



## Alcohol and Entertainment Licensing Sub-Committee

**Monday 27 September 2021 at 2.00 pm**

This will be held as an online virtual Meeting

Details on how to access the link in order to view the meeting will be made available online via the following link: [HERE](#)

### Membership:

#### Members

Councillors:

Denselow (Chair)  
Long (Vice-Chair)  
Shahzad

#### Substitute Members

Councillors:

Ahmed, Chohan, Hector, Hylton, Kennelly, McLeish,  
Maurice

**For further information contact:** Devbai Bhanji, Governance Assistant  
Tel: 020 8937 6841; Email: [devbai.bhanji@brent.gov.uk](mailto: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](http://www.brent.gov.uk/committees)

**The press and public are welcome to attend this meeting as an online virtual meeting. The link to view the meeting will be made available via the following link: [HERE](#)**

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

<b>3 Application for the Review a Premises Licence by the Licensing Enforcement Officer for the premises known as Arista Bar, 232 Church Lane, NW9 8SN, pursuant to the provisions of the Licensing Act 2003</b>	1 - 60
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**Date of the next meeting: Wednesday 29 September 2021 @ 10.00am**



Please remember to **SWITCH OFF** your mobile phone during the meeting.

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## LICENSING ACT 2003

### Application for the Review a Premises Licence

Name of Applicant:	Susana Figueiredo - Licensing Enforcement Officer
Name & Address of Premises:	Arista Bar, 232 Church Lane, NW9 8SN
Applicants Agent:	

#### 1. Application

The application is for the review of a premises licence held by Maxus Data Ltd. The premises are known as Arista Bar, 232 Church Lane, NW9 8SN.

#### 2. Grounds for Review

The grounds for review are Prevention of Crime & Disorder and Public Safety.

Failure to comply with the Government Regulations in relation to Coronavirus Restrictions and failure to provide CCTV footage upon request.

#### 3. Relevant Representations

Representation has been received from Licensing Enforcement Officers and the Police.

#### 4. Background

These premises are currently licensed for regulated entertainment and the sale of alcohol from 10:00hrs to 02:00hrs Sunday to Thursday and until 03:00hrs Friday and Saturday and to remain open from 10:00hrs until 02:30hrs Sunday to Thursday and until 03:00hrs Friday and Saturday.

The Designated Premises Supervisor is Kathiravelu Sayanthan.

#### 7. Associated Papers

- A. Copy of Review Application
- B. Police Representation
- C. OS Map

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

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

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I.....Susana Figueiredo.....

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

### Part 1 – Premises or club premises details

<b>Name and postal address of premises or, if none, ordnance survey map reference or description</b> Arista Bar 232 Church Lane	
<b>Post Town</b> London	<b>Post Code (if known)</b> NW9 8SN
<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Maxus Data Limited	
<b>Number of premises licence or club premises certificate (if known)</b> 171787	

## Part 2 - Applicant details

I am

Please tick ✓ Yes

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

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

Please tick

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

Surname

First names

Please tick ✓ Yes

I am 18 years old or over

Current postal  
address  
if different from  
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

### (B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)



**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Licensing Team Brent Council Brent Civic Centre Engineers Way HA9 0FJ
Telephone number (if any)
E-mail address (optional) susana.figueiredo@brent.gov.uk

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

Please tick one or more boxes

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

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

Please see separate statement for details

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

Please see separate statement for details

Please tick ✓ Yes

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

If yes, please state the date of that application

Day

Month

Year

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

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

Please see separate statement for details

**Checklist**

Please tick ✓ Yes

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

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

**Part 3 – Signatures** (please read guidance note 3)

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

Signature .....  .....

Date .....28/07/2021.....

Capacity .....Licensing Enforcement Officer.....

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

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

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

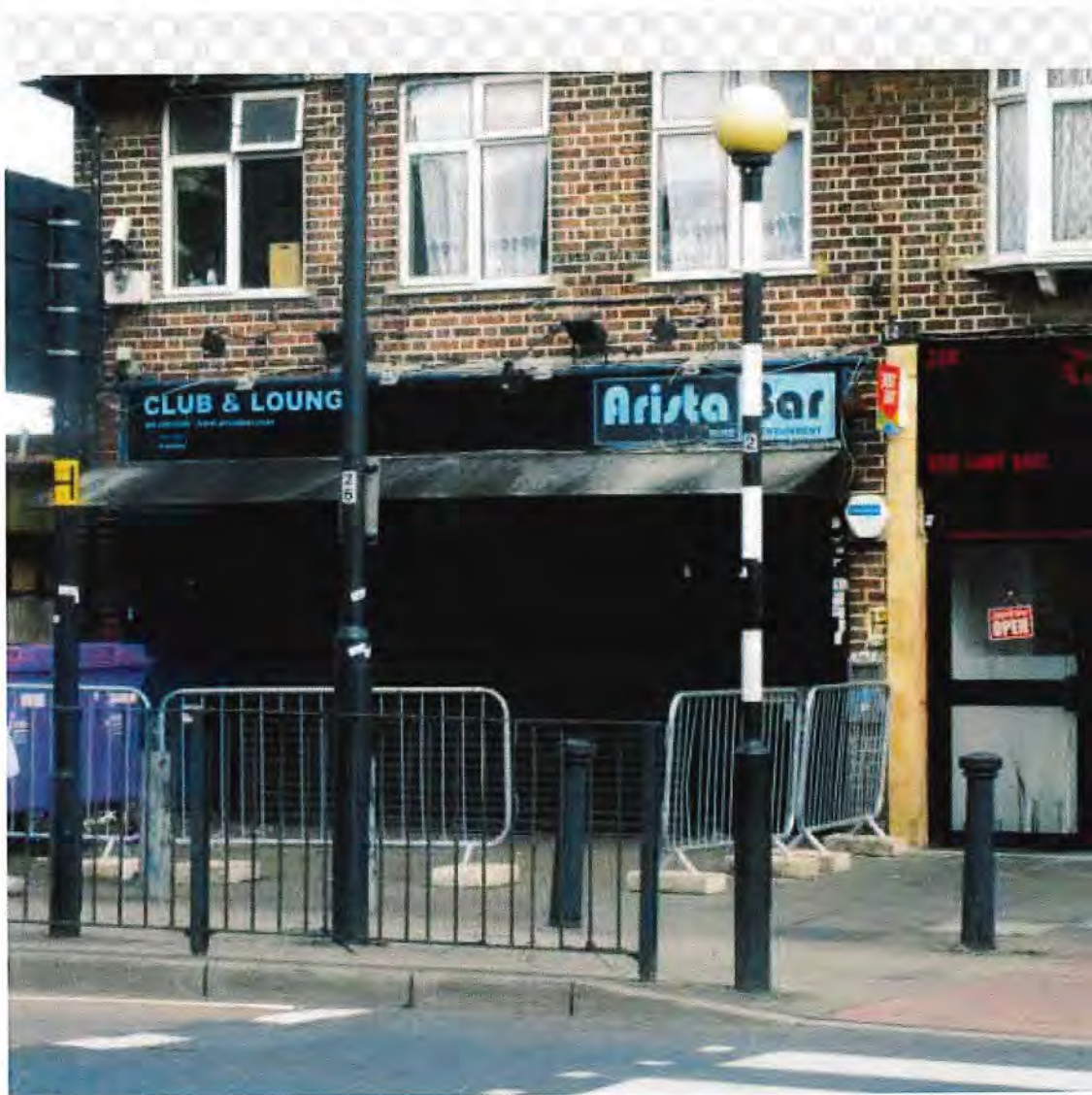
**Notes for Guidance**

Arista Bar  
232 Church Lane  
London  
NW9 8SN

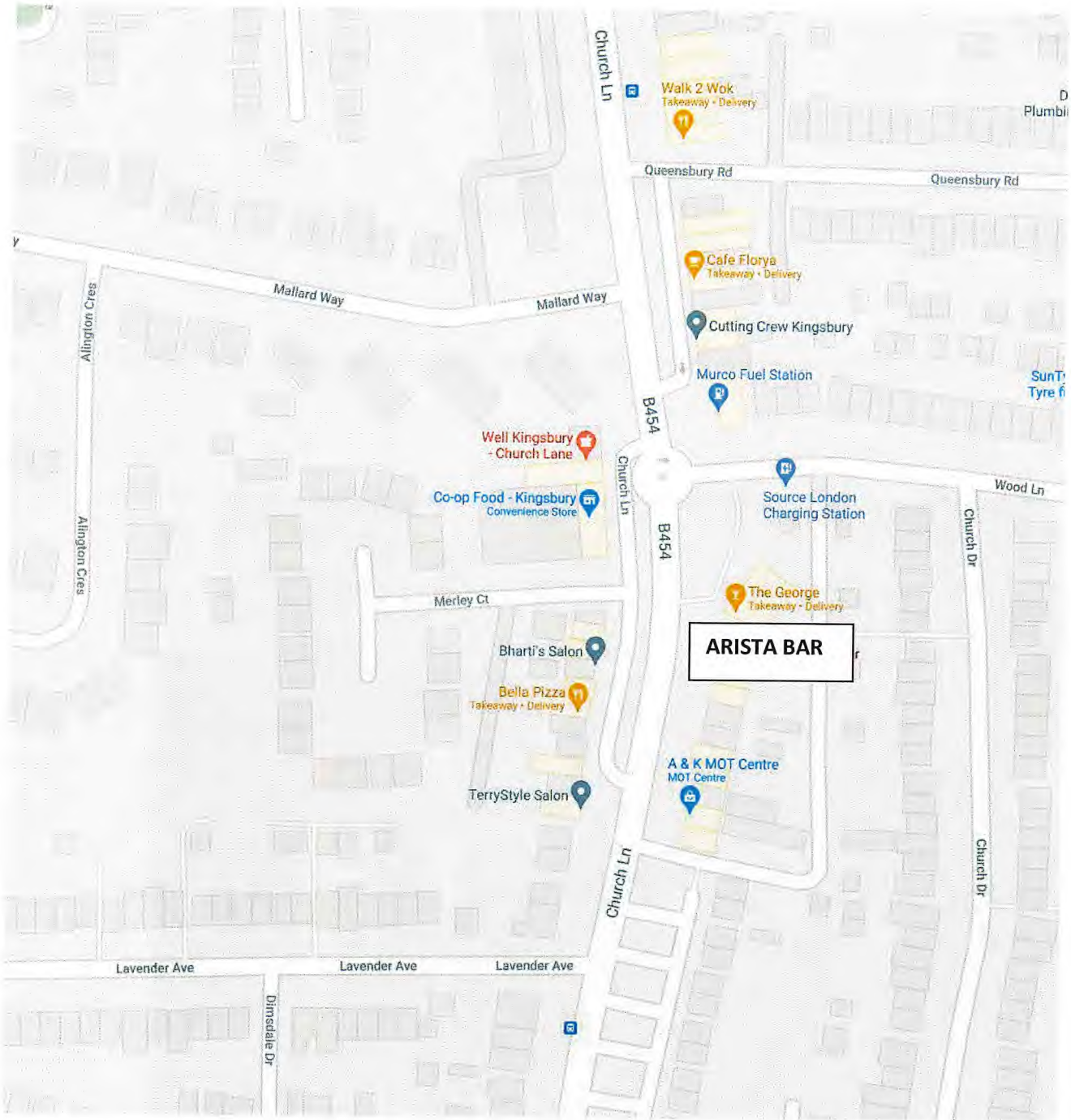
Review Application  
Supplementary Information

Premises Location

The premises is a bar/club located in Church Lane. It's made up of a ground floor and basement area.







### Background

The premises licence 171787 is operated by Maxus Data Ltd, the directors for which are Sivatharsny CHELVATHEEBAM, Kathiravelu SAYANTHAN and Sivagurunathan SIVARAM. Mr Kathiravelu is the Designated Premises Supervisor (DPS).

The application for the licence was initially made in August 2005. A review was subsequently submitted in June 2017 by a member of the public who alleged the premises were opening beyond their licensable hours and breaching one of the premises licence conditions, namely the entry/re-entry time of 00.30hrs. As a result of the hearing held on 15<sup>th</sup> August 2017, the Licensing sub-committee deemed that the premises would require additional conditions in order to uphold the Licensing objectives (**sf001**).

In September 2017, a minor variation was applied for after an initial agreement with the Police that the premises could modify their entry/re-entry time to 02.00hrs. This variation was granted and the most recent premises licence produced (**sf002**).

### Complaints and Enforcement to Date

- On 21<sup>st</sup> September 2018, a complaint was received which included the following reports:-
  - Music from the club clearly audible when there is a function
  - Noise from patrons
  - Customers entering the premises after permitted hours
  - Shouting & drinking by customers outside the club when smoking, loitering outside and when leaving
  - Parking carelessly on the surrounding streets
  - Drinking & driving issues customers regularly leave the club in an inebriated state and drive, they buy alcohol from local shops and drink it by, in their vehicles concealing it in the boot & re-enter the club
  - Urinating on the street and on people's property
  - Customers leaving the club outside the prescribed hours
  - Door staff not always working when the club is open

As a result of this complaint, a meeting was held on 13<sup>th</sup> February 2019. A number of actions were requested from the premises in order to uphold the licensing objectives (**sf003**).

- On 24<sup>th</sup> September 2020, a complaint was received which stated the premises had been opening every weekend since 8<sup>th</sup> August 2020 at a time when Government restrictions prevented the business from doing so. The data provided by the Institute for Government Analysis on page 6 shows the premises should have been closed.

The complaint mentioned dancers in full costume, along with an excess of 40 customers that entered the premises. The shutter at the front was kept in the closed position until a telephone call was made and then reopened to let customers in.

On asking for CCTV during a telephone conversation on 24<sup>th</sup> September 2020, one of the directors Mr Sayanthan Kathiravelu stated that he was going to Poland the following day. I asked that he request the footage be downloaded by some one alternative (being that there are three directors), as this would be required to disprove the allegations. Mr Kathiravelu ignored my request and failed to contact me any further. Further communication was sent to the licence holder but this too was ignored (**sf004**).

During the week commencing 28<sup>th</sup> September 2020, when I spoke to my colleague PC Gary Norton, he stated that he had spoken to Mr Kathiravelu's wife during the weekend of 26<sup>th</sup> September 2020 and that she had stated he wasn't home but would return that day. There was no mention of any trips abroad.



- On 11<sup>th</sup> June 2021 a further complaint was received stating that on the 4<sup>th</sup> June from 23.00hrs until 5<sup>th</sup> June 2021 at 04.30hrs, the premises were open. There were at least 30-40 persons in the premises with dancers in full costume also present. The noise made from persons in the rear service road and those coming and going was loud.

As a result of this, CCTV was requested from Mr Kathiravelu, who stated he would bring this to me at Brent Civic Centre, but moments before the deadline, he emailed me to state that he was having technical difficulties and could not retrieve the CCTV footage (sf005).

Mr Kathiravelu was then emailed to ask if he had indeed opened on the day in question, he replied stating it was his birthday and sent a picture of his driving licence to verify this (sf005). It is questionable as to whether the premises was open for this reason and without CCTV footage to verify what took place that night, it is impossible to confirm. Either way Mr Kathiravelu undertook to hold a gathering which included dancers at a time when Government restrictions prevented him from doing so.

#### Further Information

- The business rate payer is registered as MAXUS DATA LTD, liable from 16/07/2003 when checked on 26<sup>th</sup> July 2021.

#### Summary

Historically, it has been verified that the premises have exceeded their timings and have breached a condition on their licence, which resulted in a review in 2017..

Since this time, there have been three further occasions where complaints have been made. On the first occasion in 2019, a meeting was held and an action plan put into place. On the second and third occasions in September 2020 and June 2021 respectively, CCTV footage was requested and on both occasions, the premises have failed to provide this. The second and third time were during a period when Government restrictions prevented the premises from opening.

It is clear from the evidence shown that the persons running the premises have no regard for the law and have continued to operate as they so wish. They have also caused issues of public safety in terms of the pandemic by permitting persons to congregate in the premises. They have also locked customers in the premises by keeping the shutter drawn down. Should there have been an emergency, they may not have been able to get out.

In relation to CCTV, this has not been available on two of the occasions and despite a deadline to provide CCTV, this was not met. It appears that the premises were knowingly avoiding providing any CCTV so that they could operate during the lockdown without being caught.

A warning was given after the first occasion that should CCTV not be provided again, the premises licence would be reviewed. The licence holder has not taken this seriously and as a result once again breached the requirement to provide CCTV. Mr Kathiravelu has confirmed that he is leaving the business in October 2021.

As far as I am concerned, not providing CCTV is as bad as it being provided and showing evidence of wrong doings. All premises need to be given a clear message that should they fail to provide CCTV footage, they run the risk of having their premises licence revoked. Without this clear message, it leaves the Licensing Authority open to being taken advantage of by premises', where they can get away with whatever they want. In fact requesting the need to have a condition relating to CCTV would be pointless. Further, I question how many opportunities should premises' be given, before they run the risk of losing their licence.

Adding further conditions to the premises licence is not an option as no amount of additional conditions will ensure the premises comply, when it is clear they cannot comply with the current requirements.



It is unquestionable that the premises are unable to uphold two licensing objectives, namely prevention of crime and disorder and public safety and the only option the Licensing Authority see for this premises licence is for it to be revoked with immediate effect.

# Timeline of UK coronavirus lockdowns, March 2020 to March 2021



■ Lockdown / restrictions introduced 
 ■ Lockdown restrictions eased 
 ■ PM / government announcements 
 ■ Legislation / emergency powers

Supplementary Information

Signed:



Name: Susana Figueiredo

Position: Licensing Enforcement Officer



**London Borough of Brent**

**Decision of the Alcohol and Entertainment Licensing Sub-Committee (C) following a hearing on 11 August 2017 at Brent Civic Centre, Engineers Way, Wembley HA9 0FJ**

**NOTICE OF DECISION**

**PREMISES**

Arista Bar  
232 Church Lane  
London NW9 8SN

**1. Members of the Sub-Committee**

Councillors Long (Chair), Harrison, McLeish

**2. The Application**

The application was for a review of the premises by [REDACTED]

**3. Representation**

The reviewer [REDACTED] was assisted by [REDACTED]

The Police were represented by PC Sullivan.

The Designated Premises Supervisor, Kathiravelu Sayanthan was present represented by Mr Sivashankar (agent).

**4. The Hearing**

Mr [REDACTED] set out the background to the matter. He had arranged to have Arista Bar monitored because he believed that the premises were not complying with its licence conditions. Three areas of concern were raised by Mr [REDACTED]:

- Premises was open beyond its licensable hours
- Condition 11 on the licence regarding no re-entry after 00:30 hours was being breached
- Customers were not searched on entering the premises may result in dis-order at the venue (although not a condition on the licence).

PC Sullivan supported the review application as Arista Bar was opening beyond its licensable hours. At a meeting on 24<sup>th</sup> May 2017 with Pc McDonald, Mr Sayanthan accepted that he was opening until 04:00 hours (when the premises should close at



03:30 hours), breaching the entry/no re-entry after 00:30 hours and also accepted breaching condition 2 of the licence regarding number of door supervisors. Mr Sayanthan was issued with a verbal warning.

Mr Sivashankar stated that the review application should not have been accepted by the Licensing Authority because it was a vexatious application by a rival business. He stated that the CCTV was obtained by the applicant undertaking weeks of recording outside his clients premises. The persons present on the premises after 03:00 hours were waiting for taxis and no licensable activities were undertaken. He stated that the rear fire exit was not used to allow customers into the premises. Furthermore, his client accepted all the conditions proposed by the Police and the Licensing Authority and all the works required for compliance with all the licence conditions were complete.

## 5. Determination of the Application

The sub-committee determined the application in accordance the Licensing Act 2003. Further the sub-committee considered the matter with a view to promoting the licensing objectives, namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm.

In making its decision the sub-committee also had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and Brent's licensing policy. In addition, the sub-committee took account of its obligations under section 17 of the Crime and Disorder Act 1998.

The sub-committee were mindful of the need to reach a decision that was necessary, proportionate, and justified on the evidence before them.

## 6. Decision

*The sub-committee has listened carefully to the submissions made by all parties in this matter. It considered all the evidence put before them including the statement provided by Compliance Direct on behalf of the licence holder as well as the evidence provided by Mr [REDACTED] including some 11 CD recordings which in total was over 20 hours worth of video footage which was not referred to by Mr [REDACTED] and was not time stamped or*

*explained in any narrative way by Mr [REDACTED]. The panel understood that the applicant accepted the conditions stipulated by the Police and the Licensing Authority, in particular the need for CCTV coverage of the entrance and the exit to the premises, so that entry and re-entry times can be monitored. The panel noted that the licence holder had admitted to breaching the licensing hours. The licence holder reassured the committee that he would comply with all the conditions on his licence. The sub-committee were satisfied that no further conditions other than those agreed with the Police and Licensing Authority were justified at this stage to uphold the licensing objectives.*

*The current licensing conditions agreed with the Police and the Licensing Authority will be imposed in full and are contained in Appendix 1.*

#### **7. Right of Appeal**

The parties have a right of appeal to Brent Magistrates' court against this decision

If you wish to appeal you must notify Brent Magistrates' Court within a period of **21 days** starting with the day on which the Council notified you of this decision.

**Dated 15 August 2017**

## Appendix 1

The following conditions shall be added to the current licence:

- A CCTV camera shall be installed to cover the entrance of the premises in order to show every person entering or leaving the premises.
- A CCTV camera shall be installed to cover the stairwell between the basement and the ground floor as well as the rear fire exit door.
- A written search policy shall be in place and operated at the premises when open to members of the public.
- Notices explaining the licensee's policy on admission and searching shall be placed at each entrance.
- An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
- All staff and managers shall be given regular training in relation to basic Licensing Act 2003 legislation and the premises licence conditions. Training records shall be kept and made available to the Police and Licensing Authority upon request.





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

TEL: 020 8937 5359  
EMAIL: [business.licence@brent.gov.uk](mailto:business.licence@brent.gov.uk)  
WEB: [www.brent.gov.uk](http://www.brent.gov.uk)

# London Borough of Brent

## Premises Licence

### Part A

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

Original grant date: 26 September 2005  
Current issue date: 17 October 2017

A handwritten signature in black ink, appearing to be "S. Sfooz", written over a light grey grid background.

Authorised signatory

Premises licence number: 171787

### Part 1 – Premises Details

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

232 Church Lane, London, Brent, NW9 8SN

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Section E: Live music**  
**Section F: Recorded music**  
**Section G: Performances of dance**  
**Section H: Anything of a similar description to that falling within (E), (F) or (G)**  
**Section I: Provision of late night refreshment: Indoors**  
**Section J: Sale of alcohol: On the premises**

The times the licence authorises the carrying out of licensable activities

**Section E: Live music**

<b>Day</b>	<b>Start Time</b>	<b>End Time</b>
Monday	10:00	02:00
Tuesday	10:00	02:00
Wednesday	10:00	02:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	02:00

Solo or group performers amplified through a PA system

On commencement of British Summer Time one hour should be added to the finish time on the left.

All international sporting events which are not within the current permitted hours on the Premises Licence which are shown by either terrestrial or non-terrestrial transmission be authorised licensable activities commencing one hour before the start of the event and finishing one hour after the end of the event, the details of the event to be notified to the licensing authority and the police 14 days beforehand, with the police giving their consent., , On the days/dates listed below the additional hours (these in addition to the ones listed left) are to be permitted for the licensable activity (not including drinking up time): 1st January New Year's Day 1 hour, Burns Night 1 hour, 14th February Valentines Night 1 hour, 1st March St. David's Day 1 hour, 14th March Commonwealth Day 1 hour, 17th March St. Patrick's Day 2 hours, 23rd April St. George's Day 1 hour, Easter Sunday 1 hour, Easter Monday 1 hour, May Day Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, May Day Bank Holiday Monday 1 hour, F.A. Cup Final



Day 1 hour, Spring Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Spring Bank Holiday Monday 1 hour, Summer (August) Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Summer (August) Bank Holiday Monday 1 hour, Halloween 1 hour, Guy Fawkes Night 1 hour, 30th November St. Andrew's Day 1 hour, Christmas Eve 2 hours, Boxing Day/St. Stephen's Day 2 hours, 27th December 2 hours, 28th December 2 hours, 29th December 2 hours, 30th December 2 hours., , Diwali and Indian New Year celebrations.

**Section F: Recorded music**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	10:00	02:00
Tuesday	10:00	02:00
Wednesday	10:00	02:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	02:00

Amplified middle of the road music/Asian music. Recorded music is played over the in house PA system via a CD or jukebox. Recorded music including juke box, karaoke with or without DJ during normal business or as part of funtions and including audience participation.

On commencement of British Summer Time one hour should be added to the finish time on the left.

All international sporting events which are not within the current permitted hours on the Premises Licence which are shown by either terrestrial or non-terrestrial transmission be authorised licensable activities commencing one hour before the start of the event and finishing one hour after the end of the event, the details of the event to be notified to the licensing authority and the police 14 days beforehand, with the police giving their consent., , On the days/dates listed below the additional hours (these in addition to the ones listed left) are to be permitted for the licensable activity (not including drinking up time): 1st January New Year's Day 1 hour, Burns Night 1 hour, 14th February Valentines Night 1 hour, 1st March St. David's Day 1 hour, 14th March Commonwealth Day 1 hour, 17th March St. Patrick's Day 2 hours, 23rd April St. George's Day 1 hour, Easter Sunday 1 hour, Easter Monday 1 hour, May Day Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, May Day Bank Holiday Monday 1 hour, F.A. Cup Final Day 1 hour, Spring Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Spring Bank Holiday Monday 1 hour, Summer (August) Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Summer (August) Bank Holiday Monday 1 hour, Halloween 1 hour, Guy Fawkes Night 1 hour, 30th November St. Andrew's Day 1 hour, Christmas Eve 2 hours, Boxing Day/St. Stephen's Day 2 hours, 27th December 2 hours, 28th December 2 hours, 29th December 2 hours, 30th December 2 hours., , Diwali and Indian New Year celebrations.

**Section G: Performances of dance**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	10:00	02:00



Tuesday	10:00	02:00
Wednesday	10:00	02:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	02:00

Only dancing to music as referred to in boxes e or f above

On commencement of British Summer Time one hour should be added to the finish time on the left.

All international sporting events which are not within the current permitted hours on the Premises Licence which are shown by either terrestrial or non-terrestrial transmission be authorised licensable activities commencing one hour before the start of the event and finishing one hour after the end of the event, the details of the event to be notified to the licensing authority and the police 14 days beforehand, with the police giving their consent., , On the days/dates listed below the additional hours (these in addition to the ones listed left) are to be permitted for the licensable activity (not including drinking up time): 1st January New Year's Day 1 hour, Burns Night 1 hour, 14th February Valentines Night 1 hour, 1st March St. David's Day 1 hour, 14th March Commonwealth Day 1 hour, 17th March St. Patrick's Day 2 hours, 23rd April St. George's Day 1 hour, Easter Sunday 1 hour, Easter Monday 1 hour, May Day Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, May Day Bank Holiday Monday 1 hour, F.A. Cup Final Day 1 hour, Spring Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Spring Bank Holiday Monday 1 hour, Summer (August) Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Summer (August) Bank Holiday Monday 1 hour, Halloween 1 hour, Guy Fawkes Night 1 hour, 30th November St. Andrew's Day 1 hour, Christmas Eve 2 hours, Boxing Day/St. Stephen's Day 2 hours, 27th December 2 hours, 28th December 2 hours, 29th December 2 hours, 30th December 2 hours., , Diwali and Indian New Year celebrations.

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

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	10:00	02:00
Tuesday	10:00	02:00
Wednesday	10:00	02:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	02:00

On commencement of British Summer Time one hour should be added to the finish time on the left.

All international sporting events which are not within the current permitted hours on the Premises Licence which are shown by either terrestrial or non-terrestrial transmission be authorised licensable activities commencing one hour before the start of the event



and finishing one hour after the end of the event, the details of the event to be notified to the licensing authority and the police 14 days beforehand, with the police giving their consent., , On the days/dates listed below the additional hours (these in addition to the ones listed left) are to be permitted for the licensable activity (not including drinking up time): 1st January New Year’s Day 1 hour, Burns Night 1 hour, 14th February Valentines Night 1 hour, 1st March St. David’s Day 1 hour, 14th March Commonwealth Day 1 hour, 17th March St. Patrick’s Day 2 hours, 23rd April St. George’s Day 1 hour, Easter Sunday 1 hour, Easter Monday 1 hour, May Day Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, May Day Bank Holiday Monday 1 hour, F.A. Cup Final Day 1 hour, Spring Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Spring Bank Holiday Monday 1 hour, Summer (August) Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Summer (August) Bank Holiday Monday 1 hour, Halloween 1 hour, Guy Fawkes Night 1 hour, 30th November St. Andrew’s Day 1 hour, Christmas Eve 2 hours, Boxing Day/St. Stephen’s Day 2 hours, 27th December 2 hours, 28th December 2 hours, 29th December 2 hours, 30th December 2 hours., , Diwali and Indian New Year celebrations.

<b>Section I: Provision of Late Night Refreshments:Indoors</b>		
<b>Day</b>	<b>Start Time</b>	<b>End Time</b>
Monday	10:00	02:00
Tuesday	10:00	02:00
Wednesday	10:00	02:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	02:00

All international sporting events which are not within the current permitted hours on the Premises Licence which are shown by either terrestrial or non-terrestrial transmission be authorised licensable activities commencing one hour before the start of the event and finishing one hour after the end of the event, the details of the event to be notified to the licensing authority and the police 14 days beforehand, with the police giving their consent., , On the days/dates listed below the additional hours (these in addition to the ones listed left) are to be permitted for the licensable activity (not including drinking up time): 1st January New Year’s Day 1 hour, Burns Night 1 hour, 14th February Valentines Night 1 hour, 1st March St. David’s Day 1 hour, 14th March Commonwealth Day 1 hour, 17th March St. Patrick’s Day 2 hours, 23rd April St. George’s Day 1 hour, Easter Sunday 1 hour, Easter Monday 1 hour, May Day Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, May Day Bank Holiday Monday 1 hour, F.A. Cup Final Day 1 hour, Spring Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Spring Bank Holiday Monday 1 hour, Summer (August) Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Summer (August) Bank Holiday Monday 1 hour, Halloween 1 hour, Guy Fawkes Night 1 hour, 30th November St. Andrew’s Day 1 hour, Christmas Eve 2 hours, Boxing Day/St. Stephen’s Day 2 hours, 27th December 2 hours, 28th December 2 hours, 29th December 2 hours, 30th December 2 hours., , Diwali and



Indian New Year celebrations.

<b>Section J: Sale or Supply of Alcohol: On the premises</b>		
<b>Day</b>	<b>Start Time</b>	<b>End Time</b>
Monday	10:00	02:00
Tuesday	10:00	02:00
Wednesday	10:00	02:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	02:00

On commencement of British Summer Time one hour should be added to the finish time on the left.

All international sporting events which are not within the current permitted hours on the Premises Licence which are shown by either terrestrial or non-terrestrial transmission be authorised licensable activities commencing one hour before the start of the event and finishing one hour after the end of the event, the details of the event to be notified to the licensing authority and the police 14 days beforehand, with the police giving their consent. , On the days/dates listed below the additional hours (these in addition to the ones listed left) are to be permitted for the licensable activity (not including drinking up time): 1st January New Year's Day 1 hour, Burns Night 1 hour, 14th February Valentines Night 1 hour, 1st March St. David's Day 1 hour, 14th March Commonwealth Day 1 hour, 17th March St. Patrick's Day 2 hours, 23rd April St. George's Day 1 hour, Easter Sunday 1 hour, Easter Monday 1 hour, May Day Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, May Day Bank Holiday Monday 1 hour, F.A. Cup Final Day 1 hour, Spring Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Spring Bank Holiday Monday 1 hour, Summer (August) Bank Holiday Sunday prior to Bank Holiday Monday 2 hours, Summer (August) Bank Holiday Monday 1 hour, Halloween 1 hour, Guy Fawkes Night 1 hour, 30th November St. Andrew's Day 1 hour, Christmas Eve 2 hours, Boxing Day/St. Stephen's Day 2 hours, 27th December 2 hours, 28th December 2 hours, 29th December 2 hours, 30th December 2 hours., , Diwali and Indian New Year celebrations.

The opening hours of the premises

<b>Day</b>	<b>Start Time</b>	<b>End Time</b>
Monday	10:00	02:30
Tuesday	10:00	02:30
Wednesday	10:00	02:30
Thursday	10:00	02:30
Friday	10:00	03:30
Saturday	10:00	03:30
Sunday	10:00	02:30

5/002

On commencement of British Summer Time one hour should be added to the finish time on the left.

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

**On the premises**

**Part 2**

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

**Maxus Data Limited**

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

**04345116**

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

**Kathiravelu Sayanthan**

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

**Licence Number: .....**  
**Issuing authority: London Borough of Hounslow**



## **Annex 1 – Mandatory conditions**

### **No Irresponsible Drinks Promotions**

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

1. (a) games or other activities which require or encourage,

or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

### **Free Water**

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

### **Age Verification Policy**

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.



(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

**Small Measures to be Available**

The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available

**Minimum Price of Alcohol**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

- (a)—duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b)—permitted price is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c)—relevant person<sup>ll</sup> means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) —relevant person<sup>ll</sup> means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e)—value added tax<sup>ll</sup> means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (—the first day<sup>ll</sup>) would be different from the permitted price on the next day (—the second day<sup>ll</sup>) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Requirement for a DPS**

(1) No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or



(b) at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

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

**Door Supervisors and Security Staff to be Licensed by the SIA (when required)**

Where the licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions:

- a) premises where the premises licence authorises plays or films
- b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
- c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

**Film Classification When required**

(i) The admission of children to the exhibition of any film must be restricted in accordance with the recommendation of the designated film classification body unless section (ii) applies.

(ii) Where the licensing authority notifies the holder of the licence that this subsection applies the admission of children must be restricted in accordance with any recommendation made by the licensing authority.

In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).



**Annex 2 – Conditions consistent with the operating schedule**

- 1 Door supervisors of a sufficient number and gender mix, shall be employed from 21:00 hours on any day when the premises are open for the sale of alcohol past midnight.
  
- 2 A minimum of three door supervisors shall be employed on Fridays and at least one on Saturdays and Sundays.
  
- 3 A register/log containing the names, badge number, dates & times of duty of security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.
  
- 4 Customers shall not be permitted to take open glass containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority.
  
- 5 CCTV shall be installed and maintained in a working condition.
  
- 6 All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.
  
- 7 The total number of people permitted on the premises including staff and performers shall not exceed 130 on the ground floor and 50 on the lower ground floor.
  
- 8 The premises shall have a sound limiter to be calibrated and set at a level agreed by Brent Council's Environmental Health Department and if reasonably practicable the limiter shall have a time limiter to ensure amplified music ceases in time with the hours permitted by this licence.

9 The level of music shall be arranged so as not to cause nuisance to local residents.

10 All windows and doors at the rear of the premises shall be kept closed when the licensed areas are in use.

11 No entry or re-entry shall be permitted after 02:00hours.

12 The licensee or his/her deputy shall be a member of, and actively participate in the local pubwatch scheme.

13 All alcohol and soft drinks shall be served in plastic or toughened glasses.

14 Signs alerting customers to theft shall be displayed.

15 A suitable burglar alarm shall be fitted and maintained.

16 Toilets shall be checked every 2 hour(s) for the use of drugs and other illegal activities.

17 Notices clearly explaining the licensee's drugs policy shall be displayed at the entrance and at suitable places throughout the premises.

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



- 19 All furniture and soft furnishings shall comply with relevant fire safety standards.
- 20 A fire detection and warning system together with suitable and sufficient fire extinguishers shall be installed and maintained.
- 21 A free supply of drinking water shall be made available to customers.
- 22 Notices advertising the number of a local licensed taxi service shall be displayed in a prominent position.
- 23 Public transport information including night time travel options shall be made available.
- 24 Notices requesting customers to leave quietly shall be displayed at each exit.
- 25 All deliveries shall take place during the normal working day (i.e. 09:00 to 18:00daily).
- 26 Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises.
- 27 No children shall be admitted unless accompanied by a responsible adult.
- 28 No children shall be permitted on the premises after midnight.

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

**Conditions confirmed from the hearing 11th August 2017**

29 CCTV camera shall be installed to cover the entrance of the premises in order to show every person entering or leaving the premises.

30 A CCTV camera shall be installed to cover the stairwell between the basement and the ground floor as well as the rear fire exit door.

31 A written search policy shall be in place and operated at the premises when open to the members of the public.

32 Notices explaining the licensee's policy on admission and searching shall be placed at each entrance.

33 An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:

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

34 All staff and managers shall be given regular training in relation to basic licensing Act 2003 legislation and the premises licence conditions. Training records shall be kept and made available to the Police and Licensing Authority upon request.

*sf002.*

Annex 4 – Plans

See attached





EMAIL [business.licence@brent.gov.uk](mailto:business.licence@brent.gov.uk)

WEB [www.brent.gov.uk](http://www.brent.gov.uk)

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CHELVATHEEBAM, Sivatharsny, SAYANTHAN, Kathiravelu  
SIVARAM, Sivagurunathan  
Arista Bar  
232 Church Lane  
London  
NW9 8SN

4 February 2019

Our Ref: 383

Dear all,

**Licensing Act 2003**

**Re: Arista Bar, 232 Church Lane, London, NW9 8SN**

It has been brought to our attention that during the hours in which your premises operate, it is causing a nuisance to your neighbours.

I would be grateful if you could email me on the above email address so that I may arrange to meet you at your premises. I have tried to visit during the day but your premises does not appear to open until later in the day and therefore have been unable to meet with you sooner.

Yours faithfully

Susana Figueiredo  
Licensing Enforcement Officer  
Planning, Transportation & Licensing  
Brent Council

[www.brent.gov.uk](http://www.brent.gov.uk)



56003

56003

**Susana, Figueiredo**

**From:** Figueiredo, Susana  
**Sent:** 14 February 2019 07:49  
**To:** 'Say Kathir'  
**Cc:** Wood, Martin; ENS Noise Team  
**Subject:** Arista Bar, 232 Church Lane, NW9 8SN - Noise Complaint

Dear Kathiravelu Sayanthan,

**Meeting yesterday – Noise from outside premises**

Thank you for meeting with me yesterday. Below is a summary of our discussion and the changes you will make in order to reduce the noise **OUTSIDE** of your premises:-

- Reducing the number of smokers outside to 8. (2 from the bar downstairs and 6 from the bar upstairs (when it is in use)). This will be managed by an SIA being at the top of the stairs and then two SIA outside of the premises.
- The SIA are to prevent customers from staying outside for longer than necessary.
- The SIA are to ensure that customers do make any unnecessary noise such as attending their vehicles or speaking outside.
- Customers are to leave in a staggered way over a period of 45 minutes instead of all in one go.
- Terms and conditions to be created for customers wishing to hire out upstairs as you are having problems with those that hire the venue and then override the noise limiter or smoke cannabis outside his premises.

**Noise coming from inside your premises**

On returning to the office, I checked our system to find there is ALSO a complaint in relation to music and noise coming from **INSIDE** your premises. You will need to ensure that you do not allow the noise limiter to be overridden and neither do you allow any other noise to escape from the premises. You should consider the following:-

- Regular checks to the **OUTSIDE PERIMETER** of the premises to ensure there is no noise escape
- Regular checks to ensure the noise limiter is not overridden
- Changing the clientele to which you hire out your premises
- Adding additional insulation to your premises

**Key to Service Road gate**

I also had a discussion with the owner of \_\_\_\_\_ who stated you are more than welcome to have a key to the service road gate, when you pay the £50 deposit that all of the other premises have paid that also use the service road. The owner said she is more than happy to meet with you to accommodate this.

If after this communication with you, you are found not be complying, in that you are still allowing noise to escape and not managing the noise outside of your premises, you could face having your licence reviewed, a prosecution and/or a noise abatement notice served. It is therefore very important that you take these actions seriously.

Kind Regards

Susana Figueiredo  
Licensing Enforcement Officer  
Planning, Transportation & Licensing  
Brent Council

[www.brent.gov.uk](http://www.brent.gov.uk)

**From:** Figueiredo, Susana  
**Sent:** 07 February 2019 14:29  
**To:** 'Say Kathir'  
**Subject:** Arista Bar, 232 Church Lane, NW9 8SN

Dear Kathiravelu Sayanthan,

Thank you for letting me know, i v

Please let me know if you can't make it. In case you cannot email me, please text me on

Kind Regards

Susana Figueiredo  
Licensing Enforcement Officer  
Planning, Transportation & Licensing  
Brent Council

[www.brent.gov.uk](http://www.brent.gov.uk)

**From:** Say Kathir  
**Sent:** 07 February 2019 09:37  
**To:** Figueiredo, Susana  
**Subject:** Re: Arista Bar, 232 Church Lane, NW9 8SN



5603

Planning, Transportation & Licensing

Brent Council

[www.brent.gov.uk](http://www.brent.gov.uk)

**From:** Say Kathi.  
**Sent:** 05 February 2019 08:26  
**To:** Figueiredo, Susana <[Susana.Figueiredo@brent.gov.uk](mailto:Susana.Figueiredo@brent.gov.uk)>  
**Subject:** Arista Bar Ref 383

Dear Susana

I have received your letter that you would like to meet me at the premises during the day. Please contact me on my mobile or to arrange a suitable time for your visit. otherwise either 12th, 13th 14th afternoon around 2.00pm is fine for me.

Your sincerely

Kathiravelu Sayanthan

Lead your own creative and cultural activities during our year of culture in 2020 - [apply for the 2020 Culture Fund!](#)

The use of Brent Council's e-mail system may be monitored and communications read in order to secure effective operation of the system and other lawful purposes.

5603

5603

Dear Susana

Is it fine at the moment but I may have an emergency next week sometime

that is the case I may have to change the meeting to another date.

she may have to go through operation either Tuesday or Wednesday. If

Your sincerely

Kathiravelu Sayanthan

On 06 February 2019 at 07:18 "Figueiredo, Susana"

wrote:

Dear Kathiravelu Sayanthan,

Thank you for your email.

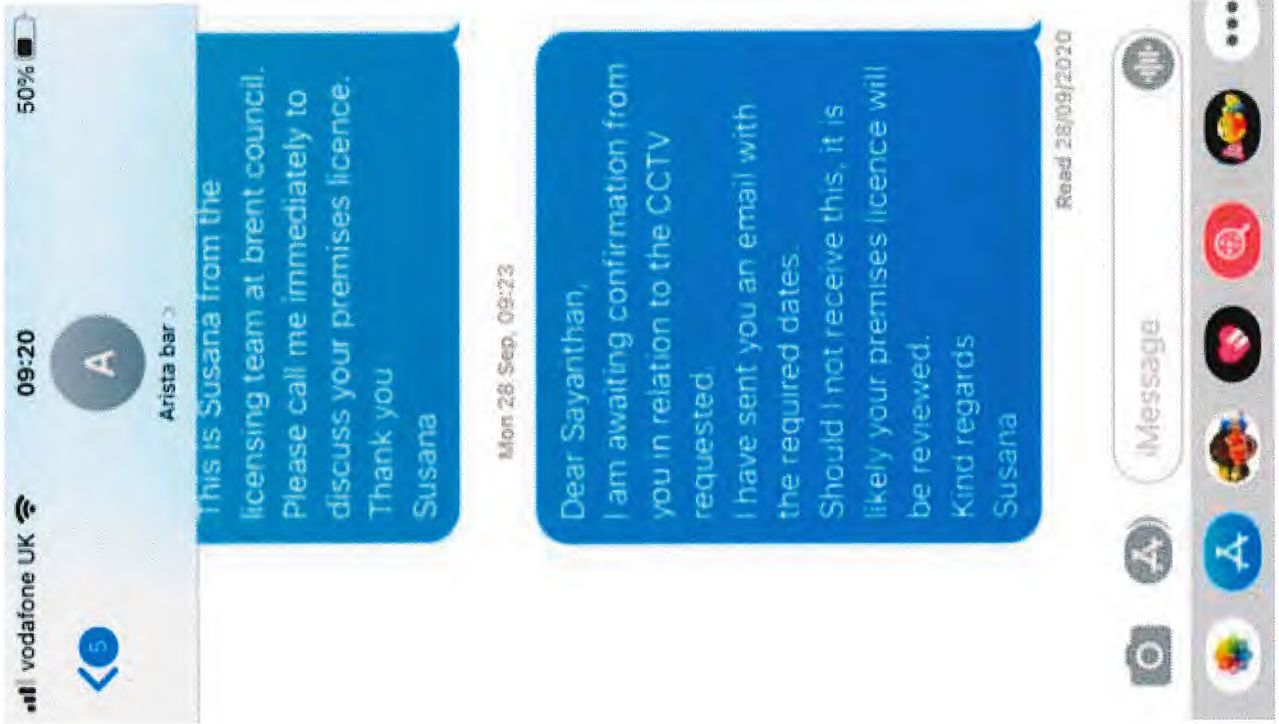
Could you possibly be available on Wednesday 13<sup>th</sup> February 2019 at 1pm?

Kind Regards

Susana Figueiredo

Licensing Enforcement Officer

5603







5/004

5/004

**Susana, Figueiredo**

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**From:** Susana, Figueiredo  
**Sent:** 28 September 2020 09:18  
**To:** 'Say Kathir'  
**Cc:** Business Licence  
**Subject:** RE: Arista Bar, 232 Church Lane, NW9 - Complaint

Dear Kathiravelu Sayanthan,

I have not received any confirmation as to when you will be dropping the CCTV off to me today.

Please be aware that should I not receive the requested CCTV from you, you leave me with no other option other than to take further enforcement action, which is likely to be in the form of a review of the premises licence.

Kind regards

**To**  
Susana Figueiredo  
Licensing Enforcement Officer  
Regulatory Services  
Brent Council

[www.brent.gov.uk](http://www.brent.gov.uk)

---

**From:** Susana, Figueiredo  
**Sent:** 24 September 2020 16:09  
**To:** 'S'  
**Cc:** Business Licence <business.licence@brent.gov.uk>  
**Subject:** Arista Bar, 232 Church Lane, NW9 - Complaint

Dear Kathiravelu Sayanthan,

Thank you for calling me today. As discussed, I have received complaints that your premises is breaching Government Coronavirus Regulations and guidance.

Stout

5604

You are required to download the following footage and provide it to me. I understand you are going to Poland and would therefore request that you ask someone else to bring it to me at the office on Monday. My telephone number is 07985615616.

The following are the dates and times required:-

- Sunday 6<sup>th</sup> September 2020 - 00.15-00.45 & 02.15-03.30
- Saturday 19<sup>th</sup> September 2020 - 00.15-00.45 & 02.15-03.30
- Sunday 20<sup>th</sup> September 2020 - 00.15-00.45 & 02.15-03.30
- Wednesday 23<sup>rd</sup> September 2020 – 00.00-00.45 & 01.30-02.30

Please provide CCTV footage of the following cameras:-

- the front entrance that oversees outside
- the top bar area
- the room in the basement area

I look forward to hearing from you soon.

Kind regards

**Saana Figueiredo**  
Licensing Enforcement Officer  
Regulatory Services  
Brent Council

[www.brent.gov.uk](http://www.brent.gov.uk)

Stoos

Stoos



Fri 25 Jun, 09:59

Dear Sayanthan,  
I have sent you an email that requires your immediate attention. I look forward to hearing from you soon  
Kind regards  
Susana  
Licensing  
Brent council

I can give you Monday afternoon

Would you prefer to drop it to me outside the civic centre or shall I come to your premises at 3pm on Monday?

I can drop it around 12.00

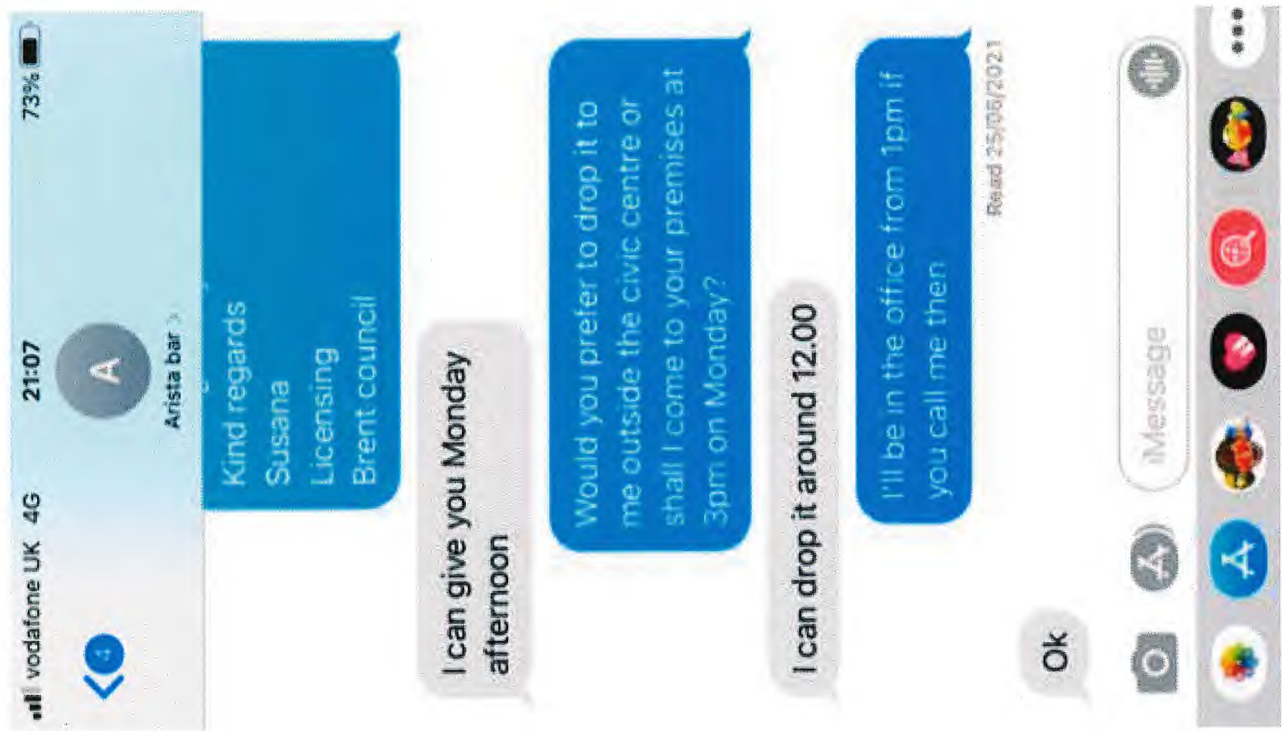


*[Faint, illegible text, possibly bleed-through from the reverse side of the page]*



Stevie

Stevie





st005.

st005.

**Susana, Figueiredo**

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**From:** 02 July 2021 11:19  
**Sent:** Susana, Figueiredo  
**To:** Re: Arista Bar, 232 Church Lane, NW9 - Complaint  
**Subject:**

Dear Susana

I had my birthday and me and few friends and couple of my staff met up for drinks. You can check that my date of birth is this place end of October 2021. . Also I am leaving

Best Regards  
Say Kathir



Sfoer.

Sfoos.



Sent from my iPhone

On 2 Jul 2021, at 09:40, Susana, Figueiredo

.nik> wrote:

Dear Kathiravelu Sayanthan,

I am really disappointed to hear this. This is the second time I have asked you for CCTV and you have been unable to provide it. You were aware I would review your premises licence should this have happened again.

5605.  
Can you confirm whether you were open on the night in question?

Kind regards

Susana Figueiredo  
Licensing Enforcement Officer  
Regulatory Services  
Brent Council

[www.brent.gov.uk](http://www.brent.gov.uk)

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**From**

**Sent:** 28 June 2021 12:48

**To:** Susana, Figueiredo

**Subject:** Re: Arista Bar, 232 Church Lane, NW9 - Complaint

Dear Susana

I supposed to drop the cctv backup today at 1.00pm but unfortunately I couldn't retrieve the data from the system due the some system failure. I would like discuss other issues with you in person either Thursday or Friday if you have the time.

Best regards  
Say Kathir

Sent from my iPhone

On 25 Jun 2021, at 09:37, Susana, Figueiredo <[Susana.Figueiredo@brent.gov.uk](mailto:Susana.Figueiredo@brent.gov.uk)> wrote:

Dear Kathiravelu Sayanthan,

Further to the emails I sent you below, the telephone call and text messages, you failed to contact me and provide CCTV as requested.

As a result of a further complaint I have received, you are required to provide CCTV footage for the following date:-

5605.



5 foot,

- The morning of Saturday 5th June from 01.30hrs until 0430hrs (please be sure you download the correct date as downloading the wrong date will not be accepted as an excuse).

Please provide CCTV footage of the following cameras:-

- the front entrance that oversees outside
- the top bar area
- the room in the basement area
- the rear external area of the premises

I await confirmation from you as to when this is ready for collection.

Failure to provide CCTV footage, will result in the immediate review of your premises licence.

kind regards

Susana Figueiredo  
Licensing Enforcement Officer  
Regulatory Services  
Brent Council

[www.brent.gov.uk](http://www.brent.gov.uk)

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**From:** Susana, Figueiredo  
**Sent:** 28 September 2020 09:18  
**To:** Say Kathi.  
**Cc:** Business Licence <[business.licence@brent.gov.uk](mailto:business.licence@brent.gov.uk)>  
**Subject:** RE: Arista Bar, 232 Church Lane, NW9 - Complaint

Dear Kathiravelu Sayanthan,

I have not received any confirmation as to when you will be dropping the CCTV off to me today.

Please be aware that should I not receive the requested CCTV from you, you leave me with no other option other than to take further enforcement action, which is likely to be in the form of a review of the premises licence.

5 foot



Staar

Staar

Kind regards

Susana Figueiredo  
Licensing Enforcement Officer  
Regulatory Services  
Brent Council

[www.brent.gov.uk](http://www.brent.gov.uk)

**From:** Susana, Figueiredo  
**Sent:** 24 September 2020 16:09  
**To:** 'Say Kathir'  
**Cc:** Business Licence <[business.licence@brent.gov.uk](mailto:business.licence@brent.gov.uk)>  
**Subject:** Arista Bar, 232 Church Lane, NW9 - Complaint

Dear Kathiravelu Sayanthan,

Thank you for calling me today. As discussed, I have received complaints that your premises is breaching Government Coronavirus Regulations and guidance.

You are required to download the following footage and provide it to me. I understand you are going to Poland and would therefore request that you ask someone else to bring it to me at the office on Monday. My telephone number is 07985615616.

The following are the dates and times required:-

- Sunday 6<sup>th</sup> September 2020 - 00.15-00.45 & 02.15-03.30
- Saturday 19<sup>th</sup> September 2020 - 00.15-00.45 & 02.15-03.30
- Sunday 20<sup>th</sup> September 2020 - 00.15-00.45 & 02.15-03.30
- Wednesday 23<sup>rd</sup> September 2020 – 00.00-00.45 & 01.30-02.30

Please provide CCTV footage of the following cameras:-

- the front entrance that oversees outside
- the top bar area
- the room in the basement area

Stoos.

I look forward to hearing from you soon.

Kind regards

Susana Figueiredo  
Licensing Enforcement Officer  
Regulatory Services  
Brent Council

[www.brent.gov.uk](http://www.brent.gov.uk)

To find where to get your vaccine in Brent, go to [brent.gov.uk/vaccine](http://brent.gov.uk/vaccine)

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Stoos.



**METROPOLITAN  
POLICE**

**The Licensing Authority**

Brent Civic Centre  
Engineers Way  
Wembley  
Middlesex  
HA9 0FJ

**Brent Borough Licensing Department**

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

**Your ref:**

**Our ref:** 21/2965NW

**E-mail:** Gary.L.R.Norton@met.police.uk

**Web:** www.met.police.uk

**Mobile:** 07500 993 899

**Date:** 08/09/2021

**Police Licensing comments regarding Brent Council Review of: Arista Bar (aka Tamingo Club, 232 Church Lane, London NW9 8SN)**

I acknowledge receipt of an application for the review of under section 51 of the Licensing Act 2003, for The Arista Bar/Tamingo Club, 232 Church Lane, London, NW9 8SN.

**On behalf of the Commissioner of Police of the Metropolis, I wish to make a representation, as police believe the following objectives have been undermined, namely the Prevention of Crime & Disorder, the Prevention of Public Nuisance, as well as Public Safety.**

**Background on venue**

The venue sits at the end of a terrace of business premises, many of which have a number of residential premises above on Church Lane NW9. The bar/club has a basement area utilised for nightclub style activities and can also be rented for private hire. The venue was the subject of a previous review of the premises licence in July 2017. More robust conditions were added to the licence. One of the key issues raised in 2017 was the failure to provide copies of CCTV as per the license conditions.

**Details of issues**

Aside from the comprehensive information provided by the Council in their review document detailing licensing breaches, the venue has clearly risked the health and safety of the public when the venue was operating as a nightclub style environment during the Covid lockdown. The nature of a nightclub style venues is that is an environmental catalyst to spreading the infection- excitable crowds, close proximity, dance, sweat, people shouting into one another ears over the music (spittle/moisture from one person to another).

Crime Report 19219xx/20: victim reported her mobile phone was stolen whilst in the venue at 0400hrs @ 5<sup>th</sup> September 2020. The venue should not have been operating. Whilst some restrictions had been relaxed at this point, venues such as this should not have been open.

I tried to contact Mr Kathiravelu and ended up speaking to his wife in late September 2020, as we had heard various reports of the venue being open as a bar/club during lockdown. She stated her husband was not available but would be back later. I asked her about the venue being open during COVID, she was hesitant in responding to questions and I stated she should inform her husband that the venue should not be open in the capacity of a club environment and if there was any issues in understanding my request, she could get him to ring back.

PS STOKES 361NW had sent licensing police details of a local resident who had informed him in June 2021 that the venue had been regularly open until 0500-0600hrs some nights, way beyond its licensable hours. Add to this, that we did not enter Step 4 of the COVID protocols until 21<sup>st</sup> July 2021, allowing such nightclub style venues to operate, it was again a clear risk to public health and safety. Aside from this, many of the patrons leaving the venue still loiter in the area, smoking and drinking, disturbing the local residents.

On 3<sup>rd</sup> July 2021, Brent Council attended the venue and reported further COVID breaches.

The Council and Police have made numerous attempts to make the venue operators aware of their failings so they can rectify them. They have ignored not only licensing objectives and conditions of their premises licence, but also breached COVID regulations without care or concern. Given the management of the venue do not adhere to their numerous licensing conditions, it would be pointless to simply warn them and add further conditions for them to ignore. The previous review in July 2017 shows the venue is repeating the same failings. I support the revocation of the licence.

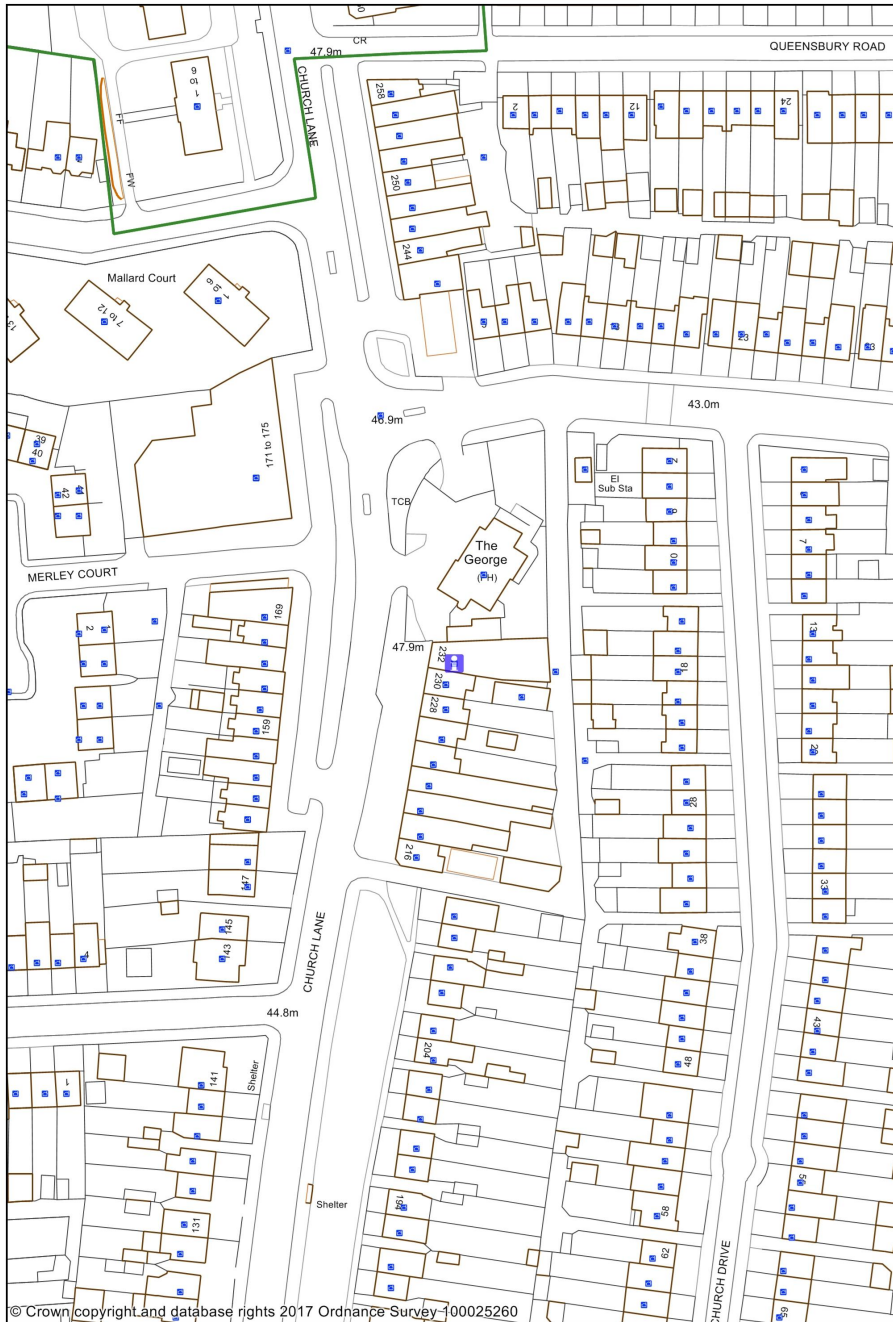
Should the venue be allowed to continue to operate, I doubt we will see an improvement regarding licensing breaches of late night operation and would ask that the licencing hours be significantly reduced and a detailed plan of how the venue would instigate an effective dispersal policy.

Yours Sincerely,

**Gary Norton 2965NW**  
**Licensing Constable – Brent Police**



Arist Bar 232 Church Lane NW9



1:1250

0 0.02 0.04 kilometres



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