



Alcohol and Entertainment Licensing Sub-Committee

Wednesday 16 October 2019 at 10.00 am

Boardrooms 7&8 - 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 a 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 New Premises Licence by Miss Bindal Givan Velgi for the premises known as Fudam, 238A Ealing Road, Wembley, HA0 4QL, pursuant to the provisions of the Licensing Act 2003	1 - 78

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 New Premises Licence

1. The Application

Name of Applicant:	Miss Bindal Givan Velgi
Name & Address of Premises:	Fudam 238A Ealing Road, Wembley, HA0 4QL
Applicants Agent:	Mark Altman – Ales Licensing Services

The application is for a new premises licence:

- 1 For late night refreshment from 23:00hrs to 00:00hrs Monday to Sunday, the sale & supply of alcohol from 10:00hrs to 23:30hrs and to remain open from 10:00hrs to 00:00hrs Monday to Sunday. Regulated entertainment is for seasonal variations only on 24, 26 & 31 December until 02:00hrs.

2. Background

None

3. Promotion of the Licensing Objectives

Pages 17-18 of the application.

4. Relevant Representations

Representations are outstanding from Licensing and local residents. Representations were received and withdrawn from Public Safety Officers and the Police.

5. Interested Parties

None

6. Policy Considerations

Paragraph Nos: 7.2 8.1 – 8.4

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

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

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

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

7. Determination of the Application

Members can take the following steps when determining a new premises licence application:

- grant the licence;
- exclude from the scope of the licence any of the licensable activities to which the application relates;
- refuse to specify a person in the licence as the premises supervisor;
- reject the application

8. Associated Papers

- A. Application Form & plan
- B. Licensing Rep
- C. Residents Reps
- D. Police Rep & withdrawal
- E. Public Safety Rep & withdrawal
- F. OS Map

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I Miss Bindal Givan Velgi

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Fudam 238a Ealing Road			
Post town	Wembley	Postcode	HA0 4QL

Telephone number at premises (if any)	020 8723 0043
Non-domestic rateable value of premises	£25,000 – Application Fee = £190.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

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

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

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input checked="" type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Miss Velgi			First names Bindal Givan		
Date of birth [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality - [REDACTED]					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		Please contact Licensing Consultant – aleslicensing@mail.com			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					
N/A [REDACTED]					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev) _____
Surname _____		First names _____		
Date of birth _____		I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality _____				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information) _____				
Current residential address if different from premises address _____		_____		
Post town	_____	Postcode	_____	
Daytime contact telephone number		_____		
E-mail address (optional)	_____			

(B) OTHER APPLICANTS

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

Name _____
Address _____ _____
Registered number (where applicable) _____

Description of applicant (for example, partnership, company, unincorporated association etc.) _____
Telephone number (if any) _____
E-mail address (optional) _____

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
27	09	2019

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Restaurant serving alcohol and table meals with a maximum of 46 covers including a fully supervised service counter for consumption of alcohol and food.

The business model is primarily for the sale of food.

With the exception of persons seated at the service counter, "on sales" and supply of alcohol will only be made to persons seated at a table.

Excluding the Seasonal Variations/Non-Standard Timings, there will be no requirement for licensable activity other than sale of alcohol and late night refreshment.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)

- g) ~~performances of dance (if ticking yes, fill in box G)~~
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)**
- i) Provision of late night refreshment (if ticking yes, fill in box I)**
- j) Supply of alcohol (if ticking yes, fill in box J)**

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	_____	_____		<u>Please give further details here</u> (please read guidance note 4) _____	
	_____	_____			
Tue	_____	_____			
	_____	_____			
Wed	_____	_____	<u>State any seasonal variations for performing plays</u> (please read guidance note 5) _____		
Thur	_____	_____			
Fri	_____	_____	<u>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</u> (please read guidance note 6) _____		
Sat	_____	_____			
Sun	_____	_____			

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) _____		
Mon	_____	_____			
	_____	_____			
Tue	_____	_____			
	_____	_____	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5) _____		
Wed	_____	_____			
	_____	_____			
Thur	_____	_____			
	_____	_____	<u>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</u> (please read guidance note 6) _____		
Fri	_____	_____			
	_____	_____			
Sat	_____	_____			
	_____	_____			
Sun	_____	_____			

€

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4) _____
Day	Start	Finish	
Mon	_____	_____	
	_____	_____	
Tue	_____	_____	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5) _____
	_____	_____	
Wed	_____	_____	
	_____	_____	
Thur	_____	_____	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6) _____
	_____	_____	
Fri	_____	_____	
	_____	_____	
Sat	_____	_____	
	_____	_____	
Sun	_____	_____	
	_____	_____	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	_____	_____			
	_____	_____	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Tue	_____	_____			
	_____	_____	<u>Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Wed	_____	_____			
	_____	_____			
Thur	_____	_____			
	_____	_____			
Fri	_____	_____			
	_____	_____			
Sat	_____	_____			
	_____	_____			
Sun	_____	_____			
	_____	_____			

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4) Playing of Live music for the entertainment of the clientele. This will only be “low key” entertainment acoustic traditional music or low powered amplified instruments. This only applies to the Seasonal Variations/Non-Standard Timings as shown below		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur			23:30 hours on 24 th December until 02:00 hours on 25 th December 23:30 hours on Boxing Day until 02:00 the following day 23:30 hours on 31 st December until 02:00 hours on 1 st January		
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Playing of recorded music for the entertainment of clientele. This would be “low key” and only applies to the Seasonal Variations/Non-Standard Timings as shown below		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 5) 23:30 hours on 24 th December until 02:00 hours on 25 th December 23:30 hours on Boxing Day until 02:00 the following day 23:30 hours on 31 st December until 02:00 hours on 1 st January		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both— please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	_____	_____	<u>Please give further details here</u> (please read guidance note 4) _____	Both	<input type="checkbox"/>
	_____	_____			
Tue	_____	_____			
	_____	_____			
Wed	_____	_____	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5) _____		
	_____	_____			
Thur	_____	_____			
	_____	_____			
Fri	_____	_____	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6) _____		
	_____	_____			
Sat	_____	_____			
	_____	_____			
Sun	_____	_____			
	_____	_____			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4) Playing of recorded music or live music for the entertainment of the clientele. e.g.a comedy performance where the use of accompanying music and amplifications is required. It only applies to the Seasonal Variations/Non-Standard Timings as shown below		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri			23:30 hours on 24 th December until 02:00 hours on 25 th December 23:30 hours on Boxing Day until 02:00 the following day 23:30 hours on 31 st December until 02:00 hours on 1 st January		
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Sale of hot food and drink		
Mon	23:00	00:00			
Tue	23:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed	23:00	00:00			
Thur	23:00	00:00	<u>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</u> (please read guidance note 6) 00:00 hours on 24 th December until 02:00 hours on 25 th December 00:00 hours on Boxing Day until 02:00 the following day 00:00 hours on 31 st December until 02:00 hours on 1 st January		
Fri	23:00	00:00			
Sat	23:00	00:00			
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30			
Fri	10:00	23:30			
Sat	10:00	23:30			
Sun	10:00	23:30			
			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 6)		
			23:30 hours on 24 th December until 02:00 hours on 25 th December 23:30 hours on Boxing Day until 02:00 the following day 23:30 hours on 31 st December until 02:00 hours on 1 st January		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Bindal Givan Velgi	
Date of birth	██████████
Address	
██	
Postcode	██████████
Personal licence number (if known)	
████████████████████	
Issuing licensing authority (if known)	
██	

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 9).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	1000	0000	
Tue	1000	0000	
Wed	1000	0000	
Thur	1000	0000	
Fri	1000	0000	
Sat	1000	0000	
Sun	1000	0000	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

00:00 hours on 24th December until 02:30 hours on 25th December
 00:00 hours on Boxing Day until 02:30 the following day
 00:00 hours on 31st December until 02:30 hours on 1st January

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

- 1) A digital recording CCTV system will be installed and fully maintained to comply with the following:
 - a) All cameras will be capable of recording images of a quality sufficiently high to identify individuals
 - b) At least one camera will be installed that is capable of taking a higher quality “head and shoulder” image of every person entering the premises
 - c) Images will be retained for a minimum of 28 days before being overwritten
 - d) The images will be stored in a format that is easily retrievable. Copies will be provided without undue delay, and in accordance with the data protection act, following any reasonable request from the Police or authorised officers of the London Borough of Brent.
 - e) At all times when the premises are open for licensable activity, at least one person will be able to operate the CCTV system and allow images to be viewed by the Police, or authorised officers of the London Borough of Harrow, in the lawful execution of their duty

If for any reason the CCTV system malfunctions this information will communicated without any undue delay in a format agreed by the Police and London Borough of Brent Licensing

- 2) All refusals of alcohol sales will be recorded in a register and made available for inspection on reasonable demand by Police Officers or Authorised Officers from the London Borough of Brent.
- 3) All significant incidents including calls made to the emergency services will be recorded in an incident log and made available for inspection on reasonable demand by Police Officers or Authorised Officers from the London Borough of Brent.
- 4) The management shall operate a zero tolerance to drugs.

c) Public safety

- 5) Any external smoking area provided for customers will be monitored and controlled by the staff to ensure that the licensing objectives are fully promoted
- 6) With the exception of persons seated on the chairs around the service area, as shown on the plan, all sales and supplies of alcohol will only be served directly to persons seated at a table

d) The prevention of public nuisance

7) Prominent, clear and legible notices shall be displayed at the entrance/exit requesting patrons to respect the needs of local residents by leaving the premises and the local area without causing any undue disturbance.

e) The protection of children from harm

8) No children shall be allowed on the premises after 22.00 hours unless accompanied by an adult

9) A challenge 25 proof of age scheme will be implemented unless a different "best practice" scheme is requested by the Police or Licensing Authority

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- ~~I have sent copies of this application and the plan to responsible authorities and others where applicable.~~ N/A this is an Electronic Application covered by the legislation
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	<i>P. M. Altman</i>
Date	28 th August 2019
Capacity	Licensing Consultant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **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 14)

Mark Altman
Ales Licensing Services
13 The Coppins

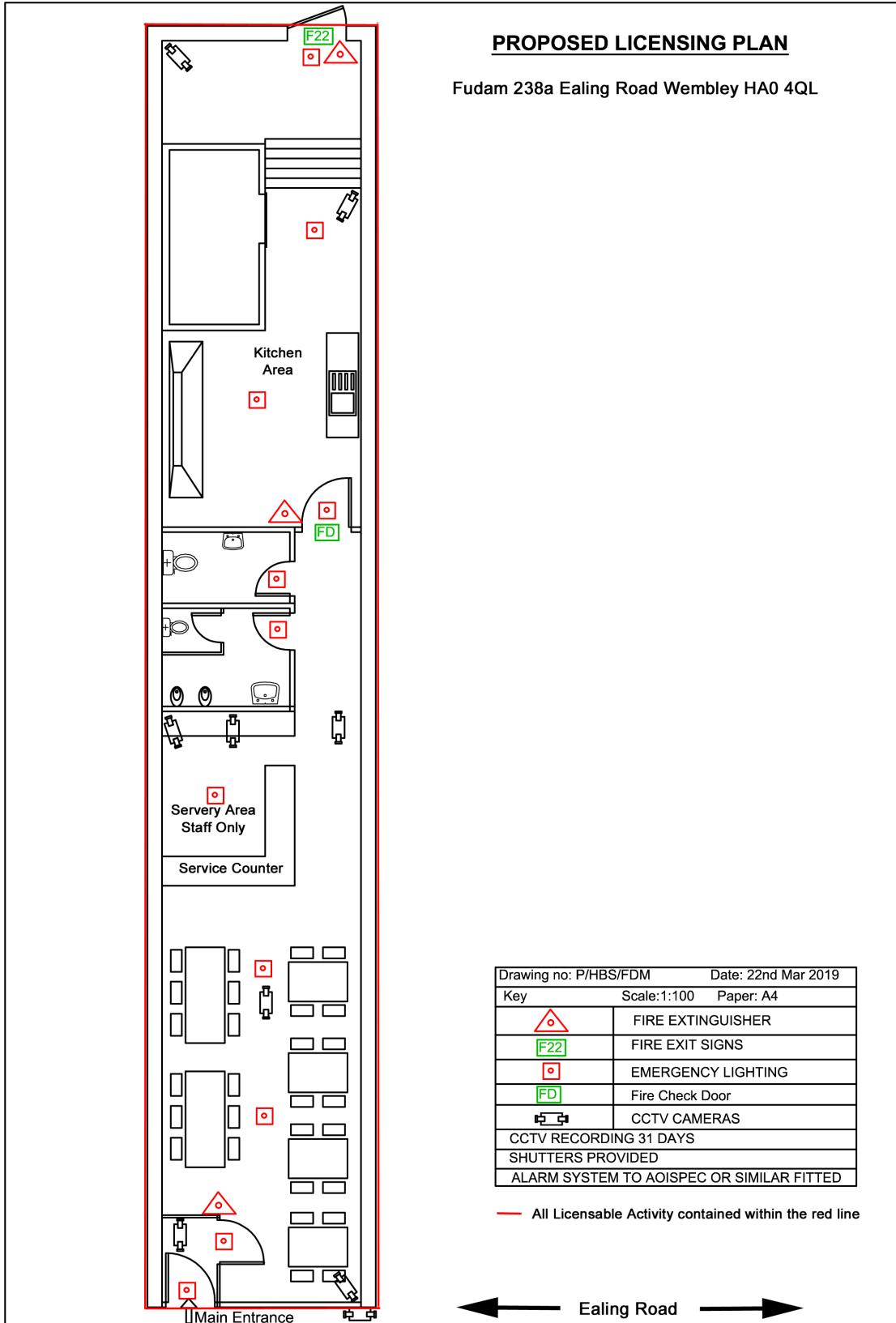
Post town	Harrow	Postcode	HA3 6DT
Telephone number (if any)	07919446323		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
aleslicensing@mail.com			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and

PROPOSED LICENSING PLAN

Fudam 238a Ealing Road Wembley HA0 4QL



Drawing no: P/HBS/FDM		Date: 22nd Mar 2019
Key	Scale: 1:100	Paper: A4
	FIRE EXTINGUISHER	
	FIRE EXIT SIGNS	
	EMERGENCY LIGHTING	
	Fire Check Door	
	CCTV CAMERAS	
CCTV RECORDING 31 DAYS		
SHUTTERS PROVIDED		
ALARM SYSTEM TO AOISPEC OR SIMILAR FITTED		

— All Licensable Activity contained within the red line

← Ealing Road →

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Fudam Restaurant
238a Ealing Road
Wembley
HA0 4QL

26 September 2019

**Licensing Representation to the Application for the new Premises Licence for Fudam Restaurant
238a Ealing Road, Wembley, HA0 4QL**

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

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 for a new premises licence under section 17 of the Act.

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

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

The Licensing Authority require the following points to be included in the operating schedule or added as conditions on the premises licence:

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council.
2. A CCTV camera shall be installed to cover the entrance of the premises and a further camera to cover the entire servery counter and till.
3. A member of staff trained in the use of the CCTV system shall be available at the premise at all times that the premises are open to the public.
4. 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.

5. Notices asking customers to leave quietly shall be conspicuously displayed at all exits.
6. 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.
7. The licensee shall ensure customers leave the premises in a quiet and orderly manner.
8. No children shall be admitted unless accompanied by a responsible adult. All children must leave the premises by midnight.
9. A sign stating 'No proof of age, No sale' shall be displayed at the point of sale.
10. A 'Challenge 25' policy shall be adopted and adhered to
11. Alcohol shall only be provided as an accompaniment to a main meal.
12. The designated smoking area (DSA) shall be located at the front of the premises facing onto Ealing Road. Smoking shall be limited to 5 persons. This shall be in a cordoned off area and shall be monitored by the members of staff on duty at the premises.
13. If an external area exists at the rear of the premises, this shall not be used by members of the public at any time the premise is open carrying out licensable activities.
14. There shall be no vertical drinking permitted within the premises as defined on the plan submitted to and approved by the Licensing Authority.
15. 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
 - (h) any visit by a relevant authority or emergency service.
16. Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo regular training of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.
17. On major event days at Wembley Stadium the following shall apply:
 - Customers shall not be allowed to congregate outside the premises.
 - No glass shall be handed over the bar but decanted into plastic vessels
 - 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.
18. No entry or re-entry shall be permitted after 23:00 hours Sunday to Thursday and 23:30 hours Friday and Saturday where seasonal variations apply.

19. Door supervisors of a sufficient number and gender mix shall be employed from 21.00hrs when the premises are open to the public carrying out licensable activities beyond midnight.

20. SIA Security shall wear clothing that can be clearly and easily identified on CCTV.

21. 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.

Reduction in Hours

The Licensing Authority require that all licensable activities terminate 30 minutes prior to the premises closing in order to give members of the public time to finish eating or drinking. It is therefore suggested that the following applies:-

Late Night Refreshment

Monday to Sunday 23.00-00.00hrs

be reduced to

Monday to Sunday 23.00-23.30hrs

In order for the Licensing Team to withdraw this representation, it will be necessary for you to confirm that you accept the above conditions and reduction in timings in writing.

Yours sincerely



Susana Figueiredo
Licensing Inspector
Planning, Transportation & Licensing

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From: Figueiredo, Susana
Sent: 30 September 2019 11:25
To: Licensing <aleslicensing@mail.com>
Cc: Business Licence <business.licence@brent.gov.uk>
Subject: Licensing Rep - New Premises Licence - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Mark,

Thank you for your email.

Please see my response to your email in red below.

I await your response on each of the outstanding matters.

Kind regards

Susana Figueiredo
Licensing Enforcement Officer

From: Licensing [mailto:aleslicensing@mail.com]
Sent: 30 September 2019 09:57
To: Figueiredo, Susana
Subject: Re: Licensing Rep - New Premises Licence - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Susana,

I hope you are keeping well and am grateful for your response and agreement to remove conditions 11 and 17 in your representation. (Agreed).

I am still awaiting a response from the client with regard to the reduction in hours for LNR and the requirement for SIA staff for the non standard timings, (thank you, this isn't something I am willing to negotiate on) or any TEN they may apply for.

I have advised them that the SIA condition could only be applied to a TEN following a hearing if the Police or Public Health made a representation, and the licensing committee deemed that it was appropriate to attach that condition to the TEN. (As stated in my previous email, the committee are not permitted to add any new conditions, they can only add those already on the existing premises licence. Any additional conditions can only be agreed prior to committee. I will await your response on this).

They are seeking legal advice and a second opinion in this matter from another source, and I hope to be able to revert to you within the next couple of days.

The client has also made a comment with regard to your condition 18. I have offered them an alternative wording, and ask if you would be prepared to accept this:

18. No entry or re-entry shall be permitted after 23:00 hours Sunday to Thursday and 23:30 hours Friday and Saturday where seasonal variations apply, with the exception of any person who is standing outside the premises to smoke. The number of smokers will be monitored to ensure that the licensing objectives are fully promoted and staff will remind smokers of the notices with regard to noise and behaviour and respecting residents.

(This condition does not apply to smokers who are in a DSA (Designated Smoking Area) in a cordoned area (which must not be fixed. Removable rope barriers would be sufficient). They would still form part of the premises in terms of smoking. The extra wording is therefore not required).

Regards,

Mark Altman
ALES Licensing

Dear Mark,

Please find a response to your questions below: -

- 1) Agreed, please find attached updated representation
- 2) Agreed, please find attached updated representation
- 3) Licensable activities would end by 00.00hrs and therefore the premises wouldn't need SIA for the requested hours, I'm therefore unsure how this would be onerous for them as SIA would not be required. The requirement for SIA would be for the 3 non-standard timings and if the premises should ever apply for TENS. As it stands, it is likely there would be an objection to TENS applications as only existing conditions can be added to their application. This would help the applicant to ensure the TENS application is accepted and would also ensure the licensing objectives are being met.

Please can you

- 1) Confirm the reduction in timings for LNR if your client agrees.
- 2) Confirm all of the attached modified conditions. The conditions may read similarly but the wording is not the same to those offered in the application. Those that you have added in addition to mine, will be added to the operating schedule when the premises licence is written up.

Kind regards

Susana Figueiredo
Licensing Enforcement Officer

From: Licensing [<mailto:aleslicensing@mail.com>]
Sent: 26 September 2019 15:18
To: Figueiredo, Susana <Susana.Figueiredo@brent.gov.uk>
Cc: Business Licence <business.licence@brent.gov.uk>
Subject: Licensing Rep - New Premises Licence - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Susana,

I have passed the representation onto the client and await their response.

Most of the conditions you have suggested have already been included as part of the operating schedule, and this was further amended to include conditions from the police and public safety.

There are a few points that i require further clarification on.:

- 1) With regard to Wembley event days I thought that the premises were outside the earmarked area for this.
- 2) with regard to alcohol being served only to persons having a table meal, we have already met with the Police at the premises following their representations. They requested the same condition and it was agreed that this would not be required as the condition already in the operating schedule, that all alcohol sales are served directly to persons seated, would fully satisfy the prevention of crime and disorder strand of the Licensing objectives. The police subsequently withdrew their representation.

3) as the standard hours for licensable activity at the premises end before midnight, door supervisors would only be required on the 3 non standard timings dates. This would prove somewhat onerous for the premises and disproportionate for the size and nature of the premises. We would be willing to offer an alternative condition that “on the 3 occasions for non standard tonnes each year, a risk assessment will be conducted and door supervisors will be deployed accordingly”

Regards,

Mark

Mark Altman

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From:

Sent: 24 September 2019 15:19

To: Business Licence <business.licence@brent.gov.uk>

Subject: Fudam Restaurant Premises License application

Dear Sir/Madam,

Re: Fudam Restaurant - 238a Ealing Road, Alperton, Wembley, HA0 4QL

I would respectfully object in granting this license based on the reasons shown below:

Please note that Fudam`s owners have had a bad history with the trading standards at Brent, and I believe this was one of the reasons they were not granted a premises license previously. Also, upon spotting their notice, this time, unlike the previous occasion in which they applied, their notice did not display Brent`s official licensing e-mail address, but only Fudam`s appointed agents details. This does not seem entirely fair, as new residents in the area may not be aware of Brent Council`s official licensing address, and for obvious reasons, may not want to send a rejection directly to Fudam`s appointed agent.

Residents in Alperton are very disappointed that this restaurant has been considered once again for a premises license, especially as it has been rejected previously at the hearing both myself and others attended. Brent council are more than fully aware of the on-going problems with street drinking, paan/gudhka spitting, urination and further drinking at our local park - One Tree Hill, as well as anti-social behaviour taking place.

The name Fudam is actually the name of a town which is based in Diu, India. Unfortunately, the crowds who have been causing trouble and have been misbehaving are from Diu, India. Therefore, having a place which is familiar to some of the street drinkers (Mostly middle aged men) could greatly enhance further excessive drinking and anti - social behaviour from not only Fudam Restaurant, but could also lead towards One Tree Hill Recreational Ground.

Even with a PSPO, we still unfortunately experience issues with street drinking, gudhka spitting on pavements as well as inside and outside of rubbish bins, and on the newly created pavements near Alperton station with regards to being a public nuisance, crimes taking place as well as a fear of public safety. One Tree Hill is the nearest located park where a lot of drinkers have been hanging around continuously for quite sometime now (6-7 years), and thus may increase further with yet another place selling alcohol. As a result of this, the good reputation that we once had of not only One Tree Hill but our area, will continue to suffer.

I feel that there will also be greater competition with existing off-licence`s in terms of the price of alcohol, as it may alcoholic drinks could be even cheaper which could increase the consumption of alcohol as well as the longstanding problems in the area.

Also, the same crowd of people who drink on the streets also have been spotted sleeping, urinating on the side fences as well as the centre of One Tree Hill Recreational Ground at One Tree Hill hanging around in groups, and treating the

park as a `drinkers hangout`. Children on our road have felt threatened to go and play in our park side entrance (Braemar Avenue as well as Bowrons Ave) due to drinkers being around in big groups, and not only drink 1 or 2 bottles or cans but drink excessive amounts, and hang around and remain at One Tree Hill for long hours up until after midnight. I had even spotted them sleeping at the park as well as vomiting in the early hours of the morning.

We have already had enough problems constantly occurring and re-occurring on our street in our area for quite some time now, which has become never ending, and as a resident, I do not want to accept this as `the daily norm`. If a premises license is granted for Fudam, I feel as I am sure other residents would feel that our problems will double, not only for our road and area, but especially One Tree Hill, as it will turn into a `drinkers paradise` as well as a `pub`.

We appreciate the local police`s efforts in our area, but also recognise that they can not be present at all times. I have been spending a considerable amount of time trying to help rebuild and promote One Tree Hill as a great park to be at, as it has a lot of space available, has a nice outdoor gym, and used to be a quiet and pleasant park.

We do not want to see a fatality on our road or any other severe incidents happening in our area being linked to alcoholism, disorder and crime due to potentially cheaper alcohol being promoted or sold at a nearby shop as competition would be increased, and existing problems would be given a chance to develop further.

It is very disappointing to see another place applying for a premises license in the Alperton area given the fact we have been attending hearings on many occasions to discuss problems with councillors over and over again. I cannot understand why Brent Council`s licensing committee would even consider any premises license applications given the amount of problems occurring over the years in Alperton. It feels like our views and observations based on living the area with residents ranging from 20,30, or 40 years plus, are continuously falling on deaf ears. We have had enough and really need to find a permanent solution fast.

Brent Council are just not listening, and are strangely trying to add to the issues we are having with particular emphasis to the problems addressed in this e-mail on premises licensing in the Alperton area of Wembley.

Yours faithfully,

From:

Date: 25 September 2019 at 4:04:40 am BST

To: business.license@brent.gov.uk

Subject: Fudam restaurant licensing application OBJECTION

Dear Committee members,

I object to the license request based on the previous attempt by Fudam and the reasons giving by the Brent Council Trading Standard's officers. As a resident at Braemar Ave we have expressed in many ways the policy of Brent Council in safer neighbourhoods and the effects of anti social behaviour in our streets. We believe that it is the duty to uphold your own aspirations for Brent to be safe for all that reside there including the elderly and children.

You have previously declined the initial application and we we raise the same reasons as expressed then that these are upheld.

We trust you will make the correct decision based on your own licensing policy and one that favours residents wishes to maintain or attempt to keep our streets free from littering, noise and many other factors that are being expressed continuously by residents.

Regards

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From:

Sent: 25 September 2019 12:03

To: Business Licence <business.licence@brent.gov.uk>

Subject: Objecting to the granting of licence to 238A, Ealing Road

I wish to remain anonymous in registering my application so please do not disclose my personal details to applicant or any third parties in fear of reprisals.

I wish to register my objection in granting of premises licence to serve liquor and late night entertainment to FUDAM , 238A, Ealing Road, Wembley, HA0 4QWD for the reasons mentioned below:

We currently have PSPO in place due to unsociable, criminal and violent behaviour by street drinkers who purchase the alcohol from nearby shops who urinate and expose them selves on the street.

The behaviour of these street drinkers and persons with influence of alcohol are frightening and our children are afraid to go out on their own due to absurd and disorderly behaviour of gangs of violent drinkers.

They often urinate openly on the street after drinking, exposing themselves with their personal parts being openly visible.

They litter the street with food packages, empty cans of beer and broken glass bottles which are dangerous to walk on and often our car gets punctured due to brocken beer bottles on the road.

There has been increase in street fighting among the street drinkers where recently our street was sealed off for several hours as it became a police crime scene and we were not allowed to in our own hose due to serious and violent injuries.

By granting this licence, there will be greater risk of men under the influence of alcohol causing nuisance to local residents at late night/early morning and will increase an existing/ongoing problems.

Again I must stress that I wish to remain anonymous and do not wish to disclose my personal details to the applicant or any third party due to reprisals.

Thank you

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From:

Sent: 25 September 2019 13:42

To: Business Licence <business.licence@brent.gov.uk>

Subject: Fwd: Please do not issue alcohol selling licence to "Fudam 238a Ealing road Wembley Ha0 4QL"

Business address:

Miss Bindal Givan Velgi
Fudam 238a Ealing road Wembley Ha0 4QL

Dear Sir / Madam,

I am writing to you in regards of the applications for alcohol licence applied by above business. I live in Braemar Avenue and near one tree hill park. This is to report that drinkers are using many public and safety issues in our area. I am requesting you not to issue the alcohol licence to the above mentioned business.

This is to inform you that our daily life is getting affected by people drinking by following ways

- They drink in the morning while we takes our children at school
- They urinate in front of the kids and family on the street and tree next to my house in open
- They fights and use abusing language as a drunk in front of my kids and family on many occasion
- We are spending too much of our quality time calling police and explaining who is fighting next to our house and who is drunk?
- They drink in a group and use very abusive language openly
- There are almost daily fights between drinkers and we have to witness on many occasions
- They breaks empty bottles, damages car and fences more often.
- They urinate openly and expose body parts in front of the kids and family, throw cans and spit in front of us openly

Regards,

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From:
Sent: 25 September 2019 16:03
To: Business Licence <business.licence@brent.gov.uk>
Subject: fudam Objection to liquor license !!

>
> Dear Sir/Madam,
>
>
> I am writing to you in regards of the application for alcohol licence applied by fudam
238aEaling rd
>
> I would like to object to the licence being printed on the grounds of:
>
>
> There are near by betting shops where you can clearly smell drugs being smoked and sold
on our streets eg braemar ave etc we do not need any other more liquor licences in the area
for these type of people to use ,also kids walking home from nearby school don't need to be
subjected to drunks coming out of fudam . The approval of a license will also encourage
unsocial behaviour, continued urinating on the street , fighting on the street , we have
already been suffering from a magnitude of unsocial behaviour for year don't need anymore
. There are flats and residential properties nearby also which would not be happy with the
nuisance coursed . From my understanding of fudams owners they don't have a great
record with law and trading standards and have been refused a liquor licence in the past ,
so for all these reasons a license should not be granted!
>
>
> Kind regards
>
>

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From:
Sent: 25 September 2019 16:47
To: Business Licence <business.licence@brent.gov.uk>
Subject: Fudam Objection of Liquor License

I wish to object in granting of premises licence to serve liquor and late night entertainment to FUDAM , 238A, Ealing Road, Wembley,

I live in near by street and already face many problems due to public alcoholic problems

We currently have PSPO in place due to unsociable, criminal and violent behaviour by street drinkers who purchase the alcohol from nearby shops who urinate and expose them selves on the street.

The behaviour of these street drinkers and persons with influence of alcohol are frightening and our children are afraid to go out on their own due to absurd and disorderly behaviour of gangs of violent drinkers.

They often urinate openly on the street after drinking, exposing themselves with their personal parts being openly visible.

They litter the street with food packages, empty cans of beer and broken glass bottles which are dangerous to walk on and often our car gets punctured due to brocken beer bottles on the road.

Due to this litter foxes come and mess with this litter.

Already our STREET IS DUMP YARD.

On weekends it is PARTY TIME on our street and end of zone Tree Hill Park.

There has been increase in street fighting among the street drinkers where recently our street was sealed off for several hours as it became a police crime scene and we were not allowed to in our own hose due to serious and violent injuries.

By granting this licence, there will be greater risk of us coming out of our own street. Already alcoholics men are causing nuisance to local residents at late night/early morning and will increase an existing/ongoing problems.

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From:
Sent: 25 September 2019 17:41
To: Business Licence <business.licence@brent.gov.uk>; Business Licence
<business.licence@brent.gov.uk>
Subject: FUDAM EALING ROAD

Dear Business license team.

I wish to register an objection to the granting of a liquor and late night entertainment license to Fudam 238a Ealing Road.

As I am sure you are aware we already have three premises that sell alcoholic drinks in our immediate area as well as the Panthers pub and the Balkan bar.

There is a real problem with public drunkenness on our road, this includes public urination in broad daylight when our children are around, leery and threatening behaviour brought in by intoxication and a feeling that some hours it is best not to be out on the street or walk to Ealing Road.

I very much hope that you will listen and support the local residents supplications and decline Fudam,s request because we the residents will have to live with the results of yet another venue that may be looking for profit over social security.

I look forward to hearing from you,

Yours Sincerely

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From:

Sent: 26 September 2019 12:54

To: Business Licence <business.licence@brent.gov.uk>

Subject: FUDAM RESTAURANT PREMISES LICENCE - OBJECTION

Dear Sir/Madam,

Re: Fudam Restaurant - 238a Ealing Road, Alperton, Wembley, HA0 4QL

I object this licence request based on the reasons shown below.

In Brent Council's statement of Licencing Policy, point 1.2, states the act establishes four objectives which are -

- *Prevention of crime and disorder
- *Public safety
- *Prevention of nuisance; and
- *Protection of children from harm

Unfortunately, there have been many incidents and problems occurring in Alperton particularly in Ealing Road relating to a substantial amount of alcohol consumption as well as ASB (anti - social behaviour) that have greatly affected all four of these core objectives stated in the Policy.

With relation to these 4 core objectives, issues such as: constant littering relating to food wastage on our streets, alcohol beverages being left on street corners, roads, alleyways as well as street littering, gudhka/paan spitting has also even occurred outside Fudam's restaurant and even on it's front doorstep as there is red colour from gudhka showing. There also is a fear of public safety especially with children, women either at entering the nearest local park - One Tree Hill, or walking past some of these individuals who are recklessly drinking absurd amounts of alcohol, and acting in intimidating ways even with a PSPO order in place have all but tarnished our once quiet and peaceful neighbourhood. Public urination, vomiting and violence have been happening, and much of this is also discussed under Brent Council's Licencing Policy under the Wembley area in particular.

By granting this licence, this will cause a greater influx of Men under the influence of alcohol causing nuisance to residents late at night as well as early in the morning, and will exacerbate ongoing problems.

FUDAM RESTAURANT OBTAINING A PREMISES LICENCE IS CLEARLY NOT THE WAY FORWARD.

Yours sincerely,

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From:

Sent: 26 September 2019 15:54

To: Business Licence <business.licence@brent.gov.uk>

Subject: Fudam 238a Ealing Road Wembley HA0 4QL

Dear Sir/Madam.

I am writing to register an objection on behalf of residents of Wembley Central & Alperton to the application for a premises license by Fudam 238a Ealing Road Wembley HA0 4QL. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Granting a license would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police. Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night. Just look at the litter, paan/masala spitting open urinating in the area.

Drinkers in the area are already causing nuisance to passers by and the additional license would only create more problems for law abiding residents. They have endured this inconvenience for a best part of 10years. and it is totally unacceptable to expect them to continue to do so.

In view of the above, I would urge the Licensing Authority to refuse the application.
Yours faithfully,

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From:
Sent: 26 September 2019 21:04
To: Business Licence <business.licence@brent.gov.uk>
Subject: Fudam 238 Ealing Road

The Licencing Manager
Brent Council

Dear Sir

The latest licensing application for
Fudam is objected on the following grounds:

- 1.Their previous records and previous history should be looked into again.
2. The location is not suitable as there are residential flats above and opposite the premises occupied by families with children.
- 3.There are religious places like Church and Temple and school nearby.
- 4.As there will be groups of people gathering outside smoking and behaving anti socially, families with ladies, girls and children will be scared and feel uncomfortable to pass by.
5. There will be lots of noise and cause disturbance to the local residents.

I hope you will consider the above points.

Regards

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From: Aleslicensing [
Sent: 25 September 2019 12:36
To: Business Licence <business.licence@brent.gov.uk>
Subject: Re: New Premises Licence - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

FUDAM, Dear Vanesha,

I am grateful for the two representations from residents that you have forwarded to me. Please could you confirm if there have been any other representations from the ones agreed with Public Safety and the Police.

As no name or address has been provided for either resident I am unable to contact them to allay their fears and try to negotiate an agreement.

Please could you pass on my contact details to them and explain that I am more than happy to speak with them on the telephone, by email, or have a meeting at the restaurant. Hopefully this will show them that the premises is a restaurant and not an off licence and as such it is very unlikely to cause any problems.

Of particular concern is the allegation that the public notice is incorrectly worded. I would like to point out that the actual wording is the same as per the pdf on Brent's website, similarly with the wording for the newspaper advert.

<https://www.brent.gov.uk/business/licences/get-a-licence/premises-licence-adverts/>

With regard to the representations, and taking into account that most residents whilst being well intentioned and passionate, have little or no working knowledge of the licensing act 2003, and the legal procedure. I make the following observations as a response to their comments:

1. There is no actual evidence in either of the reps to support any of the allegations made that these premises would fail to promote the licensing objectives. Comments like the one made in rep 1 "We do not want to see a fatality on our road" are merely sensational, add no evidential weight and are not related to the premises application.
2. It is irrelevant that a previous application was refused as the legislation, guidance, and Brent's own licensing policy require that every application is treated as a new application and must be judged on its own merits.
3. Rep 1 is mostly irrelevant. The majority of the rep is concerned with the resident making a complaint that the council is generally letting residents down, and also failing to prevent anyone from applying for a premises licence.
4. If there has previously been any issue with Brent trading standards. Then this must be dealt with by the specific legislation that trading standards are empowered with. This may not be relevant to any decision a licensing authority or licensing sub committee can make under the Licensing Act 2003.
5. Rep 1 complains that this application if granted would exacerbate the issues of street drinking, Paan/gudhka spitting, rough sleepers, urinating in public, and furthermore all of this this would adversely impact on One Tree Hill. This is blatantly incorrect, there is no evidence or likelihood of this happening to support the claims, and more importantly the resident has failed to observe that the application is for a restaurant and not an off licence. They will not be selling alcohol to street drinkers and anyone who fails to meet meet an acceptable standard of dress and conduct, will not be permitted inside the premises.
6. I am sure that there must be a significant number of law abiding citizens who live in Fudam. It is a somewhat absurd link that using this name for the restaurant would be a draw for anyone who hails from Fudam, is a street drinkers, Paan/gudhka spitter, or general cause of anti social behaviour

Regards,

Mark

Mark Altman - ALES Licensing

From: Licensing [mailto:aleslicensing@mail.com]

Sent: 26 September 2019 14:48

To: Business Licence <business.licence@brent.gov.uk>

Subject: Re: New Premises Licence - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Good afternoon vanesha,

I appreciate why the reps have been accepted and my comments were based on the premises being a restaurant. They will not be operating as an off licence and if it assists the residents and the authority, I can offer up a condition that only allows off sales only to persons who have consumed a meal at the premises, or to persons ordering a substantial takeaway meal in person at the premises (this will not include delivery of alcohol) For example this would allow anyone who has ordered a bottle of wine with their meal to take away the unfinished bottle of wine which will be suitably sealed, or for someone who has eaten a meal to purchase a bottle of wine to take away after their meal. This condition would prevent the premises from becoming an off licence and more significantly completely reduce the possibility of street drinkers obtaining alcohol from the premises.

Regards,

Mark

Dear Resident,

I am the licensing consultant acting for Fudam at 238a Ealing Road Wembley HA0 4QL in their application for a premises licence.

I have read your representation and note the serious concerns you have with regard to the numerous anti-social problems associated with alcohol consumption by street drinkers.

I hope that the following information will assist and reassure you that these premises will not contribute to these problems:

- a) No sales of alcohol will be made to street drinkers.
- b) Unless a satisfactory dress and behaviour code is complied with no person will be permitted to enter or remain on the premises.
- c) All staff will be fully trained to ensure compliance with the 4 licensing objectives.
- d) A significant amount of money has been invested in the business. With the premises being fitted out to a far higher standard and quality of furnishings than is the norm in the area.
- e) The premises are a family run, and family friendly restaurant, serving a variety of substantial meals and snacks, primarily for consumption on the premises.
- f) Both the Metropolitan Police and Brent's Public Safety team submitted representations with regard to the 4 Licensing Objectives. Full agreement has been reached with both responsible authorities. A raft of conditions has been agreed to their satisfaction that the premises will fully support the licensing objectives. Following the agreements the representations were withdrawn
- g) A maximum capacity limit of 43 seated members of the public, has also been agreed
- h) Alcohol may not be consumed by anyone unless they are seated at a table or the fully supervised service counter
- i) All sales of alcohol will be directly made and supervised by serving staff (waiters) to ensure that no excessive consumption takes place and that customers drink responsibly
- j) There will be no vertical drinking at anytime
- k) Off sales have been requested primarily to allow anyone who has consumed food at the premises to take away an unfinished bottle of wine. This will be properly sealed prior to them leaving the premises. It would be irresponsible to require that any unfinished wine be drunk prior to them leaving the premises, and the request has been made for this reason.
- l) The premises will not become an off licence, and will not make sales of alcohol for consumption off the premises other than in the example given above, or if someone has enjoyed a particular alcoholic drink with a meal and wishes to purchase a full and sealed bottle to take away with them, or if they have made a substantial food order to take away in person. Single bottles or cans of beer/lager/cider will be excluded from this.
- m) Alcohol will not be sold with any orders made for delivery of food.

Mark Altman ALES Licensing Services

Tel 07919 446 323 aleslicensing@mail.com www.aleslicensing.com

- n) We are willing to adopt a condition to include the wording of bullet points, K, L and M above, if this would satisfy your representation (objection)

The business model is primarily for the sale of food and the levels of alcohol sales and consumption are expected to be low.

Due to the operation of the restaurant it is improbable that any street drinker would wish to, or be able to obtain alcohol from the premises. Besides the operation of the business acting as a barrier to street drinkers, the price of alcohol and type of alcohol on sale would not be something to attract them.

I hope that the explanation and offer of an additional set of conditions will be sufficient to allay your fears.

In the light of this I would invite you to consider withdrawing your representation, and allow this family friendly restaurant to demonstrate that they are an asset to the community.

Yours Sincerely,

Mark Altman

(Ales Licensing - duly authorised licensing consultant for the applicant)

Mark Altman ALES Licensing Services

Tel 07919 446 323 aleslicensing@mail.com www.aleslicensing.com



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Tel 07919 446 323 aleslicensing@mail.com www.aleslicensing.com

ACCOMPANIMENTS ✓

Plain Yoghurt 1.5
 Green Salad 3
 Onion Tomato Raita 2
 Chota Papad/Masala 2

Plain Rice 1.9
 Jeera Rice 2.5
 Biryani Rice 2.9

BREAD (Butter add 0.25)

Plain Naan 1.25
 Garlic Naan 1.75
 Peshwari Naan 2.5
 Roti 1.25

DESSERTS

Gulab Jamun 3
 Ice cream (Assorted Flavours) 3
 Srikhand 4

DRINKS

Fizz:
 Coke / Diet Coke 2
 Fanta Orange 2
 Sprite 2
 Red Bull 2.5

Juices:

Orange Juice 2
 Pineapple Juice 2
 Apple Juice 2
 Mango Juice 2
 Passion Juice 2.5
 J20 Orange & Passion Fruit 2.5
 J20 Apple & Raspberry 2.5
 J20 Apple & Mango 2.5

HOT DRINKS

Tea 2
 Indian masala Tea 2.5
 Coffee 2.5

Lassi:

Mango 3
 Rose 3
 Salted 3
 Still Water 3
 Sparkling water 3.5

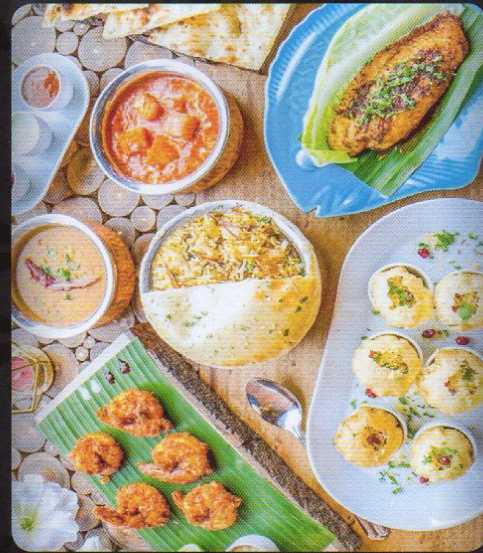
SPECIAL OFFER

(TAKEAWAY ONLY)
 15% does not apply with this offer

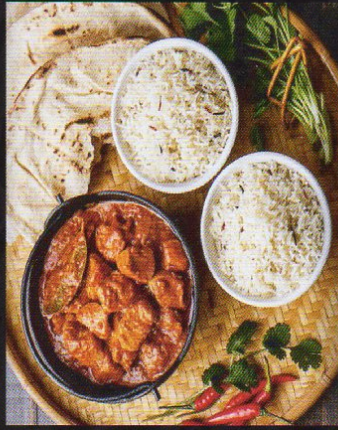
Chicken Biryani 4.99
Lamb Biryani 3.99
Veg Biryani 3.99
Chicken Curry with Rice 3.99
Lamb Curry with Rice 3.99
Veg Curry with Rice 2.99

ROLLS

Kebab Roll 2.99
Chicken Tikka Roll 2.99
Paneer Tikka Roll 2.99
Channa Roll 2.99



fudaco
 RESTAURANT



15% OFF
 WITH THIS MENU



Free Delivery
 Orders over £15

☎ 0208 723 0043

📍 238a Ealing Rd, Wembley HA0 4QL

Mark Altman ALES Licensing Services

Tel 07919 446 323

aleslicensing@mail.com

www.aleslicensing.com

VEG STARTER ✓			
Pani Puri	2.9		
A crisp fried sphere stuffed with flavoured water and stuffing			
Channa Chat	2.9		
Tangy & Flavourable chickpea salad			
Bhel	2.9		
Mixture of puffed rice, tangy tamarind sauce & sev			
Fries	2.9		
Potato Fries			
Masala Fries	3.9		
Potato Fries tossed in tangy & spicy sauce			
Vegi Wrap	4.9		
Selected vegetable leaves and paneer			
Mogo Plain / Masala	3.9		
Boiled Mogo and fried with some seasoning			
Chilli Paneer	5.9		
Indo chinese style Paneer with pepper and soya sauce			
Paneer Shashiik	5.9		
Succulent pieces of Cottage cheese and grilled veg			
Vegetable Samosa	3.9		
Medley of vegetables encased within a savoury pastry			
NON VEG STARTER			
Tandoori Mix Grill	14.9		
The ultimate starter to share. Enjoy a mouth-watering selection of tandoor cooked meats			
Chicken Wrap	5.9		
Marinated chicken cooked in tandoor and vegetable leaves			
Tandoori Chicken Wings	5.9		
Marinated chicken wings cooked in tandoor			
Desi Chicken Tikka	5.9		
Chicken pieces marinated in yogurt and spicy masala and cooked in tandoor			
Chicken 65	5.9		
Deep fried chicken marinated with different spices			
Prawn Koliwada	6.9		
Deep fried Prawn Marinated in gramflour, yoghurt & spices			
Fudam Special Fish Fry	6.9		
Pan Fried Fish Fillet marinated with a special masala			
Ronaki Seek	6.9		
Lamb Kebab with cheese, coriander, cumin and glazed onion.			
Tandoori Chicken	6.9		
Chicken pieces marinated in Tandoori Masala & cooked in tandoor			
Masala Prawns	6.9		
Prawns marinated in a special masala pan fried with chillies & garlic			
Chicken / Lamb Samosa	4.9		
Medley of Chicken / Lamb encased within a savoury pastry			
Lamb Chops	7.9		
Trimmed lamb chops marinated in delicious brown onion paste & a variety of Indian spices. Grilled to perfection in an authentic clay oven. Flavourful & aromatic			
VEG MAINS ✓			
Achari Bhindi	6.9		
Okra cooked in tangy & spicy sauce			
Pindi Chole	6.9		
Chickpea cooked in special blend of Punjabi Masala			
Kalonji Baigan	6.9		
Aubergine tossed with Nigella seeds & Tangy Sauce			
Makai Saag	6.9		
Corn tossed in spinach & cumin seeds			
Mix Veg Curry	6.9		
Mix Vegetable cooked with tomato, onions & masala			
Daal Makhni	6.9		
Black lentils cooked in tomato puree and butter			
Tarka Daal	5.9		
Daal trio with tomato garlic and ginger tarka			
Paneer Butter Masala	6.9		
Cottage cheese cooked in tomato with a creamy sauce			
Saag Paneer	6.9		
Cottage Cheese cooked in spinach & cumin seeds			
NON VEG MAINS			
Karhai Murgh	7.9		
Tandoori Chicken cooked with a Karhai Special Masala			
Malabar Prawn	7.9		
Prawn cooked in coconut milk and Malabar style Masala			
Madras Fish Curry	7.9		
Fish cooked with a tangy mustard tossed sauce.			
Murgh Tikka Masala	8.9		
Succulent Chicken pieces cooked in creamy tomato gravy and topped with glazed onions			
Chicken Chettinad	7.9		
Chicken Breast cooked with special chettinad masala			
Butter Chicken	7.9		
Tandoori Chicken cooked with a creamy base with tomatoes			
Mirchi Gosht	8.9		
Tender Lamb Pieces cooked together with green chillies & tomatoes in a onion gravy.			
Rogan Josh Kashmiri	8.9		
Tender Lamb cooked with spicy Kashmiri spices			
Fudam Special Chicken On The Bone Curry	8.9		
A traditional Chicken dish cooked on the bone in a beautiful aromatic sauce			
Fudam Special Gosht On The Bone Curry	9.9		
A traditional Gosht dish cooked on the bone in a beautiful aromatic sauce			
BIRYANIS			
Vegetable ✓	7.9		
Mix vegetables, cooked in layers of rice with saffron, butter and whole spices			
Chicken	8.9		
Chicken cooked in layers of rice with saffron, butter and whole spices			
Prawn	8.9		
Tossed Prawns cooked in layers of rice with saffron, butter and whole spices			
Gosht Dum	9.9		
Lamb cooked in layers of rice with saffron, butter and whole spices			



**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

The Licensing Authority

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

Your ref: 17186

Our ref: 01QK/470/19/3302

Brent Borough Licensing Department

*Harrow Police Station
74, Northolt Road
Harrow
Middlesex
HA2 0DN*

Tel: 020 8733 5008

Email: Paul.Scott9 @met.police.uk

Web: www.met.police.uk

Date: 14th September 2019

Police representation to the Premises Licence application for 'Fudam, 238A, Ealing Road, Wembley, HA0 4QL'.

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

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

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

**Police Officer: Paul Scott
Licensing Constable PC 3302NW**

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

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

The Police representations are primarily concerned with crime and disorder and the prevention of public nuisance.

On Thursday 12th September, police met with the applicant Miss Velgi and Mr Altman, Licensing Consultant. The premises will be run as a restaurant and not a bar. Bookings at the venue were discussed and the applicant agrees that a booking procedure will be adopted at the venue. This will include names and addresses of applicants.

The restaurant is to be a family run business and is not the type of venue that would be attracting street drinkers and will not supply high strength beers. Seasonal variations were discussed and agreed, as were the hours for the supply of alcohol and late night refreshments.

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

Closed Circuit Television (CCTV)

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

All cameras and recording equipment will be installed and maintained in accordance with Home Office Guidance and the manufacturers instructions and will be fully operational when the premises are open to the public. Furthermore, images will be retained for 31 days.

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

Operating Hours to be displayed on Premises

A notice displaying the opening hours, the type of licensing activity and licence conditions should be clearly displayed and visible to anyone outside the premises. This may be incorporated in the summary of the licence, which must be displayed, or take the form of a separate item. Likewise the name of the Designated Premises Supervisor (D.P.S.) should be similarly displayed. This will allow the Police and other responsible authorities to readily identify the licence details. Clearly displayed opening hours will also reduce any confusion for customers prior to entering the premises and possible conflict when the premises close/stop selling alcohol.

Hours for the sale of Alcohol

This restaurant is located in an area that has regularly had issues and continues to have issues regarding anti-social behaviour and street drinkers. This is an issue that the police are working hard to eradicate and Police consider in order to promote the licensing objectives in particular to prevent crime and disorder and public nuisance that the authorised sales of alcohol do not begin daily until 10.00 hours and finish at 23.30hrs. This was agreed with the applicant. There will be a half hour drinking up time and the premises will close to the public at 00.00hrs.

The restaurant is also situated in a residential area and it is felt that customers leaving the venue could cause considerable noise nuisance to those residents residing in the flats both adjacent and above the restaurant. Notices asking customers to leave quietly shall be conspicuously displayed at all exits.

Police require the following points should be added as conditions on the premises licence as below.

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 upon request.

A CCTV camera shall be installed to cover the entrance of the premises and the main restaurant, bar area and entrance to the toilets.

The CCTV system shall display on any recordings the correct date and time of the recordings.

The CCTV camera that covers the entrance to the premises, shall be capable of obtaining clear facial recognition images and a clear head and shoulder image of every person entering or leaving the premises.

A 'Challenge 25' policy shall be adopted and adhered to at all times.

With the exception of persons seated on the chairs around the service area, as shown on the plan, all sales and supplies of alcohol will only be served directly to persons at a table.

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.

Customers will not take open drink containers of alcohol outside the premises as defined on the plan submitted to and approved by the Licensing Authority.

Customers carrying open or sealed alcohol drinking vessels shall not be admitted to the premises.

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:

- 1) All crimes reported to the venue.
- 2) Any complaints received.
- 3) Any faults in the CCTV system.
- 4) Any visits by a relevant authority or emergency service.
- 5) Any refusal of the sale of alcohol.

All deliveries shall take place during normal working hours (i.e.09.00hrs to 18.00hrs daily).

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

No children shall be permitted on the premises after 22.00hrs, unless accompanied by a responsible adult.

Police propose the following hours for licensable activities:

Late Night Refreshments

23.00hrs – 00.00hrs – Seven days a week.

Supply of Alcohol

10.00hrs – 23.30hrs – Seven days a week.

Hours Premises is Open to the Public

10.00hrs – 00.00hrs.

Seasonal variations

23.30hrs on 24th December until 02.00hrs on 25th December.

23.30hrs on Boxing Day until 02.00hrs on 27th December.

23.30hrs on 31st December until 02.00hrs on 1st January.

Yours Sincerely,

**Paul Scott PC 3302NW
Licensing Constable**

From: Paul.Scott9@met.police.uk [mailto:Paul.Scott9@met.police.uk]
Sent: 19 September 2019 15:10
To: aleslicensing@mail.com
Cc: Business Licence <business.licence@brent.gov.uk>; Legister, Linda <Linda.Legister@brent.gov.uk>; Patel, Yogini <Yogini.Patel@brent.gov.uk>
Subject: RE: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Good afternoon Mark,

Thank you for the quick response and agreeing with the proposed conditions.

Police can confirm that they are now in a position to withdraw their representations.

Kind regards,

Paul

Paul Scott | Police Constable 3302NW | Licensing Officer – **Brent** - North West BCU | Partnership & Prevention Hub

From: Licensing [mailto:aleslicensing@mail.com]
Sent: 19 September 2019 14:27
To: Scott Paul - NW-CU
Subject: Re: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Thanks Paul,
That's all fine with the applicant.

I can confirm that we are in agreement with the Police conditions being applied to the licence.

Regards,

Mark

Mark Altman
ALES Licensing

Hi Mark,

I have copied the wording from your suggestion at paragraph 6 and added this to my representation, verbatim.

With the exception of persons seated on the chairs around the service area, as shown on the plan, all sales and supplies of alcohol will only be served directly to persons at a table.

I know that this is not copied exactly from the Brent pool of conditions, but reads well and is self-explanatory.

If you could replace with the wordings suggested, that would be most helpful.

I am out this afternoon on visits, but am in the office for most of the day tomorrow. I shall ring you tomorrow at some stage if that suits.

I think in principal, we are agreed on most if not all points.

Regards,

Paul

From: Licensing [<mailto:aleslicensing@mail.com>]

Sent: 19 September 2019 09:39

To: Scott Paul - NW-CU <Paul.Scott9@met.police.uk>

Subject: Re: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Good morning Paul,

You had advised me that you wouldn't be in the office until Thursday, so I wasn't expecting a response before that. I hope that you have had a good few days away from work.

Thanks for your response and agreement. I have looked at the attached document but can't see any text in yellow, and the condition appears to be the same as my condition 6. However I am having to look at the document on an iPad so it might be a formatting issue.

Please could you advise re this and also if you want all of our volunteered conditions to be removed and replaced with the wordings you have suggested. I am happy to put the list together including the conditions accepted with Public health, so that there is no confusion when the LA have to type up the licence.

I am training and at a hearings all day, and have very limited access to the internet or time to speak on the telephone. I should be available after 2pm for an hour if it's easier to discuss this on the phone.

Regards,

Mark

ALES Licensing

On 19 Sep 2019, at 08:46, <Paul.Scott9@met.police.uk> <Paul.Scott9@met.police.uk> wrote:

Good morning Mark,

Thank you for your email.

Sorry for the delay in replying, I have been off for a few days.

After considering the proposed conditions I am happy to remove conditions 6, 7 and 8.

I have highlighted in yellow the accepted proposal of your condition 6.

Should this be agreeable, I would be in a position to withdraw my representations.

I look forward to hearing from you.

Kind regards,

Paul

Paul Scott | Police Constable 3302NW | Licensing Officer – **Brent** - North West BCU | Partnership & Prevention Hub

From: Licensing [<mailto:aleslicensing@mail.com>]

Sent: 15 September 2019 10:19

To: Scott Paul - NW-CU <Paul.Scott9@met.police.uk>

Cc: business.licence@brent.gov.uk; Linda.Legister@brent.gov.uk; Yogini.Patel@brent.gov.uk

Subject: Re: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Good morning Paul,

I am grateful for your prompt response in this matter and have sent the information to the applicant.

I am awaiting their response and will reply to you as soon as I receive their instructions.

I would not envisage the majority of the conditions presenting a problem, and am happy to remove similar worded conditions from our operating schedule and replace them with the ones you have suggested.

The one issue is with regard to your proposed conditions at paragraphs 6, 7 & 8 with regard to alcohol sales being made as an accompaniment to food.

Whilst the premises is primarily food led and the cut between wet sales, which also includes non alcohol drinks, and dry sales, is anticipated to be 20% wet and 80% dry. They would like the facility to serve alcohol by waiter or waitress service to persons seated at a table other than as an accompaniment to a table meal.

For example if a group of six people were eating at the premises and the 7th has already eaten elsewhere prior to joining them, that person could still be served alcohol without having to place a food order.

We are confident that the levels of alcohol consumption without food will be low, and that the other conditions mitigate the likelihood of anyone becoming drunk and causing an issue for the responsible authorities.

For these reasons we respectfully ask if you would reconsider your proposed conditions at paragraphs 6, 7 & 8 and accept our condition 6 in the operating schedule under the public safety section:

PUBLIC SAFETY

6) With the exception of persons seated on the chairs around the service area, as shown on the plan, all sales and supplies of alcohol will only be served directly to persons seated at a table

Regards,

Mark

Mark Altman
ALES Licensing

This page is intentionally left blank

From: ENS Public Safety
Sent: 11 September 2019 09:50
To: 'Mark Altman' ENS Public Safety <ens.publicsafety@brent.gov.uk>
Cc: ENS Public Safety <ens.publicsafety@brent.gov.uk>; Patel, Yogini <Yogini.Patel@brent.gov.uk>; Legister, Linda <Linda.Legister@brent.gov.uk>
Subject: RE: RE: RE: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Mark

Thank you for your correspondence dated 10th September 2019, stating that you accept the conditions set out in our representation.

Please ensure that the capacity calculations are forwarded to the Public Safety Team as so as available so that the licence can be issued.

I confirm that the Public Safety Team now withdraw the current representation and do not make any further representations regarding the application.

We will require the agreed conditions to appear on the licence schedule.

Kind regards

Mr Chris Pearce
Public Safety Officer

From: Mark Altman
Sent: 10 September 2019 16:15
To: ENS Public Safety <ens.publicsafety@brent.gov.uk>
Cc: ENS Public Safety <ens.publicsafety@brent.gov.uk>; Patel, Yogini <Yogini.Patel@brent.gov.uk>; Legister, Linda <Linda.Legister@brent.gov.uk>
Subject: Re: RE: RE: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Chris,

Thanks for your time and assistance in this matter.

I can confirm that the client has agreed to accept the 4 conditions as proposed in your email, namely:

1. The locks and flush latches on the exit doors shall be unlocked and kept free from fastenings other than push bars or pads whilst the public are on the premises.
2. Any socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).
3. No person shall be permitted to sit on the floor, on stairs or in gangways and passageways.
4. Subject to risk assessment, the maximum number of persons permitted on the Premises (not including staff) shall be: 43 persons

If I can be of any further assistance, please do not hesitate to contact me.

Regards,

Mark

Mark Altman
ALES Licensing

Sent: Tuesday, September 10, 2019 at 12:34 PM
From: "ENS Public Safety" <ens.publicsafety@brent.gov.uk>
To: "Mark Altman" "ENS Public Safety" <ens.publicsafety@brent.gov.uk>, "Patel, Yogini" <Yogini.Patel@brent.gov.uk>, "Legister, Linda" <Linda.Legister@brent.gov.uk>
Subject: RE: RE: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Mark

Can we now agree on the following conditions based on your assessment below

1. The locks and flush latches on the exit doors shall be unlocked and kept free from fastenings other than push bars or pads whilst the public are on the premises.
2. Any socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).
3. No person shall be permitted to sit on the floor, on stairs or in gangways and passageways.
4. Subject to risk assessment, the maximum number of persons permitted on the Premises (not including staff) shall be: 43 persons

Kind regards

Mr Chris Pearce

Public Safety Officer

From: Mark Altman
Sent: 09 September 2019 16:31
To: ENS Public Safety <ens.publicsafety@brent.gov.uk>
Subject: Re: RE: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Chris,

I apologise for not being able to answer your phone call, I was driving and the Bluetooth cut out.

I have had an opportunity to speak with the client and they have confirmed that the area to the front of the "service counter" is 10 metres x 4.5 metres with the 2 door foyer area being approximately 2 metres by 1 metre.

By my calculations after subtracting the foyer area would leave a usable space of 43 square metres.

I have advised them that the maximum number of people this would accommodate would be 43 and that we should accept this as a condition for the occupancy capacity and hopefully allow you to withdraw the representation.

I have also attached some photographs that may be of some assistance to visualise the layout and the current seating arrangement.

Regards,

Mark
Mark Altman
ALES Licensing

Sent: Monday, September 09, 2019 at 2:19 PM

From: "ENS Public Safety" <ens.publicsafety@brent.gov.uk>

To: Aleslicensing <aleslicensing@mail.com>, "ENS Public Safety" <ens.publicsafety@brent.gov.uk>

Cc: "Patel, Yogini" <Yogini.Patel@brent.gov.uk>, "Islam, Shamsul" <Shamsul.Islam@brent.gov.uk>, "Business Licence" <business.licence@brent.gov.uk>, "Legister, Linda" <Linda.Legister@brent.gov.uk>

Subject: RE: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Mark

It would be up to the applicant to decide what would be suitable qualifications.

My comments would be as a standard demonstration of competence would be through training, instruction, experience and supervision. The assessment of a premises capacity would require a technical understanding the assessment process and procedures along with knowledge of current guidance and legislation.

The HSE state the following:

Competence can be described as **the combination of training, skills, experience and knowledge that a person has and their ability to apply them to perform a task safely**. Other factors, such as attitude and physical ability, can also affect someone's competence.

As an employer, you should take account of the competence of relevant employees when you are conducting your [risk assessments](#)^[1]. **This will help you decide what level of information, instruction, training and supervision you need to provide.**

Someone's level of competence only needs to be proportionate to their job and place of work. You would not need, for example the same health and safety competence to work in an office as you would on a construction site.

As with the guidance this would be down to the assessor but most common would be Approved Document B,

https://www.planningportal.co.uk/info/200135/approved_documents/63/part_b_-_fire_safety/2

BS:9999

<https://shop.bsigroup.com/ProductDetail?pid=000000000030357099>

Technical Standards for Places of Entertainment 2019.

<http://www.abtt.org.uk/shop/guidance/technical-standards-for-places-of-entertainment-2015/>

it's hard to be conclusive on the guidance as it would depend on the nature and fabric of the building.

Kind regards

Mr Chris Pearce
Public Safety Officer

From: Aleslicensing
Sent: 06 September 2019 10:33
To: ENS Public Safety <ens.publicsafety@brent.gov.uk>
Cc: Patel, Yogini <Yogini.Patel@brent.gov.uk>; Islam, Shamsul <Shamsul.Islam@brent.gov.uk>; Business Licence <business.licence@brent.gov.uk>; Legister, Linda <Linda.Legister@brent.gov.uk>
Subject: Re: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Mr Pearce,

I am pleased to inform you that the applicant has agreed to accept your conditions numbers 1, 2 and 3.

With regard to your condition 4.

If the capacity limit as calculated in the fire risk assessment is considered insufficient, please could you confirm the following:

- 1) what qualification must the professionally qualified capacity specific risk assessor hold and
- 2) what guidance/legislation would you be satisfied with for them to conduct the assessment.

If it is acceptable to you we would volunteer the following conditions in place of your suggested condition 4.

This would fully promote the licensing objectives (public safety) and comply with Brent's own statement of licensing policy for calculating capacity, and also for premises that do not present a specific risk to the public (paras 5.16, 21.1 & 21.3 in particular) :

Additional volunteered conditions for public safety

A) there will be no vertical drinking at the premises

B) the maximum capacity of the premises will be set at 54 persons. Unless a lower figure is shown in the specific fire risk assessment then that figure will be the maximum capacity limit for the premises.

Regards,

Mark

Mark Altman - ALES Licensing

Dear Mr Altman

Thank you for your timely reply.

With regards to the capacity specific risk assessment this is being asked for, for the purposes of public safety. You may or may not wish to incorporate this assessment into your fire risk assessment.

I do not believe that there is a duplication of legislation but if you can point me to this in the RRO then I am more than happy to discuss this further.

Kind regards

Mr Chris Pearce
Public Safety Officer

From: Mark Altman

Sent: 05 September 2019 15:48

To: ENS Public Safety <ens.publicsafety@brent.gov.uk>

Cc: Legister, Linda <Linda.Legister@brent.gov.uk>; Business Licence <business.licence@brent.gov.uk>; Patel, Yogini <Yogini.Patel@brent.gov.uk>

Subject: Re: FW: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Mr Pearce,

I am most grateful for your response and have asked the client to carefully read the proposed conditions. I await their response, although I am sure that this will mostly be acceptable to them.

I hope the following explanation will reassure you that this is not a large capacity venue, or a vertical drinking establishment:

The premises is a small restaurant covering approximately 35 square metres (Public space) with a maximum of 46 covers at the tables, plus a maximum of 8 persons seated at the servery area. There is no vertical drinking, and all alcohol is served to the tables. These are conditions that will be applied to the premises licence. With the exception of the 3 dates for non-standard timings there is no requirement for live or recorded music.

With regard to condition 4, is the "capacity specific risk assessment" satisfactorily covered by the fire risk assessment. As this is a separate legal requirement under The Regulatory Reform (Fire Safety) Order 2005.

I ask this to ensure that any conditions are appropriate, precise, and do not duplicate other statutory legislation/requirements.

Regards,

Mark

Mark Altman

Ref:

Duplication

Revised Guidance issued under section 182 of the Licensing Act 2003 paras 1.16, 1.19, 2.11 & 14.15.

Brents statement of Licensing Policy 24.2 & 28.1

Safety

Revised Guidance issued under section 182 of the Licensing Act 2003 paras 2.12 & 2.13

Brents statement of Licensing Policy 5.16, 21.1 & 21.3

Sent: Thursday, September 05, 2019 at 11:07 AM
From: "ENS Public Safety" <ens.publicsafety@brent.gov.uk>
To: "aleslicensing@mail.com" "Legister, Linda" <Linda.Legister@brent.gov.uk>, "Business Licence" <business.licence@brent.gov.uk>, "Patel, Yogini" <Yogini.Patel@brent.gov.uk>
Subject: FW: CONSULT: New Premises - Fudam, 238A Ealing Road, Wembley, HA0 4QL - 17186

Dear Sirs

I refer to the application for a new licence for the above named premises. After assessing the application, the Public Safety Team will be making the following representations to the Licensing Authority on the grounds of Public Safety.

Providing the licensee is willing to accept the following conditions Public Safety Team would withdraw the representation.

1. The locks and flush latches on the exit doors shall be unlocked and kept free from fastenings other than push bars or pads whilst the public are on the premises.
2. Any socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).
3. No person shall be permitted to sit on the floor, on stairs or in gangways and passageways.
4. A capacity specific risk assessment shall be conducted by a professionally qualified risk assessor. This assessment will include holding capacity, exit capacity and the calculations to demonstrate how that was reached, the lower of the two numbers shall be the final capacity. The guidance used to reach this capacity must be quoted. This risk assessment shall be appraised annually or at the time of any building or layout structural works.

Please provide the capacity assessment when available.

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

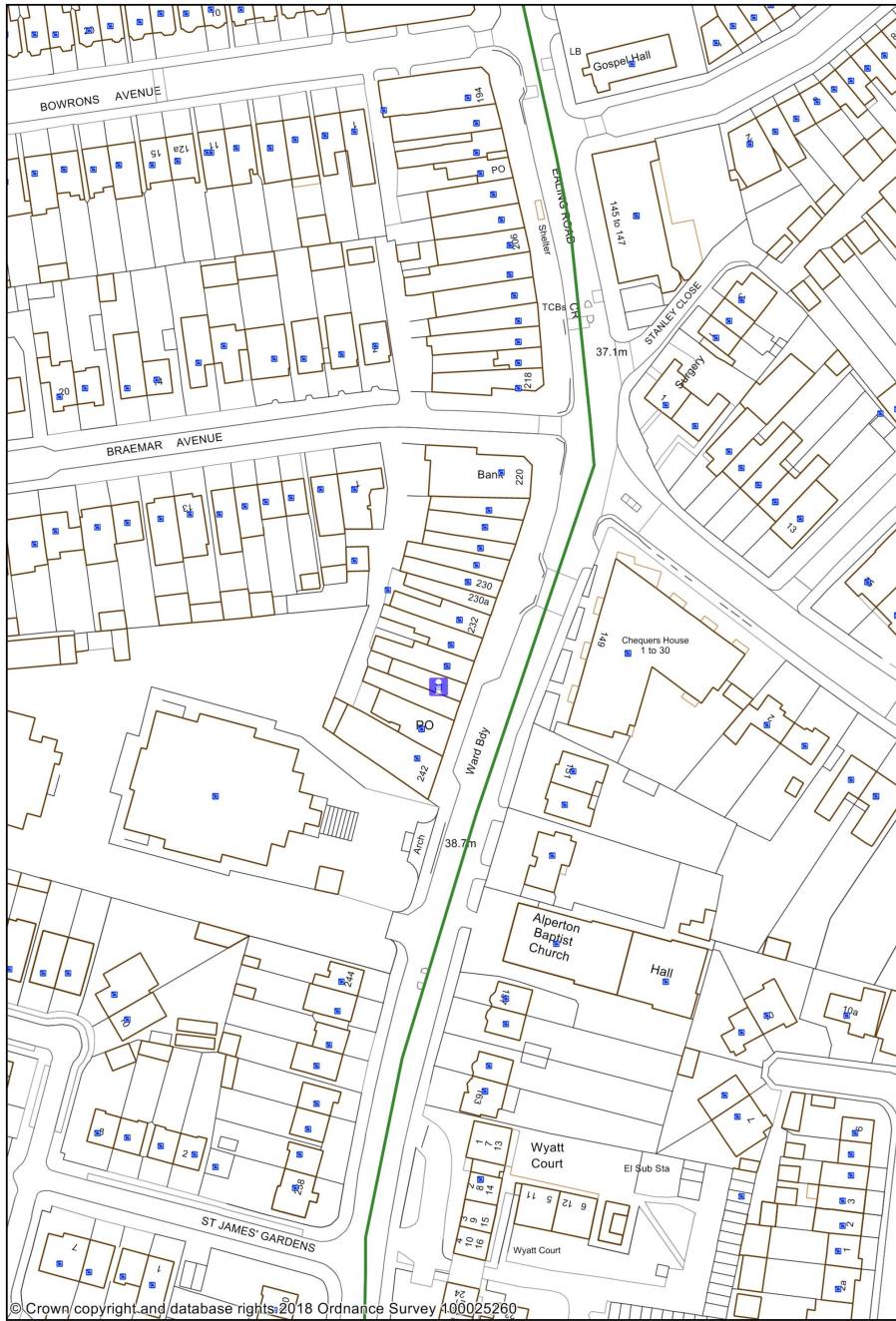
We will require these conditions to appear on the licence schedule should the licence be granted.

Please let me know if I can assist you further.

Kind regards

Mr Chris Pearce Public Safety Officer

Fudam Restaurant 238A Ealing Road HA0 4QL



1:1250

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