



Alcohol and Entertainment Licensing Sub-Committee

Monday 25 October 2021 at 4.00 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)
Grah
Hylton

Substitute Members

Councillors:

Ahmed, Chohan, Hector, Long, McLeish, Maurice,
Shahzad

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 6841; 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 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
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 New Premises Licence by Mr Sami Khoueiry for the premises known as Cedar Restaurant, 58 College Road, NW10 5ET, pursuant to the provisions of the Licensing Act 2003	1 - 64

Date of the next meeting: Date Not Specified



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

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LICENSING ACT 2003

Application for New Premises Licence

1. The Application

Name of Applicant:	Mr Sami Khoueiry
Name & Address of Premises:	Cedar Restaurant, 58 College Road, NW10 5ET
Applicants Agent:	NWL Solicitors – Mr Spyridon Leoussis

The application is for a new premises licence:

- 1 For the sale and supply of alcohol from 11am to 10.30pm and to remain open from 8am to 11pm Monday to Sunday.

2. Background

The application was initially submitted for the sale and supply of alcohol for both 'On' and 'Off' sales and to include the use of the rear garden. The application has since been amended on 24 September to reflect 'On' sales only and the use of the rear garden has been removed.

3. Promotion of the Licensing Objectives

See page 9 of the application

4. Relevant Representations

Representations were received and withdrawn from the Police and Licensing Officers. Representations remain outstanding from local residents.

5. Interested Parties

None

6. Policy Considerations

Policy 1 – Process for Applications

Conditions on the licence, additional to those voluntarily sought/agreed by the applicant, may be considered. Conditions will focus on matters which are within the control of individual licensee and which relate to the premises or areas being used for licensable activities, the potential impact of the resulting activities in the vicinity. If situations arise where the licensing objectives may be undermined but cannot be dealt with by the use

of appropriate conditions the Licensing Authority will consider whether it is appropriate for a licence to be granted or continue to operate.

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 Representation
- C. Police Representation
- D. Resident Representations
- E. OS Map



NEW PREMISES LICENCE APPLICATION FORM

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 Sami Khoueiry of Flat 9 16 Mortimer Crescent, London NW6 5NP 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 58 College Road	
Post town London	Post code NW10 5ET

Telephone number of premises (if any)

02034178383

Non-domestic rateable value of premises

£9,200.00

E-mail address (optional)

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)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Date of Birth

I am 18 years old or over (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 postal
address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In 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?

Day		Month		Year			
2	5	0	9	2	0	2	1

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

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

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

--

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

The premises is a Lebanese restaurant.

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

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

Provision of regulated entertainment

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

Provision of late night refreshment (if ticking yes, fill in box I) **Sale 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)			Will the performance of a play take place indoors or outdoors or both – please tick [<input checked="" type="checkbox"/>] (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	
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					

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		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box ✓) (please read guidance note 8)	On the premises	✓	
Day	Start	Finish		Off the premises		
Mon	11am	10:30pm	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	Both		
Tue	11am	10:30pm				
Wed	11am	10:30pm		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)		
Thur	11am	10:30pm				
Fri	11am	10:30pm				
Sat	11am	10:30pm				
Sun	11am	10:30pm				

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 Sami Khoueiry

Date of Birth [REDACTED]

Address [REDACTED]

Postcode [REDACTED]

Personal Licence number(if known) [REDACTED]

Issuing licensing authority (if known) [REDACTED]

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5)
Day	Start	Finish	
Mon	8am	11pm	<p>Non-standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 6)</p>
Tue	8am	11pm	
Wed	8am	11pm	
Thur	8am	11pm	
Fri	8am	11pm	
Sat	8am	11pm	
Sun	8am	11pm	

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

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

The designated premises supervisor and/or a senior manager shall be at the premises during all opening hours to ensure that all four licensing objectives are strictly adhered to. This is the same policy across the chain's existing 3 other restaurants/takeaway shops and a high standard of service, safety and neighbourhood friendship and mindfulness is always maintained.

b) The prevention of crime and disorder

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.

c) Public safety

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.

d) The prevention of public nuisance

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

e) The protection of children from harm

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

Checklist

Please tick ✓ Yes

- I have made or enclosed payment of the fee ✓
- I have enclosed the plan of the premises ✓
- I have sent copies of this application and the plan to responsible authorities and others where applicable ✓
- I have enclosed the consent form completed by the individual I wish to be 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. (Please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Declaration

- (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

Date 24th September 2021

Capacity Solicitor agent for the Applicant

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)

Mr Spyridon Leoussis

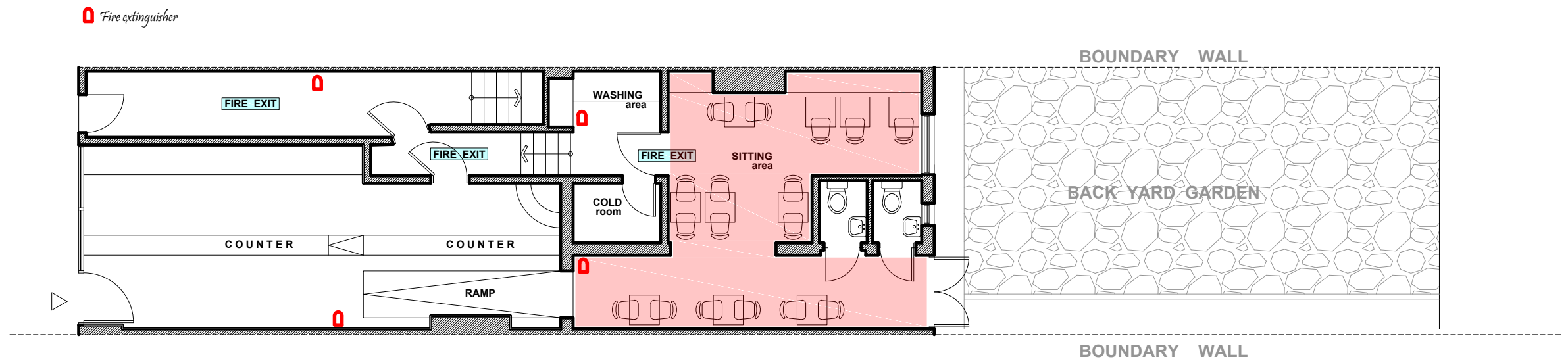
[REDACTED]

Post town [REDACTED]

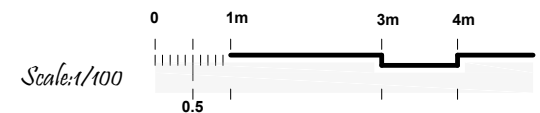
Post code [REDACTED]

Telephone number [REDACTED]

E-mail address (optional) [REDACTED]



GROUND FLOOR LAY-OUT PLAN



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From: Spyridon Leoussis
Sent: 22 September 2021 15:01
To: Esther, Chan <Esther.Chan@brent.gov.uk>
Cc: Business Licence <business.licence@brent.gov.uk>; Legister, Linda <Linda.Legister@brent.gov.uk>
Subject: RE: Licence Consultee Email. Licence Application Number:22366 - Cedar Restaurant 58 College Road, London, Brent, NW10 5ET

Dear Ms Chan,

My client has changed his mind and shall only sell on the premises, in the internal seating area, for consumption on the premises only -this is in order to simplify the application.

Kind regards,

Spyridon Leoussis
Partner
NWL Solicitors

From: Esther, Chan
Sent: 22 September 2021 14:57
To: Spyridon Leoussis
Cc: Business Licence ; Legister, Linda
Subject: RE: Licence Consultee Email. Licence Application Number:22366 - Cedar Restaurant 58 College Road, London, Brent, NW10 5ET

Dear Mr Leoussis,

Thank you for your prompt reply.

The application states that the applicant wish to supply alcohol **On and Off** (Both) the premise, see below extract. The supply of alcohol happens where the exchange of payment takes place and therefore payment shall take place only in the 'Sitting Area' being the only area for proposed licensable activities. Will this include Off sales and where would the alcohol be displayed and stored?

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

Section J: Sale of alcohol: Both

The times the licence authorises the carrying out of licensable activities

Section J: Sale or Supply of Alcohol: Both		
Day	Start Time	End Time
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:00
Sunday	11:00	23:00

Kind Regards
Esther Chan
Licensing Inspector
Regulatory Services
Brent Council

From: Spyridon Leoussis
Sent: 22 September 2021 14:07
To: Esther, Chan <Esther.Chan@brent.gov.uk>
Cc: Business Licence <business.licence@brent.gov.uk>; Legister, Linda <Linda.Legister@brent.gov.uk>
Subject: RE: Licence Consultee Email. Licence Application Number:22366 - Cedar Restaurant 58 College Road, London, Brent, NW10 5ET

Dear Ether,

Thank you for your email.

Please see my clients comments in red below.

Kind regards,

Spyridon Leoussis
Partner
NWL Solicitors

From: Esther, Chan <Esther.Chan@brent.gov.uk>

Sent: 22 September 2021 11:18

To: Spyridon Leoussis

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

Subject: RE: Licence Consultee Email. Licence Application Number:22366 - Cedar Restaurant 58 College Road, London, Brent, NW10 5ET

Dear Mr Leoussis,

I am the consulting officer acting on the behalf of the Licensing Authority. I am in receipt of the attached revised plan submitted on 1st September 2021 and require clarification on the areas proposed for licensable activities.

According to the attached plan, only the 'sitting' area is shaded in red, does this mean that only this area will be used to supply licensable activities as I note, there are counters at the front and a backyard garden? **The Licensable activities shall only be carried out in the area shaded red on the attached plan (i.e. just the internal seating area); so, not at the counters in the front or the backyard garden**

- If your client intends to supply licensable activities at the counter and backyard garden including consumption of alcohol, I require all the all the proposed areas outlined in a red line around the boundary for clarity (see attached plan information). **The Licensable activities shall only be carried out in the area shaded red on the attached plan (i.e. just the internal seating area); so, not at the counters in the front or the backyard garden**
- If the backyard garden is intended for use by customers, please confirm the number of seating and timings? N/A
- Can you confirm if your client intends to supply alcohol as part of a delivery service via a third party like Deliveroo? My client shall not be supplying alcohol as part of any delivery service

Until the Licensing Authority are in receipt of the required information, we refuse the grant of the application.

Kind Regards

Esther Chan
Licensing Inspector
Regulatory Services
Brent Council

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Spyridon Leousis
NWL Solicitors
Ground Floor Unit
224 Iverson Road
NW6 2HL

27th September 2021

Reference: 22366

Dear Mr Leoussis,

Re: Licensing Representation to the Application for the New Premises Licence at Cedar Restaurant 58 College Road, London, NW10 5ET

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

Officer: Esther Chan – Licensing Inspector

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

The application has been made 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 are in receipt of the amended application received on Friday 24th September 2021 to remove 'Off Sales' and to change the hours opened to the public.

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. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
 3. The CCTV images shall be kept in an easily downloadable format.
 4. 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.
 5. CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the full interior of the premises.
 6. A “Challenge 25” policy shall be adopted and adhered to at all times
 7. A sign stating “No proof of age – No sale” shall be displayed at the point of sale.
 8. A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.
 9. Notices asking customers to leave quietly shall be conspicuously displayed at all exits.
 10. Regular documented staff training on licensing legislation and operating procedures shall be given. The training shall be signed and dated and a copy of these training records available for inspection by Police and local authority enforcement officers.
 11. 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
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
 12. Alcohol shall only be provided as an accompaniment to a main meal in the restaurant area as defined on the plans submitted to the licensing authority.
 13. The supply/sale of alcohol shall be by waiter or waitress service.
 14. Customers shall not be permitted to take any open drink containers outside the premises as defined on the plan (shaded in red) submitted to and approved by the Licensing Authority.
 15. All deliveries shall take place during the normal working day (i.e. 09:00hrs to 20:00hrs daily).
-

16. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.

Reduction of Permitted Hours

To allow 30 minutes of 'drinking up' time, the Licensing Authority propose the reduction of the following hours for licensable activities.

Supply of Alcohol (Changed)

Monday to Sunday – 11:00hrs to 22:30hrs

Hours Premises are Open to the Public (No Change)

Monday to Sunday– 08:00hrs to 23:00hrs

Plan

Should the application for a new premise licence be granted, the revised plan submitted on 1st September 2021 shall be the final plan attached to the premise licence subject to no changes required from other responsible authorities.

As confirmed via email by you on 22nd September 2021, other areas outside the sitting area (shaded in red) such as the counter and yard will not be permitted for the supply and consumption of alcohol.

In order for the Licensing Authority to withdraw this representation, it will be necessary for you to confirm that your client accept the above conditions in writing.

Yours sincerely,



Esther Chan
Licensing Inspector
Regulatory Services

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From: Esther, Chan <Esther.Chan@brent.gov.uk>
Sent: 27 September 2021 14:40
To: Spyridon Leoussis
Cc: Business Licence <business.licence@brent.gov.uk>; Legister, Linda <Linda.Legister@brent.gov.uk>
Subject: RE: Licence Consultee Email. Licence Application Number:22366 - Cedar Restaurant 58 College Road, London, Brent, NW10 5ET

Dear Mr Leoussis,

Thank you for your email.

The Licensing Authority wish to withdraw our representation and have no further comments.

Kind Regards
Esther Chan
Licensing Inspector
Regulatory Services

From: Spyridon Leoussis
Sent: 27 September 2021 13:11
To: Esther, Chan
Cc: Business Licence ; Legister, Linda
Subject: RE: Licence Consultee Email. Licence Application Number:22366 - Cedar Restaurant 58 College Road, London, Brent, NW10 5ET

Dear Esther,

My client agrees to all 16 points in your letter.

Kind regards,

Spyridon Leoussis
Partner
NWL Solicitors

From: Esther, Chan <Esther.Chan@brent.gov.uk>
Sent: 27 September 2021 11:20
To: Spyridon Leoussis
Cc: Business Licence <business.licence@brent.gov.uk>; Legister, Linda <Linda.Legister@brent.gov.uk>
Subject: RE: Licence Consultee Email. Licence Application Number:22366 - Cedar Restaurant 58 College Road, London, Brent, NW10 5ET

Dear Mr Leoussis,

Please find attached revised representation from the Licensing Authority.

Kind Regards
Esther Chan
Licensing Inspector

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**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

Brent Police Licensing Unit

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

NW BCU Licensing Department - Brent

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

Tel: 020 8733 5008

Email:

nwmailbox.licensingbrent@met.police.uk

Web: www.met.police.uk

Your Ref: 22366

Our ref: 01QK/464/21/3122NW

Date: 21st September 2021

Police representations to the application for a new Premises Licence for Cedar Restaurant, 58 College Road, NW10 5ET.

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

Police are 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, police would be in a position to withdraw their representations.

**Officer: Phil Graves
Licensing Constable 3122NW**

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

The application has been made for a new premises licence under Section 17 of the Licensing Act 2003. The Police representations are concerned with all four of the licensing objectives.

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

The Application

The application relates to a Lebanese restaurant in College Road, Kensal Green. The applicant states that there will be a restaurant at the rear of the venue and a take away counter at the front. The licensable area in relation to alcohol relates only to the seated restaurant at the rear, as indicated with the red highlighted area on the enclosed map.

Above and opposite the venue are residential flats situated within a busy residential and shopping area. Consideration for any noise nuisance generated by the delivery service shall be given to the surrounding residents and businesses.

The applicant further intends to operate a delivery service from the venue for food and soft drinks. **No alcohol shall be delivered from this venue.** The delivery service from the venue shall operate within the same days and hours as agreed. These are the same as the trading hours which will be Monday to Sunday from 11.00 hours to 23.00hours.

Personal License Holder

The sale of alcohol to drunken people and children is a major concern to Police and highlighted in the governments Alcohol Harm Reduction Strategy. Those who sell or provide alcohol should be fully aware of the legislation and issues around alcohol and should be fully trained to a national standard.

Closed Circuit Television (CCTV)

Good quality CCTV is a basic requirement to help deter and detect criminal activity for all reputable license holders. Therefore a decent quality CCTV system is an essential tool and should be installed and maintained in accordance with Home Office Guidance. The system should be fully operational during the hours of business, with a member of staff present who can operate and if required download footage upon request of the police or other recognised authority from Brent Council.

Notices will also be displayed advertising the presence of the CCTV to help promote a secure and safe dining and working environment.

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

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 upon request.
2. CCTV cameras shall be installed to cover all the entrances and exits of the premises and further camera(s) installed to cover the take away section and the main restaurant.
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. The CCTV system shall display on all recordings with the correct date and time of the recording.
5. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulder image of every person entering or leaving the premises.
6. A "Challenge 25" policy shall be adopted and adhered to at all times.

7. A sign stating “No proof of age – No sale” shall be displayed at the point of sale.
8. A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.
9. Notices asking customers to leave quietly from the premises shall be displayed by the Exit/entrance.
10. All deliveries shall take place during the normal working day) i.e. 09.00hrs to 18.00hrs daily.
11. An incident and refusals 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) Any complaints received.
 - b) Any incidents of disorder.
 - c) Any faults in the CCTV system.
 - d) Any refusal of the sale of alcohol.
 - e) Any visit by a relevant authority or emergency service.
12. Regular documented staff training on licensing legislation and operating procedures shall be given. The training shall be signed and dated and a copy of these training records available for inspection by Police and local enforcement officers.
13. Alcohol shall only be provided as an accompaniment to a main meal.
14. The supply/sale of alcohol shall be by waiter or waitress service only.
15. Customers must not be allowed to sit, stand or be served from the bar area or any other staff area used for the preparation of alcoholic beverages.
16. The supply / sale of alcohol is for **on** premises only. There shall be no **off sale** of alcohol from this venue.
17. The opening hours and sale of alcohol shall be from 11.00 hours to 23.00 hours Monday through to Sunday inclusively

Yours Sincerely,

PC Phil Graves 3122NW
NW BCU - Brent Licensing
Philip.Graves@met.police.uk

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From: Phil.S.Graves@met.police.uk <Phil.S.Graves@met.police.uk>
Sent: 21 September 2021 16:52
To: sleoussis@
Cc: Business Licence <business.licence@brent.gov.uk>
Subject: RE: Cedar Restaurant 58 College Road, NW10 5ET - Police Reps - Reference 22366/464

Spyridon,

Thank you for the prompt reply.

Yes, I can confirm that police will withdraw our representations as your client accepts the conditions.

Regards,

Phil

CC Brent Council



**PC Phil Graves 3122 NW – NW BCU
Licensing Officer – Brent BCU**
South Harrow Police Station, 74 Northolt
Road, Harrow HA2 0DS
Phone: 07500 087 115 Internal: 745147
Web: www.met.police.uk Email: :
Philip.Graves@met.police.uk

From: Spyridon Leoussis
Sent: 21 September 2021 16:24
To: Graves Phil S - NW-CU
Cc: business.licence@brent.gov.uk
Subject: RE: Cedar Restaurant 58 College Road, NW10 5ET - Police Reps - Reference 22366/464

Good afternoon Phil,

Thank you for your email.

My client confirms that he shall adhere to all 17 points mentioned in your emailed letter below.

Please confirm that the Police are withdrawing their representations.

Kind regards,

Spyridon Leoussis
Partner
NWL Solicitors



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Sent: 20 September 2021 10:22
To: Business Licence <business.licence@brent.gov.uk>
Subject: 58 College Road NW10 5ET

Good morning,

There is a licensing application for Cedar Restaurant at 58 College Road and as I live at ■ I have concerns about the impact on the neighbouring residents, particularly at the rear of the building.

A new side return has been built during the renovation work and the back yard has been transformed into a landscaped garden. The submitted plan shows the kitchen and take away counter at the front with seating for 25 at the rear. If the red line on the plan indicates where the alcohol license applies, could you please confirm that the garden is excluded and therefore it would be a breach of the license for it to be sold, served or consumed outdoors.

There are 9 commercial premises in this row of residential buildings and 8 have no customer activity in the rears of the properties. A pilates studio is the exception but it is indoors and by it's nature, quiet. This is a tranquil area in the evenings, a status residents want to maintain.

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Applicant Response to Objector

Dear Vanesha,

Thank you for your email.

The garden would only realistically be used for the licensable activity during warm weather. The restaurant itself will only be open to 11pm, in any event.

The restaurant is a family run business and the applicant's other 2 restaurants also have alcohol licences (which include outdoor space and neighbour residential dwellings) and he has never had any issues as a result thereof; my client understands the importance of meeting the criteria for this licence at all times and shall adhere to these strictly.

Kind regards,

Spyridon Leoussis

Partner

NWL Solicitors

Thank you for your email of 1 October advising that the applicant has now withdrawn the request for 'Off' sales of alcohol and will only use the internal seating area.

Does this mean that customers will not be allowed access to the outside area for any reason, at any time?

Will someone be responsible for enforcing this? How will people be prevented from taking drinks outside, or using the space e.g. to smoke? Will the back doors and windows be permanently locked?

It seems to me that the garden may still be used, so I would anticipate the same level of disturbance which prompted my objection.

Additionally, the Cedar Restaurant and Bar referred to is in liquidation at the instigation of HMRC - the owning company is, I understand, the recently formed Cedar Express Limited. And naming Mr Sami Khoueiry as licensee and dps is concerning. Is a disqualified director allowed to take on these important roles within the company? This could of course be avoided by nominating another person for these positions.

I further understand that the development of the premises has taken place without the freeholder's knowledge or consent and without planning permission. It is currently the subject of investigation by your Planning Enforcement department, reference E/21/0653. Nothing in the behaviour of the applicants to date suggests that they are observant of the law and governing regulations for their activities and therefore cannot be expected to abide by any restrictions placed on them.

Without satisfactory answers to the above questions, my objection still stands.

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Sent: 21 September 2021 15:28

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

Subject: Application Number:22366 - Cedar Restaurant, 58 College Road NW10 5ET

Hello

I have been contacted by a number of residents in College Road and Clifford Gardens in my capacity as Planning Officer for the Kensal Rise Residents Association.

They have expressed concerns over the licensing application (Application Number:22366) for the Cedar Restaurant, 58 College Road NW10 5ET. As a Residents Association we share these concerns.

Allowing alcohol to be consumed outdoors, with the inevitable concomitant noise and disturbance, into the late evening and adjacent to residents' gardens is not acceptable. It will disturb their peaceful enjoyment of their properties in a road which is quiet after normal shopping hours. There is no similar establishment in the vicinity and none of the shops there use the rear of the properties. Granting such a licence would set a precedent for the future with the potential to change the nature of this stretch of College Road.

While the applicant may claim the outside area will only be used in the summer months and in good weather, these are precisely the times the residents themselves will want to enjoy their outside space without this unwanted and unnecessary external disturbance.

Can I also query if the applicant, Mr Sami Khoueiry, is the person of that name who was recently disqualified from acting as a director for eight years due to an insolvency instigated by HMRC, [REDACTED]

This Sami Khoueiry was sole shareholder and director of The Cedar Restaurant and Bar Limited (Company number 09594299) now in liquidation, and of The Cedar Restaurant Limited (Company number 08967708) from which he resigned as sole director on 22 July 2021.

If this is the same person, then I would ask whether he is an appropriate person to make a licensing application while disqualified, as surely it constitutes 'forming, marketing or running a company' which is specifically forbidden under the terms of his disqualification.

I would again urge you to reject this application. I look forward to hearing from you.

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From:

Sent: 06 October 2021 08:47

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

Cc: Legister, Linda <Linda.Legister@brent.gov.uk>

Subject: Re: Cedar Restaurant, 58 College Road, London, NW10 5ET - 22366

Dear Licensing Team

Thank you for your email of 1 October advising that the applicant has now withdrawn the request for 'Off' sales of alcohol and will only use the internal seating area.

I am unclear what this means. Does it mean there will be no people allowed in the outside area at all? Any use of the garden area will affect neighbouring residents.

In addition to the objections in my original submission, I understand that development of the premises has taken place without planning permission. Brent Council's Enforcement case E/21/0653 refers.

The behaviour of the applicants to date suggests that they take little notice of the laws and regulations governing their activities and therefore they cannot be trusted to abide by any restrictions or conditions placed on them.

My objection still stands.

Yours sincerely

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Dear Sir / Madam,

I'm writing to register my concern in relation to the above planning application for the Cedar Restaurant, specifically the use of the garden for the consumption of food and alcohol.

We are particularly concerned by the news that the proposed development will include an alcohol license and that the garden will be used for the consumption of alcohol and dining. This will have an extremely negative impact on the quality of life for those residents who live adjacent to, or in very near proximity to the restaurant, many of whom, like ourselves, have children.

████████████████████ ██████████ onto the garden at 58 College Road, any noise from people eating, smoking and consuming alcohol in the garden will be particularly disturbing and will impact on his ability to sleep and study in his bedroom. This is a very important year for him academically and we are extremely concerned about the potential adverse impact the noise will have on his ability to perform to the best of his ability.

The potential change in usage of the garden will also impact our ability to sleep peacefully in our bedroom, again we think that this is unacceptable.

Please acknowledge receipt of our objection and let us know your thoughts.

Yours sincerely,

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Dear Sir / Madam,

I'm writing to register my concern in relation to the above planning application for the Cedar Restaurant, specifically the use of the garden for the consumption of food and alcohol.

I [REDACTED] with my pregnant wife and our 2 year old son. Our property is the end of the terrace and our son's (and hopefully his sibling's) bedroom is approximately [REDACTED] at 58 College Road, [REDACTED].

We are particularly concerned by the news that the proposed development will include an alcohol license and that the garden will be used for the consumption of alcohol and dining. This will have an extremely negative impact on the quality of life for those residents who live adjacent to, or in very near proximity to the restaurant, many of whom, like ourselves, have young children.

There is no precedent for this, despite the drawings on the planning application implying that the garden was already being used in such a manner; clearly this is a falsehood and I request that this is investigated further. In addition, there are no similar businesses, selling food or alcohol / drink to be sold at the premises in the local area.

As things currently stand, we can already hear our neighbours talking in their gardens if we are in our living room, the noise is bearable, however if there were potentially going to be large groups of people eating and drinking until 11.00 in the evening a few metres from where we live and our son sleeps the situation would be untenable. This unacceptable disruption to our lives will be exacerbated in March when we are expecting another baby.

Our upstairs neighbours have a young son, [REDACTED], whose bedroom is above my son's. [REDACTED] and will be studying in his bedroom, before going to bed, well before the proposed time that people will still be consuming alcohol a few meters from his bed. [REDACTED] father [REDACTED], is also understandably concerned for this reason and the fact that they will be able to hear the inevitable levels of noise from his and his wife's bedroom. [REDACTED] will be registering his objection separately.

Please note that we would also object to the garden area being used as a designated smoking area for patrons dining inside of the restaurant for the reasons stated above (namely noise, but also the noxious smell of cigarettes, or other smoking devices, e.g. shisha).

We look forward to your confirmation of our objection and your thoughts / response.

Your sincerely, [REDACTED]
[REDACTED]

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Good afternoon,

Thanks for your update. Can you please confirm what is meant by "off" sales of alcohol. A part of my objection was also that the garden might be used for smoking with the resultant increase in noise pollution in a residential area. Can you please confirm that this has also been addressed?

Hello Vanesha,

Thanks for your response. Can you please confirm when the hearing is planned for? I believe that there are various other concerns about building having been undertaken without due planning permission, as well as the fact that the director linked to the business has actually been struck off due to financial irregularities.

To reiterate, I, and my neighbours want a specific guarantee that the garden area will not be used for any type of customer facility, smoking, dining, the consumption of alcohol etc. We collectively aren't convinced that the business will adhere to any planning regulations as they have already falsely claimed that the garden had previously been used for diners from the take away; can you please outline how this will be measured and enforced and any penalties that they would be liable to in the event of breaches or non-conformity?

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26-09-21

As residents in close proximity to the above property we are concerned that the stated licensing will be disruptive to our quiet area of College Road. At present there are no businesses that open this late. In particular our concern lies with the drinking of alcohol external to the restaurant, disrupting the quiet enjoyment of gardens in the area.

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24-09-21

I object to alcohol, food and Shisha pipe smoking being consumed outdoors as the subsequent noise will impact on my family's enjoyment of our garden which is very close to the rear of 58 College Rd. The area is residential and we enjoy no nuisance from any establishments in the area nor are there any establishments of this nature currently. A licence with a restriction for indoor consumption of alcohol only plus rejection of any use of the garden at 58 College would be acceptable to myself and my family.

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27-09-21

The rear addition accessible through the side, the side return itself and rear garden of the premises do not have planning permission and the grant of a licence for this area would be inconsistent with the Council's licensing policy relating to the need for consistency between planning and licensing. The side return which would facilitate the use of the rear premises as a restaurant, is unlawful as no planning permission for this has been submitted to, or granted by, the Council. It is noted that the plan accompanying the licence application does not include, within the red edging, the rear garden and I assume that this means that the rear garden does not form part of the application. The use of the enclosed unauthorised side return, rear room and rear garden of the premises in connection with the restaurant within the building, including the consumption and sale of the alcohol and the provision of entertainment (if, indeed, that is what is proposed), would be unacceptable due to the probable nuisance, noise, smell, smoke pollution and general disturbance caused to adjacent residential properties, including 56 and 60 College Road, and 131 and 131A Clifford Gardens, and rear flat at 54 College Road. In view of the very close proximity of residential properties/premises, any use of the rear garden of 58 College Road as a restaurant would be contrary to the licensing objective of preventing public nuisance (see sections 4(2)(c) and 4(6)(a) of the Licensing Act 2003). My objection should be regarded as relevant representations and I trust that the Council will hold a hearing to consider my concerns as required by section 18(3) of the Licensing Act 2008. I would wish to speak at that hearing.

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Sent: 28 September 2021 13:34

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

Subject: Re: New Premises Licence Application - 58 College Road, NW10 5ET - 22366

Hello

This will become a public nuisance as it backs onto our residential gardens.

Please reconsider.

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28-09-21

This proposal would facilitate a very substantial change of use from A5 takeaway operating from the street end of the property. Historically, only the front room of the ground floor was used for the sale of food, while cooking happened in the same room. The rear addition of the property was never used for trading, but only as a storage facility. The garden of the property was used by residents of the residential dwelling upstairs. The side passage at rear of the property was always part of its garden. In the last couple of months the side passage in the garden was covered with a roof, and a corridor was created to connect front and rear of the premises. This would potentially facilitate extending the use of the premises at rear as a restaurant. It is unlawful as no planning application for building an extension and change of use seems to have been submitted to the Council. The plan accompanying the licence application does include, within the red edging, the unauthorised extension. I notice sitting is proposed in the area of this unauthorised extension. The use of the rear garden of the premises in connection with the restaurant within the building, including sale and consumption of alcohol and the provision of entertainment (if, indeed, that is what is proposed), would be unacceptable due to the probable nuisance, noise pollution, smoke pollution and general disturbance caused to a number of adjacent residential properties, including 56 and 60 College Road and 131 and 133 Clifford Gardens. In view of the very close proximity of residential premises, any use of the rear garden of 58 College Road as a restaurant would be contrary to the licensing objective of preventing public nuisance (see sections 42)(c) and 46)(a) of the Licensing Act 2003). Serving alcohol from 11am to 11pm on a daily basis will have a negative impact on the quiet enjoyment of the dwellings by the residents of the neighbouring properties. As a resident, I object to this application.

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28-09-21

Allowing alcohol to be consumed outdoors, with the inevitable concomitant noise and disturbance, into the late evening and adjacent to residents' gardens is not acceptable. It will disturb their peaceful enjoyment of their properties in a road which is quiet after normal shopping hours. There is no similar establishment in the vicinity and none of the shops there use the rear of the properties. Granting such a licence would set a precedent for the future with the potential to change the nature of this stretch of College Road. While the applicant may claim the outside area will only be used in the summer months and in good weather, these are precisely the times the residents themselves will want to enjoy their outside space without this unwanted and unnecessary external disturbance. Can I also query if the applicant, Mr Sami Khoueiry, is the person of that name who was recently disqualified from acting as a director for eight years due to an insolvency instigated by HMRC, who

This Sami Khoueiry was sole shareholder and director of The Cedar Restaurant and Bar Limited (Company number 09594299) now in liquidation, and of The Cedar Restaurant Limited (Company number 08967708) from which he resigned as sole director on 22 July 2021. If this is the same person, then I would ask whether he is an appropriate person to make a licensing application while disqualified, as surely it constitutes 'forming, marketing or running a company' which is specifically forbidden under the terms of his disqualification.

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28-09-21

I have no objection in principle to the granting of an alcohol license, I do however object to the use of the back garden for seating and the consumption of food and alcohol, as I am worried about the noise generated by people eating and drinking potentially until late in the evening. The garden was never used by the business since I moved here in 2011. All the neighbouring gardens including ours are residential and it currently is a quiet area in the evenings. I am concerned the noise and overlooking/privacy issues generated by restaurant seating in number 58's back garden would seriously interfere with our enjoyment of our own garden and potentially disrupt our and our children's sleep. I expect similar issues would apply to the other neighbouring residential properties. I would prefer if it were at all possible if my details could remain unpublished for fear of bad neighbourly relations and potential intimidation.

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Dear Sir / Madam,

Thank you for your email.

I am not sure I fully understand the significance no 'off' sales have with regard to the use of the garden?

Would you be so kind to clarify, whether this means the external area to the rear of the property won't be used to seat customers consuming food and drink?

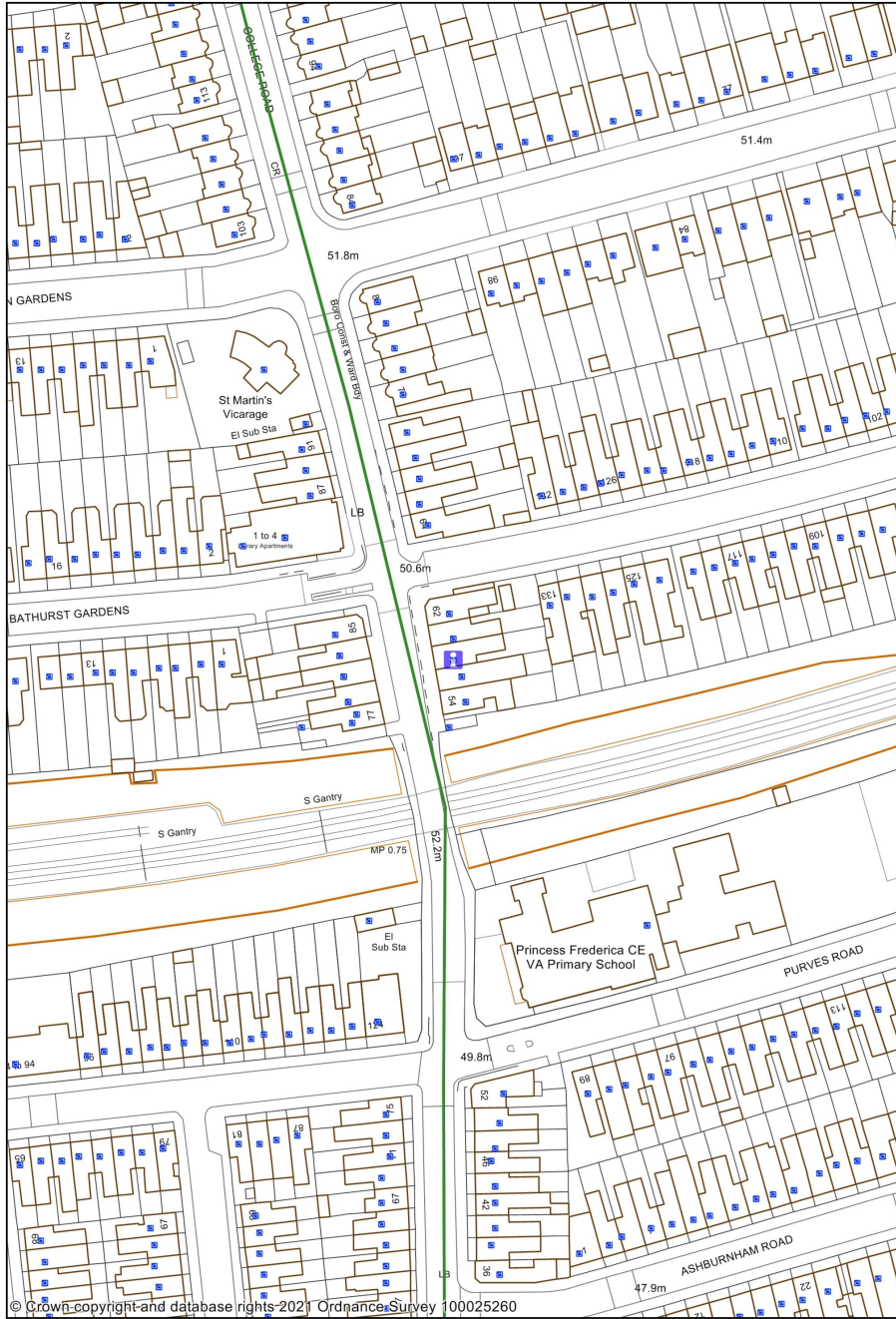
If this is the case then my concerns have been addressed and I would be happy to withdraw my objection.

I look forward to hearing from you.

Kind Regards

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Cedar Restaurant, 58 College Road, NW10 5ET



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1:1250

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Brent

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