] NO []

If you have selected “**NO**” then please state which conditions will not be complied with, and why)

Condition No	Condition	Reason why it will not be complied with /

--	--	--

3. How many staff will be employed for this event?

--

4. Are there any members of staff who are trained in first aid?

--

5. How many TENS has the venue applied for so far this year?

--

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SECTION D: Event Details

1. Is this a ticketed event?

YES [] NO []

2. Has the event been advertised?

YES [] NO []

If you have selected “**YES**” then please provide more details below of the websites / radio stations, etc where the event has been advertised

--

3. Is this a promoted Event?

YES [] NO []

If you have selected “**YES**” then please provide more details below of the promoters name and contact number

Promoters Name	Contact Number

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4. Are there any DJ's playing at this event?

YES [] NO []

If you have selected “**YES**” then please complete the following

Total Number of DJ's	
----------------------	--

Have you used the DJ
before?

5. Is this a student event?

YES [] NO []

6. What is the age range of the people attending?

18 – 21 []
22 – 30 []
31 – 40 []
41 – 50 []
51 + []

7. Has this event been previously held at this venue?

YES [] NO []

If you have selected “**YES**” then please answer the following

Were there any issues? YES [] NO []

Issues

8. Will you be employing approved Security Industry Authority (SIA) Door Supervisors?

YES [] NO []

If you have selected “YES” then please complete the following

Total Number of SIA	
SIA Company Name	
SIA Company Contact Number	

9. How many people are expected to attend this event (please be as specific as possible)?

--

10. Has a full risk assessment been completed for this event?

YES [] NO []

11. Any Further Information you can provide us in relation to the event?

--

Yours sincerely

PS Damien Smith 253NW

Licensing Officer

Brent Police Licensing Team - nwmailbox.licensingbrent@met.police.uk

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NW Police Licensing Unit

South Harrow Police Station

74 Northolt Road

Harrow

HA2 0DN

Tel: 020 8733 5146**Email:** nwmailbox.licensingbrent@met.police.uk**Web:** www.met.police.uk**The Licensing Officer**

Health Safety and Licensing

London Borough of Brent

Brent Civic Centre

Engineers Way

Wembley

HA9 7FJ

Your ref: LBB 16254**Our ref:** QK/292/253NW/19**Date:** 10th June 2019**Police Objection to the Temporary Event Notice for 'Bollywood dancing – Mezzanine floor'****Police Representations for;**

Crystal Club, Mezzanine Floor, 1 Popin Building, South Way, Wembley HA9 0HF

I certify that I have considered the notices shown above and I wish to make representations that the use of the premises for the temporary event would undermine the crime prevention initiative, for the reasons indicated below.

<i>Officer:</i>	<i>Damien Smith 253NW</i>
<i>NW CU</i>	<i>Brent Licensing</i>

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.

Three Temporary Event Notices have been given under section 100 Licensing Act 2003 by

<i>Mr KUPPASAMY KIRUPAKARAN for sale by retail of alcohol, provision of late night refreshments and regulated entertainment for a Bollywood dance event from 0300hrs to 0400hours on 22nd/23rd/24th thus extending closing time until 0430 hours and extending last entry by 1 hour to 0200 hours.</i>

Police are formally making representations to the notice under section 104 Licensing Act 2003. The Police objection is primarily concerned with the crime and disorder licensing objective.

The applicant would like to cease licensable activities at 0400 hours; this would affect the closing time closing at 0430 hours at the earliest.

Police are currently investigating an allegation of assault that occurred at the venue in May 2019, all be it a separate area of the building it is still in the control of the applicant.

There was a similar application earlier this month for 'Bollywood dancing' and Police made representations in good faith based on the application content and additional information provided by the applicant.

On the 7th June 2019 I sent an email to the applicant requesting further information and have since not heard from the applicant. The applicant was sent a message / text on his mobile phone and still as of 11.25 hours on 10th June 2019 I have not had any reply from the applicant.

Police requested further information and clarity on answers provided that would ordinarily facilitate a decision based on accurate information provided.

On this application, there appear to be inaccuracies and these cause me concern. The premise concerned has previously over the years failed to maintain confidence or control and in December 2018 several TENS were applied for and refused. Back then, Police requested further information and there was a distinct lack of communication from the applicant. Based on the Police not being provided any answers to the recent request there appears to be further support for me to object to this application.

Police requested that the applicant provide the following information as well as complete an additional information form;

1. How many attendees were there at your last event ?
2. Can you provide a copy of your SIA and Incident log for that event/ all 3 dates?
3. Please confirm how many attendees were in fact ID Scanned ?
4. Please confirm CCTV is in full working condition and viewing is available upon request ?
5. There is a similar question on attached but for clarity how many attendees including staff are you catering for or will be in attendance?
6. Can you confirm NO Incidents have occurred at all the premises within Unit 1 since 2017 as recorded on your application ?

Police believe the answers to the above would assist in accurately being able to make any representations regarding the application. This application indicates only 30 people will be on the premises. This application indicates the applicant uses their own discretion to scan attendees, Police believe this is too broad and open to too broad an interpretation of use. The applicant has written on the application that nothing has happened at the venue since 2017. As stated above the police are currently investigating an allegation from May 2019.

Police are of the opinion that the applicant should operate to his licence conditions as imposed by the licencing committee in 2018.

Licensable activity until 0300 hours, last entry at 0100 hours and an ID scanner shall be utilised at the premises to check all customers who wish to gain entry to the premises. The persons once checked for concealed weapons or drugs shall be required to present appropriate proof of identification. The information collected shall include photo ID, the person's name, address and date of birth shall be added to the database. Any person refusing to allow their data to be added to the database shall be refused entry. Appropriate ID shall be a valid passport or a driving licence (photo card)

Police request these TEN's be rejected.

Yours sincerely

PS Damien Smith 253NW

Licensing Sergeant

Brent Police Licensing Team



Brent

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

TEL: 020 8937 5359

EMAIL: business.licence@brent.gov.uk

WEB: www.brent.gov.uk

Date: 31 October 2018

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: 05 March 2010
Current issue date: 24 October 2018

.....
Authorised signatory

Premises licence number: 575291

Part 1 – premises details

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

**Ruby Lounge (Mezzanine Floor)
Mezzanine Floor, 1, Pop In Commercial Centre, South Way, Wembley, Brent, HA9 0HF**

Where the licence is time limited the dates

Licensable activities authorised by the licence

Section Entertainment of a similar description to that falling within (I) or (J)
Section Dancing
Section Making music
Section Anything of a similar description to that falling within (E), (F) or (G)
Section Performance of dance
Section Recorded Music
Section Live Music
Section I: Provision of Late Night Refreshments
Section J: Sale or Supply of Alcohol:(On the premises)

The times the licence authorises the carrying out of licensable activities

Section Entertainment of a similar description to that falling within (I) or (J):()		
Day	Start Time	End Time
Monday	10:00	03:00
Tuesday	10:00	03:00
Wednesday	10:00	03:00
Thursday	10:00	03:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	03:00

Section Dancing:()		
Day	Start Time	End Time
Monday	10:00	03:00
Tuesday	10:00	03:00
Wednesday	10:00	03:00
Thursday	10:00	03:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	03:00

Section Making music:()		
Day	Start Time	End Time
Monday	10:00	03:00
Tuesday	10:00	03:00
Wednesday	10:00	03:00
Thursday	10:00	03:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	03:00

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

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

Section Performance of dance:()

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

Section Recorded Music:()

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

Section Live Music:()

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

Section I: Provision of Late Night Refreshments:()

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

Section J: Sale or Supply of Alcohol:(For consumption on the premises)		
Day	Start Time	End Time
Monday	10:00	03:00
Tuesday	10:00	03:00
Wednesday	10:00	03:00
Thursday	10:00	03:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	03:00

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

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

For consumption on the premises

Part 2

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

Kuppusamy Kirupakaran


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

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

Vamanaganisha Sriharan


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: [REDACTED]
Issuing authority: [REDACTED]

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)—valued 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) 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).

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 licensing officers if requested.
- 2 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.
- 3 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.
- 4 The total number of people permitted on the premises including staff and performers shall not exceed 150.
- 5 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.
- 6 A refusal book shall be kept and maintained.
- 7 Promotions that encourage irresponsible drinking shall not be permitted.
- 8 Substantial food and non-intoxicating beverages (including free drinking water) shall be available during the whole of licensed hours in all parts of the premises where intoxicants are provided.
- 9 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.

- 10 No entry or re-entry shall be permitted after 01:30 hours.
- 11 After 23:00 hours outside smoking shall be limited to 10 persons and the area shall be suitably supervised to allow customers to smoke only, and then return inside.
- 12 On major event days at Wembley Stadium the following shall apply:
- * Customers shall not be allowed to congregate outside the premises.
 - * No glass bottles shall be handed over the bar but decanted into plastic vessels.
 - * The DPS shall work in partnership with the Police and if necessary comply with any direction given by the most senior Police Officer on duty at the event.
 - * The premises shall remain closed on football event days until two hours after the final whistle.
- 13 The Licensee shall undertake a risk assessment agreed by the Police and Licensing Authority of any significant promotion or event, using the Metropolitan Police Service Promotion/Event Risk Assessment Form (Form 696) or an equivalent and provide a copy to the Metropolitan Police and Brent Council's Licensing Unit not less than 14 days before the event is due to take place.
- 14 Where an event has taken place the licensee shall complete a Debrief Risk Assessment Form (Form 696A) and submit this to the Metropolitan Police and Brent Council's Licensing Unit within 3 days of the conclusion of the event.
- 15 Toilets shall be checked every hour for the use of drugs and other illegal activities.
- 16 Notices clearly explaining the licensee's drugs policy shall be displayed at the entrance and at suitable places throughout the premises.
- 17 Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises.
- 18 A public telephone shall be made available and notices advertising the number of a local licensed taxi service shall be displayed in a prominent position.
- 19 No children shall be admitted unless accompanied by a responsible adult.
- 20 No children shall be permitted on the premises after 20:00 hours.

21 No children shall be permitted in the bar area when entertainment is being provided.

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

Conditions added after hearing on 4th May 2017

- 22 An ID scanner shall be utilised at the premises to check all customers who wish to gain entry to the premises. The persons once checked for concealed weapons or drugs shall be required to present appropriate proof of identification. The information collected should include a photo ID, the person's name, address and date of birth shall be added to the database. Any person refusing to allow their data to be added to the database shall be refused entry.
- 23 Appropriate ID shall be a valid passport or driving licence (photo card).
- 24 No licensable activity shall continue after 03:00 hours
- 25 The premises including the staircase and entrance lobby must be cleared of all customers by 03:30 hours.
- 26 The licensee shall source all SIA door supervisors/security from an approved SIA door security contractor. The licensee shall have a contract with the said company/contractor. This said company/contractor shall belong to the SIA Approved Contractor Scheme. A copy of the contract and approved contractor scheme shall be provided to the Police Licensing team by e-mail.
- 27 No bottles of spirits shall be sold at any time. All spirits shall be sold by standard measures.
- 28 The Designated Premises Supervisor shall complete the BIIAB level 2 advanced DPS course.
- 29 All staff training records, SIA door supervisor records, CCTV recordings, the customer database, the refusal log & hourly toilet check records shall be available for inspection throughout the times the premises are normally open for trading. Should information be required outside these hours the information shall be provided to the Police within 24 hours of the request.
- 30 There shall be no entry or re-entry to the premises after 01:00 hours.
- 31 A safety, marshal shall operate from 02:00 hours until all customers have left the vicinity of the premises to ensure orderly and safe dispersal of customers.
- 32 A "Challenge 25" policy shall be adopted and adhered to at all times.
- 33 The premises licence holder shall have remote access to CCTV cameras at the venue at all

times.

34 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:

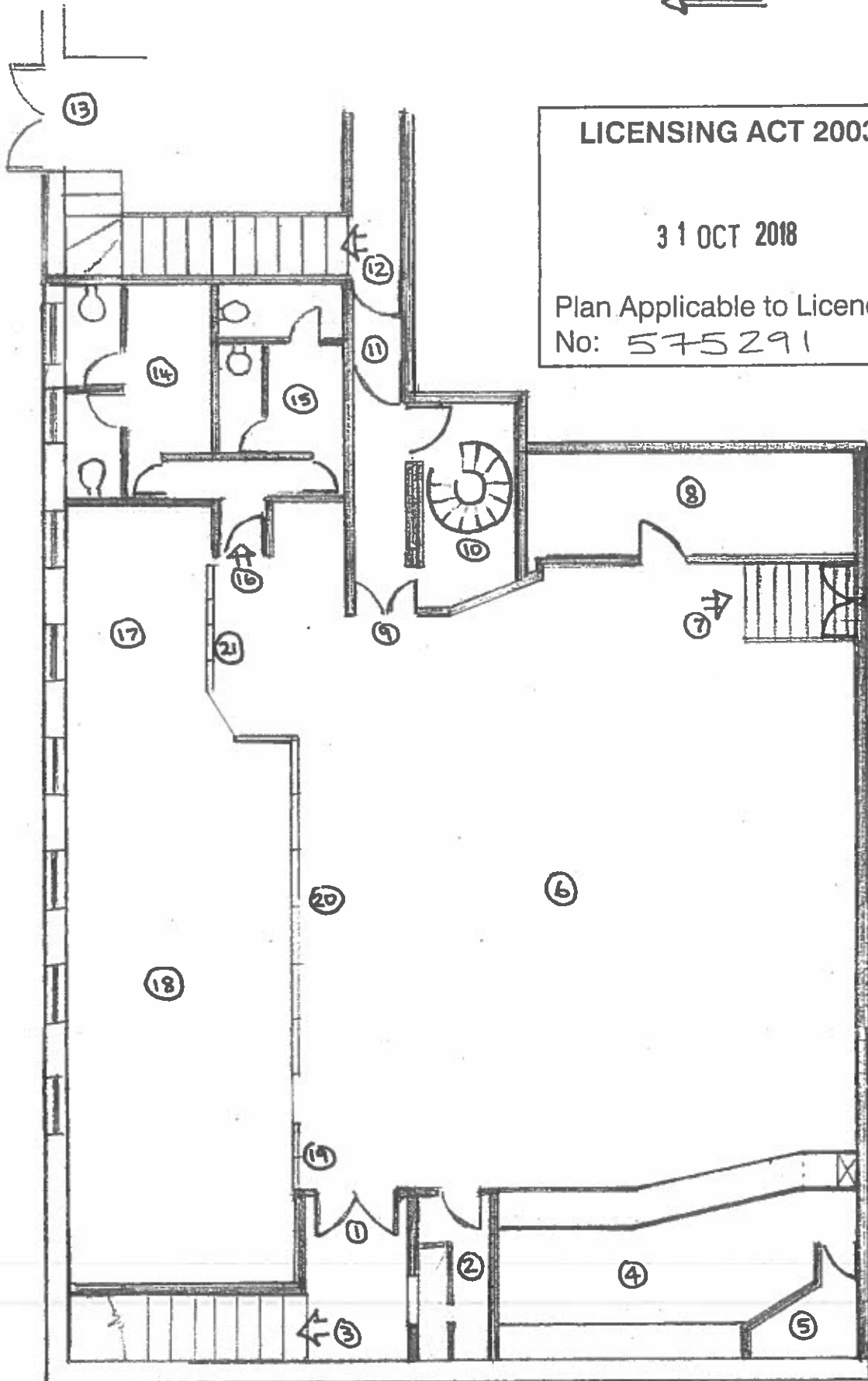
- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

35 Toilets shall be checked every hour for the use of drugs and other illegal activities. This shall be logged in writing and made available for inspection.

Annex 4 – Plans

See attached

RUBY LOUNGE FLOOR PLAN
(MEZZANINE FLOOR)



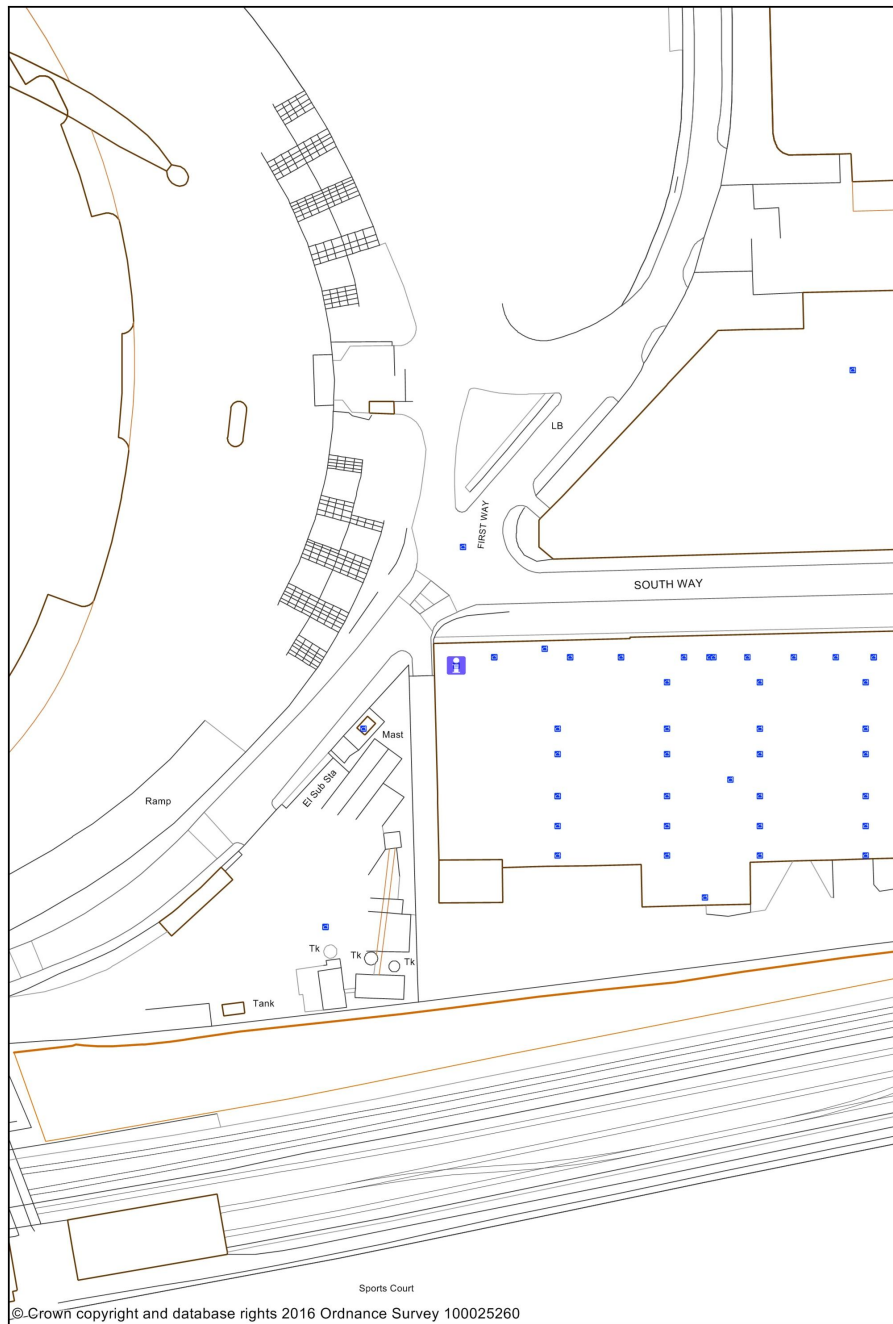
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Crystals Sports & Shish Bar South Way Wembley



1:1250

0 0.02 0.04 kilometres



Brent

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LICENSING ACT 2003

Application for a Temporary Event Notice

1. The Application

Name of Applicant:	Mr Kuppusamy Kirupakaran
Name & Address of Premises:	Crystals, South Way, Wembley, HA9 0HB
Applicants Agent:	

1. Application

- To extend the licensable activities from the existing 3am to 4am,
- Extend the last entry (by one hour) to - 02:00 (2am)
- Provision of ID Scanning for under 30 years only at our own discretion,
- Extend the Closing time from 4am to 4.30am.

The event is from 29 June to 1 July 2019

2. Background

None

3. Promotion of the Licensing Objectives

The following licensing objectives should be promoted;

- The prevention of public nuisance
- The prevention of Crime and Disorder
- Public Safety and
- The protection of children from harm

4. Relevant Representations

Representations have been received from the Police.

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
- B. Copy of Police Representation
- C. OS Map

Applicant: **Mr Kuppusamy Kirupakaran**

Previous Names: **Mr Kuppusamy Kirubakaran**

Date of birth:

Place of birth:)

National Insurance Number:

Applicant Address:

Email Address:

Telephone number:

Mobile number:

Premises: Address: **Mezzanine Floor, 1, Pop In Commercial Centre, South Way, Wembley, Brent, HA9 0HF**

Premises Licence Number/Club Certificate Number: **575291/**

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description: **n/a**

Please describe the nature of the premises: **Club**

Please describe the nature of the event:

Bollywood Dancing

1. Extending the licensable activities from 3am to 4am 2. Extending the Last Entry (by one hour) to - 02:00 (2am) 3. ID Scanning for under 30 years Only at our own discretion 4. Extending the Closing time from 4am to 4.30am ----- TO PROMOTE ALL FOUR LICENSING OBJECTIVES, WE WILL FOLLOW: Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four-licensing objective. The Prevention of Crime and Disorder a) CCTV System installed to monitor all areas of the venue. b) A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. c) Not selling of alcohol to drunk or intoxicated customers. d) Prevention and vigilance in illegal drug use at the venue. e) SIA approved contractors Door Staffs will be deployed. Public Safety a) Internal and external lighting fixed to promote the public safety objective. b) Training and implementation of underage ID checks. c) A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. d) The logbook shall be kept available for inspection when required by authorities. e) All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will always be maintained in good order and in a safe condition. f) CCTV System installed to monitor all areas of the venue. e) SIA approved contractors Door Staffs will be deployed. The Prevention of Public Nuisance a) Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the neighbors. b) Customers will be asked not to stand around loudly talking in the street outside the premises. The Protection of Children from harm a) "Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (driving license or a passport) if they wish to buy alcohol. b) Well trained staff - about requirement

for persons' identification, age establishment etc. a) Prominent, clear and legible notices displayed at the front door "No children allowed after 20:00 hrs"

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on):

The sale by retail of alcohol: **Yes**

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club: **Yes**

The provision of regulated entertainment: **Yes**

The provision of late night refreshment: **Yes**

Are you giving a late temporary event notice? **No**

Please state the dates on which you intend to use these premises for licensable activities: **29 June 2019**
until **01 July 2019**

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock):

Day: 29/06/2019

Start Time: 03:00

End Time: 04:00

Further Details: Extending the licensable activities from 3am to 4am, Extending the Last Entry (by one hour) to - 02:00 (2am) and ID Scanning for under 30 years only at our own discretion, Extending the Closing time from 4am to 4.30am

Day: 30/06/2019

Start Time: 03:00

End Time: 04:00

Further Details: Extending the licensable activities from 3am to 4am, Extending the Last Entry (by one hour) to - 02:00 (2am) and ID Scanning for under 30 years only at our own discretion, Extending the Closing time from 4am to 4.30am

Day: 01/07/2019

Start Time: 03:00

End Time: 04:00

Further Details: Extending the licensable activities from 3am to 4am, Extending the Last Entry (by one hour) to - 02:00 (2am) and ID Scanning for under 30 years only at our own discretion, Extending the Closing time from 4am to 4.30am

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers: **30**

If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption: **On the premises**

Personal Licence Holder:

Previous TENS:

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?: **Yes**

Number of temporary event notices = 1

Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?: **No**

Associates and Business Colleagues:

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? **No**

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?: **No**

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? **No**

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?: **No**

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The Licensing Officer
Health Safety and Licensing
London Borough of Brent
Brent Civic Centre
Engineers Way
Wembley
HA9 7FJ

NW CU Police Licensing Team
Brent Borough
74 Northolt Road
South Harrow
Middlesex
HA2 ODN

Date: 07/06//2019
QK Corres / Ref: QK/293/253NW/19
LA Ref: 16255

Police Representations to the Temporary Event Notice for

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MEZZANINE FLOOR, 1, Commercial Centre, South Way, HA9 0HF

Certify that I have considered the notice shown above and I wish to make representations that the use of the premises for the temporary event would undermine the crime prevention initiative, for the reasons indicated below.

Officer:	PS Damien Smith 253NW
NW BCU	Brent Licensing Team

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.

A Temporary Event Notice has been given under section 100 Licensing Act 2003 by

Kuppusamy Kirubakaran for Bollywood dancing 29th June to 1st July 2019

Police are formally making representations to the notice under section 104 Licensing Act 2003. The Police objection is primarily concerned with the crime and disorder and prevention of public nuisance objectives.

Please complete and return this form to nwmailbox.licensingbrent@met.police.uk
The mailbox is monitored & managed in my absence by the Police licensing team.

Police are making representations as the premises user has not provided enough information with the Temporary Event Notice (TEN) for police to be satisfied that the event will uphold all four Licensing Objectives.

Police require more information in order that this temporary event can be considered.

PLEASE ANSWER THE BELOW QUESTIONS IN FULL USING CAPITAL LETTERS

SECTION A: Venue Details

1. Venue Details:

Name	
Address	
Postcode	

2. Applicant (s) Details:

Name (Include any middle name(s))	Date of Birth	Telephone

3. Does anyone applying for this TEN currently hold a Personal Licence

YES [] NO []

If you have selected "YES" then please complete **section B/C/D** below

4. Does the venue you are applying for a TEN currently hold a premise Licence

YES [] NO []

If you have selected “**YES**” then please complete **section C/D** belowIf you have selected “**NO**” then please complete **section D** below**SECTION B: Personal Licence Holder Details****1. Personal Licence owners details**

Name of Personal Licence Holder	Licence Number	Issuing Borough
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2. Does the venue you are applying for a TEN currently hold a premise Licence

YES [] NO []

If you have selected “**YES**” then please complete **section C/D** belowIf you have selected “**NO**” then please complete **section D** below

SECTION C: Premise Licence Details

1. Premise Licence Details

Premise Licence Number

2. Will the venue be implementing all of its current licensing conditions for this event

YES [] NO []

If you have selected “**NO**” then please state which conditions will not be complied with, and why)

Condition No	Condition	Reason why it will not be complied with /

--	--	--

3. How many staff will be employed for this event?

--

4. Are there any members of staff who are trained in first aid?

--

5. How many TENS has the venue applied for so far this year?

--

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SECTION D: Event Details

1. Is this a ticketed event?

YES [] NO []

2. Has the event been advertised?

YES [] NO []

If you have selected "YES" then please provide more details below of the websites / radio stations, etc where the event has been advertised

--

3. Is this a promoted Event?

YES [] NO []

If you have selected “**YES**” then please provide more details below of the promoters name and contact number

Promoters Name	Contact Number

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4. Are there any DJ's playing at this event?

YES [] NO []

If you have selected “**YES**” then please complete the following

Total Number of DJ's	
----------------------	--

Have you used the DJ
before?

5. Is this a student event?

YES [] NO []

6. What is the age range of the people attending?

18 – 21 []
 22 – 30 []
 31 – 40 []
 41 – 50 []
 51 + []

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7. Has this event been previously held at this venue?

YES [] NO []

If you have selected “**YES**” then please answer the following

Were there any issues? YES [] NO []

Issues

8. Will you be employing approved Security Industry Authority (SIA) Door Supervisors?

YES [] NO []

If you have selected “YES” then please complete the following

Total Number of SIA	
SIA Company Name	
SIA Company Contact Number	

9. How many people are expected to attend this event (please be as specific as possible)?

--

10. Has a full risk assessment been completed for this event?

YES [] NO []

11. Any Further Information you can provide us in relation to the event?

--

Yours sincerely

PS Damien Smith 253NW

Licensing Officer

Brent Police Licensing Team - nwmailbox.licensingbrent@met.police.uk

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NW Police Licensing Unit

South Harrow Police Station

74 Northolt Road

Harrow

HA2 0DN

Tel: 020 8733 5146**Email:** nwmmailbox.brentlicensing@met.police.uk**Web:** www.met.police.uk**The Licensing Officer**

Health Safety and Licensing

London Borough of Brent

Brent Civic Centre

Engineers Way

Wembley

HA9 7FJ

Your ref: LBB 16255**Our ref:** QK/293/253NW/19**Date:** 10th June 2019**Police Objection to the Temporary Event Notice for 'Bollywood dancing – Mezzanine floor'****Police Representations for;**

Crystal Club, Mezzanine Floor, 1 Popin Building, South Way, Wembley HA9 0HF

I certify that I have considered the notices shown above and I wish to make representations that the use of the premises for the temporary event would undermine the crime prevention initiative, for the reasons indicated below.

<i>Officer:</i>	<i>Damien Smith 253NW</i>
<i>NW CU</i>	<i>Brent Licensing</i>

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.

Three Temporary Event Notices have been given under section 100 Licensing Act 2003 by

<i>Mr KUPPASAMY KIRUPAKARAN for sale by retail of alcohol, provision of late night refreshments and regulated entertainment for a Bollywood dance event from 0300hrs to 0400hours on 29th, 30th June and 1st July thus extending closing time until 0430 hours and extending last entry by 1 hour to 0200 hours.</i>

Police are formally making representations to the notice under section 104 Licensing Act 2003. The Police objection is primarily concerned with the crime and disorder licensing objective.

The applicant would like to cease licensable activities at 0400 hours; this would affect the closing time closing at 0430 hours at the earliest.

Police are currently investigating an allegation of assault that occurred at the venue in May 2019, all be it a separate area of the building it is still in the control of the applicant.

There was a similar application earlier this month for 'Bollywood dancing' and Police made representations in good faith based on the application content and additional information provided by the applicant.

On the 7th June 2019 I sent an email to the applicant requesting further information and have since not heard from the applicant. The applicant was sent a message / text on his mobile phone and still as of 11.25 hours on 10th June 2019 I have not had any reply from the applicant.

Police requested further information and clarity on answers provided that would ordinarily facilitate a decision based on accurate information provided.

On this application, there appear to be inaccuracies and these cause me concern. The premise concerned has previously over the years failed to maintain confidence or control and in December 2018 several TENS were applied for and refused. Back then, Police requested further information and there was a distinct lack of communication from the applicant. Based on the Police not being provided any answers to the recent request there appears to be further support for me to object to this application.

Police requested that the applicant provide the following information as well as complete an additional information form;

1. How many attendees were there at your last event ?
2. Can you provide a copy of your SIA and Incident log for that event/ all 3 dates?
3. Please confirm how many attendees were in fact ID Scanned ?
4. Please confirm CCTV is in full working condition and viewing is available upon request ?
5. There is a similar question on attached but for clarity how many attendees including staff are you catering for or will be in attendance?
6. Can you confirm NO Incidents have occurred at all the premises within Unit 1 since 2017 as recorded on your application ?

Police believe the answers to the above would assist in accurately being able to make any representations regarding the application. This application indicates only 30 people will be on the premises. This application indicates the applicant uses their own discretion to scan attendees, Police believe this is too broad and open to too broad an interpretation of use. The applicant has written on the application that nothing has happened at the venue since 2017. As stated above the police are currently investigating an allegation from May 2019.

Police are of the opinion that the applicant should operate to his licence conditions as imposed by the licencing committee in 2018.

Licensable activity until 0300 hours, last entry at 0100 hours and an ID scanner shall be utilised at the premises to check all customers who wish to gain entry to the premises. The persons once checked for concealed weapons or drugs shall be required to present appropriate proof of identification. The information collected shall include photo ID, the person's name, address and date of birth shall be added to the database. Any person refusing to allow their data to be added to the database shall be refused entry. Appropriate ID shall be a valid passport or a driving licence (photo card)

Police request these TEN's be rejected.

Yours sincerely

PS Damien Smith 253NW

Licensing Sergeant

Brent Police Licensing Team