



Alcohol and Entertainment Licensing Sub-Committee

Tuesday 8 October 2024 at 10.00am

Members Suite - 4th Floor, Brent Civic Centre,
Engineers Way, Wembley, HA9 0FJ

Please note that this meeting will be held in person with members of the Sub-Committee required to attend in person.

The press and public are also welcome to attend this meeting in person. Please note the meeting is not scheduled for live webcast

Membership:

Members

Councillors:

Ahmed (Chair)
Hylton
Mahmood

Substitute Members

Councillors:

Bajwa, Chohan, Ethapemi, Hack, Long, Lorber, Rajan-
Seelan

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 6841; Email: devbai.bhanji@brent.gov.uk

For electronic copies of minutes and agendas please visit:
[Council meetings and decision making | Brent Council](#)

Notes for Members - Declarations of Interest:

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

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

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

***Disclosable Pecuniary Interests:**

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

****Personal Interests:**

The business relates to or affects:

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

or

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

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

Agenda

Introductions, if appropriate.

Item	Page
1 Apologies for absence and clarification of alternate members	
2 Declarations of Interests	
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.	
3 Application for a Variation to a Premises Licence by Carlton Lounge (UK) Ltd for the premises known as Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH, 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. The meeting room is not accessible to members of the public. Please wait on the 3rd Floor near the red lifts and a member of the staff will take you to 4th Floor

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LICENSING ACT 2003

Application for a Variation to a Premises Licence

1. The Application

Name of Applicant:	Carlton Lounge (UK) Ltd
Name & Address of Premises:	Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH
Applicants Agent:	Compliance Direct Ltd

1. Application

The application is to vary the licence as follows:

- To increase the terminal hour for regulated entertainment and the sale of alcohol to 3am Sunday to Thursday, and 4am Friday and Saturday. For Late Night Refreshment and to remain open until 3.30am Sunday to Thursday and 4.30am Friday & Saturday;
- Extend the last entry time to 1.30am Sunday to Thursday and 2.30am Friday & Saturday.

2. Background

The premises are currently licensed for regulated entertainment, late night refreshment and the sale of alcohol from 11.00am to 2am Sunday to Thursday, and 3am Friday and Saturday. The premises may remain open until 2.30am Sunday to Thursday and 3.30am Friday & Saturday;

3. Promotion of the Licensing Objectives

See page 13 of the application

4. Relevant Representations

Representations have been received from the Licensing Officer.

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. Associated Papers

- A. Application Form
- B. Licensing rep
- C. Licensing Corres
- D. Current Conditions
- E. Proposed Condition
- F. Police – No reps
- G. Current Licence
- H. OS Map

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Carlton Lounge (UK) Ltd

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 362998
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Carlton Lounge 232 – 234 Kingsbury Road
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Post town	London	Postcode	NW9 0BH
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£74500
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Part 2 – Applicant details

Daytime contact telephone number	██████████
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E-mail address (optional)	████████████████████
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Current postal address if different from premises address	
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Post town		Postcode	
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Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

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

The proposal is to increase the terminal hour of the all licensable activities to 0330 hours on Sundays to Thursdays and to 0430 hours on Fridays and Saturday evenings.

Also the proposal is to extend the last entry time.

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

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Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed					
Thur			<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 7)		
Fri					
Sat					
Sun					

D

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

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4) Please see condition 14 of the existing licence, which remains after this variation if granted.	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	0000	0300	<u>Please give further details here</u> (please read guidance note 5)		
	1100	0000			
Tue	0000	0300			
	1100	0000			
Wed	0000	0300	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
	1100	0000			
Thur	0000	0300			
	1100	0000			
Fri	0000	0300	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
	1100	0000			
Sat	0000	0400			
	1100	0000			
Sun	0000	0400			
	1100	0000			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u> Please see condition 14 of the existing licence, which remains after this variation if granted.	Indoors	<input type="checkbox"/>	
				Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both			<input checked="" type="checkbox"/>
Mon	0000	0300	<u>Please give further details here (please read guidance note 5)</u> 			
	1100	0000				
Tue	0000	0300				
	1100	0000				
Wed	0000	0300	<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u> 			
	1100	0000				
Thur	0000	0300				
	1100	0000				
Fri	0000	0300	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u> 			
	1100	0000				
Sat	0000	0400				
	1100	0000				
Sun	0000	0400				
	1100	0000				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing Combination of live and recoded music		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4) Please see condition 14 of the existing licence, which remains after this variation if granted.	Indoors	<input type="checkbox"/>
Mon	0000	0300		Outdoors	<input type="checkbox"/>
	1100	0000	Both	<input checked="" type="checkbox"/>	
Tue	0000	0300	<u>Please give further details here</u> (please read guidance note 5)		
	1100	0000			
Wed	0000	0300			
	1100	0000			
Thur	0000	0300	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
	1100	0000			
Fri	0000	0300			
	1100	0000			
Sat	0000	0400	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
	1100	0000			
Sun	0000	0400			
	1100	0000			

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>		
Day	Start	Finish		Outdoors	<input type="checkbox"/>		
				Both	<input checked="" type="checkbox"/>		
Mon	0000	0330	<u>Please give further details here</u> (please read guidance note 5) Off the premises allows us to sell hot drinks until close of premises and any takeaway drinks as they leave.				
	2300	0000					
Tue	0000	0330					
	2300	0000					
Wed	0000	0330		<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)			
	2300	0000					
Thur	0000	0330					
	2300	0000					
Fri	0000	0330			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
	2300	0000					
Sat	0000	0430					
	2300	0000					
Sun	0000	0430					
	2300	0000					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)					
Mon	0000	0300						
	1100	0000						
Tue	0000	0300						
	1100	0000						
Wed	0000	0300						
	1100	0000						
Thur	0000	0300				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
	1100	0000						
Fri	0000	0300						
	1100	0000						
Sat	0000	0400						
	1100	0000						
Sun	0000	0400						
	1100	0000						

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	0000	0330	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)</p>
	1100	0000	
Tue	0000	0330	
	1100	0000	
Wed	0000	0330	
	1100	0000	
Thur	0000	0330	
	1100	0000	
Fri	0000	0330	
	1100	0000	
Sat	0000	0430	
	1100	0000	
Sun	0000	0430	
	1100	0000	

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

The last entry on Sundays to Thursdays will be 0130 and on Fridays and Saturdays to 0230.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

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

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

The se premises have been operating for a number of years in Kingsbury. This extension of hours have been carefully considered and addressed with additional extension to security staff. Given the numerous conditions already in place and facilitating to promotoe the licensing objectives, it is our assessment that these conditions are adequate to deal with this variation.

b) The prevention of crime and disorder

Security will be continue until the premises are closed and all customers have left the area.

c) Public safety

d) The prevention of public nuisance

Noise monitoring will continue until all regulated activities have come to an end.

e) The protection of children from harm

Existing conditions on Challenge 25 will continued.

Checklist:

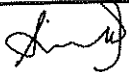
Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	
Date	8 th August 2024
Capacity	Authorised Agents

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

Signature	
Date	
Capacity	

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

Compliance Direct Ltd
52 Roxeth Green Avenue

Post town	Harrow	Post code	HA2 8AF
Telephone number (if any)	07879473696		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
office@complianceirectltd.com

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

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

Compliance Direct Ltd
52 Roxeth Green Avenue
Harrow
HA2 8AF

19 August 2024

Ref: 32523

Dear Sirs,

Licensing representation against the application to vary the premises licence in respect of Carlton Lounge, 232 – 234 Kingsbury Road, London, NW9 0BH (Premises licence number: 362998)

The above-mentioned application has been made pursuant to section 34 of the Licensing Act 2003.

I confirm that I am the delegated officer of the Licensing Authority, in whose area the above-mentioned premises is situated, and who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

I certify that I have carefully considered the above application to vary the premises licence, and consequently, I wish to make a representation on the grounds that if the application were to be granted as it currently is, it would likely have a detrimental effect on one out of the four below licensing objectives:

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

Operating Schedule

The current premises permits the following licensable activities and opening hours:

Live music: Sunday to Thursday, 11:00 - 02:00, Friday & Saturday, 11:00 - 03:00

Recorded music: Sunday to Thursday, 11:00 - 02:00, Friday & Saturday, 11:00 - 03:00

Performance of dance: Sunday to Thursday, 11:00 - 02:00, Friday & Saturday, 11:00 - 03:00

Anything of a similar description to the above: Sunday to Thursday, 11:00 - 02:00, Friday & Saturday, 11:00 - 03:00

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Late night refreshment (on and off the premises): Sunday to Thursday, 23:00 - 02:00, Friday & Saturday, 23:00 - 03:00

The supply of alcohol (on and off the premises): 11:00 - 02:00, Friday & Saturday, 11:00 - 03:00

The opening hours: Sunday to Thursday, 09:00 - 02:30, Friday & Saturday, 09:00 - 03:30

The application to vary the premises licence seeks the following permitted licensable activities and opening hours:

Live music: Sunday to Thursday, 11:00 - 03:00, Friday & Saturday, 11:00 - 04:00

Recorded music: Sunday to Thursday, 11:00 - 03:00, Friday & Saturday, 11:00 - 04:00

Performance of dance: Sunday to Thursday, 11:00 - 03:00, Friday & Saturday, 11:00 - 04:00

Anything of a similar description to the above: Sunday to Thursday, 11:00 - 03:00, Friday & Saturday, 11:00 - 04:00

Late night refreshment (on and off the premises): Sunday to Thursday, 23:00 - 03:30, Friday & Saturday, 23:00 - 04:30

The supply of alcohol (on and off the premises): 11:00 - 03:00, Friday & Saturday, 11:00 - 04:00

The opening hours: Sunday to Thursday, 09:00 - 03:30, Friday & Saturday, 09:00 - 04:30

The Licensing Authority duly notes that the premises licence application hasn't been made in line with other existing premises licences within the local area (i.e., such as the terminal hour for proposed licensable activities).

Location

The premises is located at 232 Kingsbury Road, NW9 0BH. The premises, a detached building, sits in-between a car wash and a block of flats. There is a parade of shops that sit directly opposite the premises along Kingsbury Road, with residential flats located above. Mead Court, a residential area of flats sits directly behind the premises. The local area itself is a mixture of commercial businesses that cater towards local residents and residential properties.



The nearest noise-sensitive dwellings are residential flats 10 meters east of the premises and 34 meters north, directly behind the premises along Mead Court. Additionally, there are properties 36 meters to the west along Uphill Drive and 40 meters directly south, across Kingsbury Road.



Cumulative Impact Zone (CIZ)

Kingsbury Road falls within one of Brent Council's Cumulative Impact Zones (CIZ). The purpose of these CIZs is to address issues related to alcohol-led anti-social behaviour in public areas and street drinking.

While this premises licence application does fall within one of Brent Council's Cumulative Impact Zones, and the premises is licensed to conduct off-sales, the nature of the application suggests it would not have a tangible effect on the cumulative impact in relation to street drinking.

This is because the business model predominantly caters to on-sales, thereby not increasing the likelihood of street drinking or alcohol-related anti-social behaviour.

Licence History

The current premises licence is held by a limited company, namely, Carlton Lounge (UK) Limited. The sole listed director of the company is Thavatheva Thevarajah. Carlton Lounge (UK) Limited has held the premises licence since June 2016. Thavatheva Thevarajah is also the designated premises supervisor and has held that position since July 2013.

The premises licence was subject to a review hearing on 26 June 2014 following an application made by the Metropolitan Police Service. The review was sought on the grounds that all four licensing objectives were being undermined. The Licensing Sub-Committee subsequently agreed to adjourn the meeting on the condition that the premises implemented an effective action plan to improve management, including staff training and building improvements.

The Licensing Authority acknowledges that this review hearing took place over 10 years ago and is therefore of limited relevance to the current application.

Complaints

The Licensing Authority has been made aware of the following complaints:

13 September 2022 – Following on from a pre-arranged meeting at the premises between Thavatheva Thevarajah and Brent Council (John McGann, Licensing Enforcement Officer and Martin Wood, Principal Nuisance Control Officer), Mr McGann undertook an inspection of the annex two conditions. Mr McGann highlighted his concerns that the condition pertaining to the CCTV and the incident book was not being met. It should be noted that Mr McGann acknowledged within his correspondence that the premises licence holder had resolved the CCTV issue thereafter.

28 November 2023 – A warning letter issued by Esther Chan, Licensing Enforcement Officer advising Mr Thevarajah that the Licensing Authority had been made aware of complaints regarding loud music emanating from the premises.

11 March 2024 - Martin Wood, Principal Nuisance Control Officer advised the premises licence holder of 8 noise recordings uploaded via the 'NoiseApp' between 4 February 2024 & 3 March 2024. The noise recordings were all recorded between 23:51 & 02:15.

Temporary Event Notices (TENs)

The premises has submitted numerous TENs to the Licensing Authority since 2023:

2024

Monday 1 January 2024 & Tuesday 2 January 2024: The sale by retail of alcohol (SOA), The provision of regulated entertainment (RG), The provision of late night refreshment (LNR): 02:01 to 04:00

Monday 1 May 2023: SOA, RG, LNR, 02:01 – 03:30

Monday 27 May 2024 & Tuesday 28 May 2024: SOA, RG, LNR, 02:01 – 03:30

Monday 6 May 2024 & Tuesday 7 May 2024: SOA, RG, LNR, 02:01 – 03:30

Monday 1 April 2024 & Tuesday 2 April 2024: SOA, RG, LNR, 02:01 – 03:30

2023

31 December 2022 - 2 January 2023: SOA, RG, LNR, 03:01 to 05:00 (Reduced to 04:00 upon agreement with the Police)

Monday 10 April 2023: SOA, RG, LNR, 02:01 – 03:30

Monday 1 May 2023: SOA, RG, LNR, 02:01 – 03:30

Monday 8 May 2023: SOA, RG, LNR, 02:01 – 03:30

Monday 29 May 2023: SOA, RG, LNR, 02:01 – 03:30

Monday 28 August & Tuesday 29 August 2023: SOA, RG, LNR, 02:01 – 03:30

Monday 25 December 2023: SOA, RG, LNR, 02:01 to 04:00

Tuesday 26 December 2023: SOA, RG, LNR, 02:01 to 04:00

Wednesday 27 December 2023: SOA, RG, LNR, 02:01 to 04:00

Summary

If the proposed application to vary the premises licence were granted without any amendments, it is my view, acting on behalf of the Licensing Authority, that this would likely have a detrimental effect on the promotion of the licensing objectives. My concern pertains solely to the licensing objective of “the prevention of public nuisance” being undermined.

The basis for my concern relates to the potential for noise breakout from inside and outside the premises if the proposed hours for licensable activities and opening times are granted in full, as set out in the application without any further amendments.

While I respect the rights of the premises licence holder to apply to vary his premises licence and respect the commercial right to make his business as financially viable as possible, I do not believe that this should be at the detriment of local residents.

The premises currently enjoys generous hours for licensable activities, far beyond those of other nearby establishments, particularly with a terminal hour of 02:00 from Thursday to Sunday and 03:00 on Friday and Saturday.

Although a later terminal hour on Friday and Saturday is expected, I am concerned that any extension beyond 03:00 on Friday and Saturday and beyond 02:00 on Thursday to Sunday could lead to an increase in noise complaints, particularly as no specific measures have been expanded upon in any great detail within the application to address this concern.

This potential disturbance could stem from patrons using the front area of the premises upon entering or leaving, using the rear external area, or from live/recorded music within the premises. I am mindful that the premises is very close to residential dwellings on Mead Court and Uphill Drive, and that increased capacity for live/recorded music could result in further noise breakout into the early morning hours without adequate noise attenuation measures.

Given the late hours during which patrons may enter or leave the premises, I am also concerned that elevated conversation levels could disturb residents in the block of flats across Kingsbury Road, especially given the reduced ambient noise at that time of night.

I am also mindful that extending the hours for the supply of alcohol could carry a higher risk of alcohol-related disorder. However, none of the complaints known to the Licensing Authority indicate that this is currently an issue, and therefore this does not form part of my representation.

It is noted that the premises licence holder, Mr Thevarajah, has engaged with Brent Council following previous noise complaints and has attempted to establish a decibel reading from one of the complainants' properties.

Furthermore, the Licensing Authority acknowledges that during occasions when licensable activities have been carried out under a Temporary Event Notice, no complaints have been recorded by the Licensing Authority. However, this may be because TENs are isolated events and not held on a weekly basis.

After carefully reviewing the application and considering all factors, I have no objections to the application being granted, provided that certain assurances are made through amendments to the current conditions and a reduction in the proposed hours during the working week.

I have also taken the opportunity to update all Annex Two conditions and add additional ones to promote the licensing objective of "the prevention of public nuisance." As mentioned in the application, these additional measures include logged noise monitoring checks at Mead Court and Uphill Drive to mitigate any potential noise breakout issues.

Further amendments include updating the wording of existing conditions and removing outdated or unenforceable conditions. I have also included conditions related to "the protection of children from harm," though I acknowledge that these are not directly relevant to the current application. However, their acceptance would indicate responsible management and best practices.

As such, if your client does not agree to the proposed amendments to the application and no resolution can be reached, my representation will be upheld, and the application will be determined at a Licensing Sub-Committee hearing.

Nonetheless, should your client agree to the proposed Annex 2 conditions and amendments to the proposed hours, I can confirm that the representation against the application to vary the premises licence would be withdrawn.

Amended Operating Schedule:

Live music: Sunday to Thursday, 11:00 - 02:00, Friday & Saturday, 11:00 - 04:00

Recorded music: Sunday to Thursday, 11:00 - 02:00, Friday & Saturday, 11:00 - 04:00

Performance of dance: Sunday to Thursday, 11:00 - 02:00, Friday & Saturday, 11:00 - 04:00

Anything of a similar description to the above: Sunday to Thursday, 11:00 - 02:00, Friday & Saturday, 11:00 - 04:00

Late night refreshment (on and off the premises): Sunday to Thursday, 23:00 - 02:00, Friday & Saturday, 23:00 - 04:00

The supply of alcohol (on and off the premises): 11:00 - 02:00, Friday & Saturday, 11:00 - 04:00

The opening hours: Sunday to Thursday, 09:00 - 02:30, Friday & Saturday, 09:00 - 04:30

Amended & additional conditions.

Annex Two Conditions

The prevention of crime and disorder.

The premises shall install, operate, and maintain a digital colour CCTV system. The CCTV system shall continually record whilst the premises are open for licensable activities and all recordings shall be kept for 31 days. *[To replace Annex Two, Condition 1]*

A member of staff who is conversant with the operation of the CCTV system shall always be available at the premises whilst open to the public. CCTV footage shall be provided on removable media (i.e., USB, hard drive, CD etc..). *[To replace Annex Two, Condition 1]*

The CCTV system shall display on any recordings, the correct date and time of the recording. *[To replace Annex Two, Condition 1]*

The CCTV system shall be capable of obtaining clear facial recognition images of every person entering or leaving the premises with further CCTV cameras covering the internal areas stipulated on the premises plan and any additional external area that members of the public can access. *[Additional]*

Signage stating that CCTV is in operation shall be clearly and prominently displayed at the premises. *[Additional]*

A minimum of 2 SIA licensed door supervisors shall be on duty after 22:00 if the premises will be open past 01:00. *[To replace Annex Two, Condition 2]*

All SIA licenced door supervisors shall wear clothing that can be clearly and easily identified. *[Additional]*

A log shall be kept of the SIA door supervisors working on any night to include their full name, date of birth, Security Industry Authority licence number, company and booking on-off times. A copy of SIA door supervisor log shall be available upon request by Police and authorised officers from Brent Council. *[Additional]*

There shall be no open glass vessels permitted outside the area defined on the premises plan. *[To replace Annex Two, Condition 3]*

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

- (a) any incidents of crime and disorder.
- (b) any customers barred from the premises
- (c) any ejections from the premises.
- (d) seizures of drugs or offensive weapon
- (e) any complaints received.
- (f) any faults in the CCTV system
- (g) any visit by a relevant authority or emergency service.

[To replace Annex Two, Condition 4]

Any entries into the log shall be made within 24 hours of any incident and shall contain the time/date of the incident, the nature of the incident, a description of the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. *[To replace Annex Two, Condition 4]*

The premises licence holder shall undertake a written search policy as a preventative measure to negate patrons from bringing in any prohibited drugs, weapons, or any other unlawful item onto the premises. *[To replace Annex Two, Condition 5]*

Notices shall be conspicuously displayed at the entrance notifying patrons that the premises reserves the right to undertake searches upon entry to the premises and that the premises has a "no drugs policy". *[To replace Annex Two, Condition 5]*

Substantial meals and alcohol-free drinks shall be always available for patrons whilst the premises are selling alcohol. *[To replace Annex Two, Condition 9]*

There shall be no entry or re-entry to the premises permitted after 00:30 on Sunday to Thursday and 02.00 on Friday and Saturday. *[To replace Annex Two, Condition 28]*

There shall be at least 4 members of bar staff on site after 00:00 hours. *[Additional]*

Public safety.

1. The maximum number of persons permitted on the Ground Floor shall not exceed 300 persons including staff. The maximum number of persons permitted on the First Floor shall not exceed 150 persons including staff. *[To be kept as per Annex Two, Condition 21]*

2. There shall be no smoking of shisha through "alcoholic drinks". *[To replace Annex Two, Condition 20]*

The prevention of public nuisance.

3. The outside drinking areas shall be closed after 23:00. *[To replace Annex Two, Condition 7].*
4. Ingress and egress notwithstanding, all doors and windows shall remain during any regulated entertainment and/or after 22:00 in all circumstances. Staff shall undertake regular checks to ensure that all doors and windows are closed. *[To replace Annex Two, Condition 12, 17 & 18]*
5. The playing of live or recorded music shall not be permitted in any external area after 22:00 hours apart from within the designated shisha areas as defined on the premises plan. *[To replace Annex Two, Condition 14]*
6. The internal areas from which any recorded music or live music is undertaken, the premises shall ensure that it sound proofed to prevent noise breakout. *[To replace Annex Two, Condition 16]*
7. If any live or recorded music provided at the premises, noise monitoring shall be undertaken by a trained member of staff between 22:00 until the closure of the premises. Noise monitoring shall involve walking to the nearest noise sensitive premises and take place at least once every two hours. *[Additional]*
8. All noise monitoring visits shall be recorded in writing, stating the time of the visit, location, whether noise was or was not audible and any action taken. The noise monitoring log shall be kept at the premises in hard copy form and be produced upon request to any authorised officer of Brent Council. *[Additional]*
9. A telephone number shall be made available to be used by residents in relation to any complaint of noise resulting from the premises. The premises licence holder shall ensure that all complaints made by residents, and any action taken, are recorded within the incident log. *[Additional]*
10. Clear and legible notices shall be prominently displayed at the exit requesting patrons to respect the needs of residents when leaving the premises. *[To replace Annex Two, Condition 13]*
11. The placing of bottles into receptacles outside the building shall not be permitted between 22:00 hours & 09:00 hours the following morning. *[To replace Annex Two, Condition 25]*

The protection of children from harm

12. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport, or proof of age card with the PASS Hologram. *[Additional]*
13. A Challenge 25 notice shall be conspicuously displayed at the point of sale. *[Additional]*
14. A logbook shall be kept recording all refused sales of alcohol. The log shall contain the time/date of the refusal, a description of the customer, the name of the staff member who refused the sale, the reason the sale was refused and any other relevant observation. The refusals register shall be made available for inspection upon request of an authorised officer of a Brent Council and the Police. *[Additional]*
15. No person under the age of 18 shall be admitted unless accompanied by a responsible adult. *[To replace Annex Two, Condition 24]*

16. No person under the age of 18 shall be permitted entry or allowed to remain at the premises after 21:00 hours. [Additional]

17. Staff training shall be undertaken by all members of staff involved with licensable activities. Additionally, all staff shall undergo refresher training every 12 months which shall also be recorded. Staff training shall include the following topics:

- (a) Age verification policy.
- (b) CCTV operation.
- (c) Conflict management.
- (d) Operating procedures.
- (e) Proxy Sales.
- (f) Permitted hours and relevant conditions.
- (g) Noise monitoring.

[To replace Annex Three, Condition 29]

18. Training records shall include the time/date of the training, staff members name, training topic and must be signed off by the relevant staff member and the respective premises licence holder/designated premises supervisor/duty manager. *[To replace Annex Three, Condition 29]*

19. A copy of staff training shall be available upon request by Police and authorised officers from Brent Council. *[To replace Annex Three, Condition 29]*

Wembley Stadium Event Days

20. During Wembley Stadium event days, patrons shall not be permitted to congregate outside the premises, save for ingress. *[To replace Annex Two, Condition 10]*

21. During Wembley Stadium event days, all drinks shall be decanted into either toughened glass, polycarbonate material or any other type of plastic vessel. *[To replace Annex Two, Condition 10]*

22. During Wembley Stadium event days, the DPS or relevant duty manager shall work in partnership with the Police and if necessary, comply with any direction given by a senior Police Officer, or Licensing Authority, on duty at the event. These directions may include:

- a. Cease the sale of alcohol for a specified amount of time. This shall be monitored, and the supply of alcohol reinstated as soon as is possible.
- b. Closing the entire premises for a specified amount of time. This shall be monitored, and the premises reopened as soon as possible.

[To replace Annex Two, Condition 10]

The following conditions are to be removed:

Signs alerting customers to theft shall be displayed. *[To be removed, as it's unenforceable]*

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. *[To be removed, duplication of existing legislation]*

No noise or vibration shall be detectable at any neighbouring noise sensitive premises. *[To be removed as inaudibility conditions have been quashed due to lack of precision. As per Developing Retail Ltd v East Hampshire Magistrates' Court [2011] EWHC 618 (Admin)]*

Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises. *[To be removed, duplication of existing legislation]*

The locks and flush latches on the exit doors and gates shall be unlocked and kept free from fastenings other than push bars or pads whilst the public are on the premises. *[To be removed, as it's unenforceable]*

The socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps). *[To be removed, as it's unenforceable]*

The Licensee shall undertake a risk assessment of any significant promotion or event, using the Metropolitan Police Service Promotion/Event Risk Assessment Form (Form 696) or an equivalent and provide a copy to the Metropolitan Police and Brent Council's Licensing Unit not less than 14 days before the event is due to take place. *[To be removed, The Metropolitan Police Service has withdrawn the use of Form 696 and therefore it's unenforceable.]*

Where an event has taken place the licensee shall complete a Debrief Risk Assessment Form (Form 696A) and submit this to the Metropolitan Police and Brent Council's Licensing Unit within 3 days of the conclusion of the event. *[To be removed, The Metropolitan Police Service has withdrawn the use of Form 696 and therefore it's unenforceable.]*

Yours sincerely,

A handwritten signature in black ink that reads "E. Maldoom". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Edwin Maldoom
Licensing Enforcement Officer

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From: Maldoom, Edwin
Sent: Wednesday, September 11, 2024 2:28 PM
To: office@compliancedirectltd.com
Cc: prashtheva@gmail.com;
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Good afternoon Sivashankar,

Thank you for your response. I'm rather confused as to why you would not wish to continue the discussions with me, despite my repeated attempts to reach a pragmatic solution that works for all parties. Nonetheless, I would be most grateful if you could either forward on my email to the appointed legal representative, or to provide me with their email, so I can continue this dialogue.

Irrespective of the above, I would appreciate it if your client could confirm which conditions he agrees with, or alternatively, which ones he does not. For your convenience, I have attached both the proposed Annex 2 conditions from my representation and the current Annex 2 conditions from the existing premises licence.

As noted in my representation, I appreciate that I can only assert on conditions that directly pertain to the variation (i.e., conditions that relate to the prevention of public nuisance due to the proposed later hours). The other amendments I have suggested are simply aimed at tidying up the current conditions, such as including new conditions that I surmise your client adheres to already and removing any outdated conditions that are effectively unenforceable.

Many thanks,

Edwin Maldoom
Licensing Enforcement Officer
Regulatory Services

From: office@compliancedirectltd.com
Sent: Wednesday, September 11, 2024 1:19 PM
To: Maldoom, Edwin
Cc: prashtheva@ ;
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Dear Sir,

Thank you for your email.

As you may have been informed by the LA, we now have appointed an eminent leading Counsel in this field of Licensing to advise and represent.

Given this, I am unable to provide any further discussions in this matter. However, all these correspondences are being passed to the Counsel, and you My hear from them.

Kind Regards,
Sivashankar

From: Maldoom, Edwin
Sent: 09 September 2024 14:38
To: office@complianceirectltd.com
Cc: prashtheva@ ;
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Good afternoon Sivashankar,

I understand and appreciate that your client would like the hours to be varied in line with the application. In doing so, I would perhaps like to see some conditions that would negate any possible noise issues that could potentially transpire as a consequence.

As such, I would say that yes, the conditions are certainly worth discussing. I think a good starting point therefore would be for you to let me know which conditions set out within my representation your client either agrees with or don't agree with.

Many thanks,

Edwin Maldoom
Licensing Enforcement Officer
Regulatory Services

From: office@complianceirectltd.com
Sent: Monday, September 9, 2024 2:27 PM
To: Maldoom, Edwin
Cc: prashtheva@ ;
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Dear Mr Maldoom,

Thank you for your email.

Given the current position from Police and Noise Team, we cannot agree to amend the hours of operation.

Is it worth discussing conditions?

Thanks

Sivashankar

From: Maldoom, Edwin
Sent: 09 September 2024 14:18
To: office@complianceirectltd.com
Cc: prashtheva@ ;
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Good afternoon Sivashankar,

Thank you for your email.

In the spirit of mediation and in an effort to find some common ground, I would be most grateful if you could let me know which conditions set out within my representation that you either agree with or disagree with. I believe this would be a beneficial step towards finding a solution.

Like you and your client, I would prefer to avoid a hearing if all outstanding matters can be settled, and if we can find terms that satisfies all parties.

Perhaps once we have addressed the conditions, we can then move on to discussing the proposed hours.

Many thanks,

Edwin Maldoom
Licensing Enforcement Officer
Regulatory Services

From: office@complianceirectltd.com
Sent: Monday, September 9, 2024 1:17 PM
To: Maldoom, Edwin <
Cc: prashtheva@ ;
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Dear Sir,

Now my confusion is resolved, would like to bring the following to your attention.

Given that the Met Police and the Noise team have not made any representations after consulting with us, we find the Licensing Authority taking on the responsible authority function unnecessary at best and overzealous at worst.

I urge you to reconsider your position on this, so that we can continue to work with the Authority. In case of appeal, this email will be put in front of the Courts to provide all costs.

Thanks

Sivashankar

From: Maldoom, Edwin
Sent: 04 September 2024 10:17
To: shankar P
Cc: Business Licence; Legister, Linda; prashtheva@
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Good morning Sivashankar,

I think I understand the confusion then, you would have spoken to one of the Licensing Officers who work for the Metropolitan Police (rather than myself at Brent Council).

Of course, I'm not privy to your conversation and I would suggest that you would follow it up by emailing nwmailbox.licensingbrent@met.police.uk separately.

Many thanks,

Edwin Maldoom
Licensing Enforcement Officer
Regulatory Services

From: shankar P <office@complianceirectltd.com>
Sent: Wednesday, September 4, 2024 10:10 AM
To: Maldoom, Edwin
Cc: Business Licence; Legister, Linda prashtheva@
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Dear Sir, the number was ***** and confirmed that from Police.

I am sorry I did not get the name, though he did say it

Thanks

Shankar

On 4 Sept 2024 10:03, "Maldoom, Edwin" <Edwin.Maldoom@brent.gov.uk> wrote:

Good morning Sivashankar,

There appears to be some confusion – I did not speak to you on the phone yesterday. I would strongly suggest that you check the number and clarify who you spoke to (i.e., was it another responsible authority, or a member of the public who put in a representation?).

Nonetheless, thank you for clarifying your client's position. I acknowledge the fact that he does not agree to the terms of my representation. Consequently, I therefore confirm that my representation against the application shall remain upheld.

Many thanks,

Edwin Maldoom
Licensing Enforcement Officer

From: office@complianceirectltd.com
Sent: Wednesday, September 4, 2024 9:54 AM
To: Maldoom, Edwin
Cc: Business Licence; Legister, Linda; prashtheva@
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Dear Sir,

It was a brief telephone conversation yesterday, which I misunderstood that you are withdrawing the rep.

I apologise.

Our clients are not in agreement with your suggested amendments either to the hours or to the conditions.

Thank you

Sivashankar

From: Maldoom, Edwin
Sent: 04 September 2024 09:24
To: office@complianceirectltd.com
Cc: Business Licence; Legister, Linda
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)
Importance: High

Good morning Sivashankar,

Just as a point of clarification - I have not withdrawn my representation.

I stated in the email below that I was hopeful that the representation *could* be withdrawn – however this was on the proviso that the annex two conditions that I had set out were agreed and that there would be no further extension to the terminal hour for licensable activities/opening hours on Sunday to Thursday (i.e., they remain the same as they currently are on the premises licence). I had agreed to the extension for Friday/Saturday however only on the basis that the annex two conditions are amended as per my representation.

You had emailed me yesterday to say that *“Given the past operation of the premises our clients feel that this application for extending the times do not undermine the licensing objectives and no contrary evidence is provided in your statement.*

Further, as to the suggested amendments to existing conditions are outside the S 36 of the Licensing Act 2003.”

I hadn't had the chance to reply to this email yet. I understand that your client has the right to express the opinion that they do not believe that the application will not undermine the licensing objectives – I however hold a different opinion in my role as the Licensing Authority consulting upon your client's application.

Just so I can have some clarity on where we stand currently in terms of mediation, does your client agree to the conditions that I have set out within my representation?

Many thanks,

Edwin Maldoom
Licensing Enforcement Officer
Regulatory Services

From: office@complianceirectltd.com <office@complianceirectltd.com>

Sent: Tuesday, September 3, 2024 5:00 PM

To: Maldoom, Edwin <Edwin.Maldoom@brent.gov.uk>

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

Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Dear Sirs,

Thank you for withdrawing the representation. The application stands as applied for.

Kind Regards

Sivashankar

From: Maldoom, Edwin

Sent: 19 August 2024 14:21

To: office@complianceirectltd.com

Cc: Business Licence; Legister, Linda

Subject: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Importance: High

Good afternoon,

Please find attached representation against the above application to vary the premises licence. I surmise that you will need to discuss this with your client, however, I am hopeful that this representation can be withdrawn once we reach an agreement in relation to further conditions and amendment to the operating schedule.

If you have any questions regarding this, please don't hesitate to get in touch.

Many thanks,

Edwin Maldoom
Licensing Enforcement Officer

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From: Maldoom, Edwin
Sent: Thursday, September 12, 2024 11:24 AM
To: office@complianceirectltd.com
Cc: prashtheva@ ;
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Good morning Sivashankar,

Just to clarify, my intention was simply to initiate discussions in the spirit of mediation. I'm still unsure why you haven't provided a response indicating which conditions within the representation (or subsequent attachments) your client would consider, or conversely, would not consider, let alone the reasoning behind that. This would be the naturally starting point for resolving the outstanding matters.

As you are aware, the stronger the conditions stipulated within a premises licence, the lower the risk of undermining the four licensing objectives. As a result, the Licensing Authority would have fewer concerns regarding the proposed hours outlined in the application to vary the premises licence. Well defined and robust conditions help ensure that the four licensing objectives are upheld and would help negate any potential concerns relating to the proposed hours of the variation.

Many thanks,

Edwin Maldoom
Licensing Enforcement Officer
Regulatory Services

From: office@complianceirectltd.com
Sent: Thursday, September 12, 2024 10:22 AM
To: Maldoom, Edwin
Cc: prashtheva@ ;
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Dear Sir,

Thank you for your very prompt reply.

Thank you also for clarifying the Authority's position.

We have made our position very clear as to the extension of timings and and existing conditions many time before.

Hence, we really see no point forward in this ping pong emails or your insistence that there is something to discuss. We both have established positions.

It is our view that this matter is now for the Committee/Courts to decide.

Hope this helps

Sivashankar

From: Maldoom, Edwin
Sent: 12 September 2024 10:09
To: office@complianceirectltd.com
Cc: prashtheva@ ;
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Good morning Sivashankar,

Thank you for your response.

I have answered your questions below:

Have the LA dropped the objections for the hours applied for? – *No, as there have been no additional noise management measures (or even assurances) put forward describing how your client intends to negate any potential noise related issues due to the proposed extended hours.*

Have the LA now abandoned the proposal to amend the existing conditions? *No, as no feedback has been provided about what conditions your client would even consider (including removing the ones that I have suggested that are no longer relevant or enforceable).*

As I have said previously, if your client could let me know what conditions he agrees with, and what conditions he disagrees with, we will at least have a starting point so that we can begin discussions on how to find a resolution that works for both parties.

Many thanks,

Edwin Maldoom
Licensing Enforcement Officer
Regulatory Services

From: office@complianceirectltd.com
Sent: Thursday, September 12, 2024 9:43 AM
To: Maldoom, Edwin
Cc: prashtheva@ ;
Subject: RE: Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - Representation against the application to vary the premises licence (REF: 32523)

Dear Sirs,

Thank you for your email.

At no point we declined the invitation to discuss. Only brought to your attention that the lines of instructions are changing and it is only good practice we respect those legal lines.

However, we note your last para and the limitations imposed by a s36 application.

Just to be clear, can we clarify the following,

Have the LA dropped the objections for the hours applied for?

Have the LA now abandoned the proposal to amend the existing conditions?

Thanks

Sivashankar

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Current Premises Licence Conditions

Carlton Lounge, 232 – 234 Kingsbury Road, London, NW9 0BH (Premises licence number: 362998)

Annex Two

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 on demand.
2. A minimum of 2 door supervisors shall be employed from 22:00 hours when the premises are open for the sale of alcohol past 01.00hrs and will remain in place until the last customer has left the premises.
3. 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.
4. The licensee shall keep an incident book which shall be made available to the Police and Licensing Authority on demand.
5. Notices clearly explaining the licensee's policy on admission and searching shall be displayed at each entrance.
6. Signs alerting customers to theft shall be displayed.
7. The outside drinking areas (including rear garden) shall cease at 2300 hours excluding the shisha area.
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. Substantial food and non-intoxicating beverages (including free drinking water) shall be available during the whole of licensed hours in all parts of the premises where intoxicants are provided.
10. On major event days at Wembley Stadium the following shall apply:
 - Customers shall not be allowed to congregate outside the premises.
 - No glass bottles shall be handed over the bar but decanted into toughened glass or plastic vessels.
 - The DPS shall work in partnership with the Police and if necessary comply with any direction given by a senior Police Officer on duty at the event.

11. Notices clearly explaining the licensee's drugs policy shall be displayed at the entrance and at suitable places through out the premises.
12. Windows within the bar and restaurant areas shall be kept closed after 22:00 hours.
13. Notices asking customers to leave quietly shall be conspicuously displayed at all exits.
14. The playing of live or recorded music shall not be permitted in any garden or external area after 2200 hours excluding the Shisha area.
15. No noise or vibration shall be detectable at any neighbouring noise sensitive premises.
16. The relevant areas where regulated entertainment or making music takes place shall be adequately sound proofed to prevent noise breakout.
17. Doors and windows shall be kept closed during entertainment to reduce noise breakout (ensuring there is adequate ventilation within the premises). Staff shall check prior to entertainment and periodically during entertainment, that all windows and doors are shut.
18. Lobbied entrances shall have automatic door closures.
19. Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises.
20. The advertised smoking of shisha through "alcoholic drinks" shall not take place on the premises
21. The maximum number of persons permitted on the Ground Floor shall not exceed 300 persons including staff. The maximum number of persons permitted on the First Floor shall not exceed 150 persons including staff.
22. The locks and flush latches on the exit doors and gates shall be unlocked and kept free from fastenings other than push bars or pads whilst the public are on the premises.
23. The socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).
24. No children shall be admitted unless accompanied by a responsible adult.

25. No rubbish or empty bottles shall be placed in the outside bins after 23:00 hours
26. The Licensee shall undertake a risk assessment of any significant promotion or event, using the Metropolitan Police Service Promotion/Event Risk Assessment Form (Form 696) or an equivalent and provide a copy to the Metropolitan Police and Brent Council's Licensing Unit not less than 14 days before the event is due to take place.
27. Where an event has taken place the licensee shall complete a Debrief Risk Assessment Form (Form 696A) and submit this to the Metropolitan Police and Brent Council's Licensing Unit within 3 days of the conclusion of the event.
28. No entry or re-entry shall be permitted after 00:00 hours on Sunday to Thursday and 00.30hrs on Friday and Saturday

Annex Three

Following Review -- condition added

29. Staff training schedule as agreed with Metropolitan Police shall be implemented.

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Proposed Annex Two Conditions

Carlton Lounge, 232 – 234 Kingsbury Road, London, NW9 0BH (Premises licence number: 362998)

The prevention of crime and disorder.

1. The premises shall install, operate, and maintain a digital colour CCTV system. The CCTV system shall continually record whilst the premises are open for licensable activities and all recordings shall be kept for 31 days. [To replace Annex Two, Condition 1]
2. A member of staff who is conversant with the operation of the CCTV system shall always be available at the premises whilst open to the public. CCTV footage shall be provided on removable media (i.e., USB, hard drive, CD etc.). [To replace Annex Two, Condition 1]
3. The CCTV system shall display on any recordings, the correct date and time of the recording. [To replace Annex Two, Condition 1]
4. The CCTV system shall be capable of obtaining clear facial recognition images of every person entering or leaving the premises with further CCTV cameras covering the internal areas stipulated on the premises plan and any additional external area that members of the public can access. [Additional]
5. Signage stating that CCTV is in operation shall be clearly and prominently displayed at the premises. [Additional]
6. A minimum of 2 SIA licensed door supervisors shall be on duty after 22:00 if the premises will be open past 01:00. [To replace Annex Two, Condition 2]
7. All SIA licenced door supervisors shall wear clothing that can be clearly and easily identified. [Additional]
8. A log shall be kept of the SIA door supervisors working on any night to include their full name, date of birth, Security Industry Authority licence number, company and booking on-off times. A copy of SIA door supervisor log shall be

available upon request by Police and authorised officers from Brent Council.
[Additional]

9. There shall be no open glass vessels permitted outside the area defined on the premises plan. [To replace Annex Two, Condition 3]
10. An incident log shall be kept at the premises and made available for inspection upon request by an authorised officer of Brent Council or the Police, which will record the following:
 - (a) any incidents of crime and disorder.
 - (b) any customers barred from the premises.
 - (c) any ejections from the premises.
 - (d) seizures of drugs or offensive weapon.
 - (e) any complaints received.
 - (f) any faults in the CCTV system.
 - (g) any visit by a relevant authority or emergency service.[To replace Annex Two, Condition 4]
11. Any entries into the log shall be made within 24 hours of any incident and shall contain the time/date of the incident, the nature of the incident, a description of the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. [To replace Annex Two, Condition 4]
12. The premises licence holder shall undertake a written search policy as a preventative measure to negate patrons from bringing in any prohibited drugs, weapons, or any other unlawful item onto the premises. [To replace Annex Two, Condition 5]
13. Notices shall be conspicuously displayed at the entrance notifying patrons that the premises reserves the right to undertake searches upon entry to the premises and that the premises has a “no drugs policy”. [To replace Annex Two, Condition 5]
14. Substantial meals and alcohol-free drinks shall be always available for patrons whilst the premises are selling alcohol. [To replace Annex Two, Condition 9]
15. There shall be no entry or re-entry to the premises permitted after 00:30 on Sunday to Thursday and 02.00 on Friday and Saturday. [To replace Annex Two, Condition 28]
16. There shall be at least 4 members of bar staff on site after 00:00 hours.
[Additional]

Public safety.

17. The maximum number of persons permitted on the Ground Floor shall not exceed 300 persons including staff. The maximum number of persons permitted on the First Floor shall not exceed 150 persons including staff. [To be kept as per Annex Two, Condition 21]
18. There shall be no smoking of shisha through "alcoholic drinks". [To replace Annex Two, Condition 20]

The prevention of public nuisance.

19. The outside drinking areas shall be closed after 23:00. [To replace Annex Two, Condition 7].
20. Ingress and egress notwithstanding, all doors and windows shall remain during any regulated entertainment and/or after 22:00 in all circumstances. Staff shall undertake regular checks to ensure that all doors and windows are closed. [To replace Annex Two, Condition 12, 17 & 18]
21. The playing of live or recorded music shall not be permitted in any external area after 22:00 hours apart from within the designated shisha areas as defined on the premises plan. [To replace Annex Two, Condition 14]
22. The internal areas from which any recorded music or live music is undertaken, the premises shall ensure that it sound proofed to prevent noise breakout. [To replace Annex Two, Condition 16]
23. If any live or recorded music provided at the premises, noise monitoring shall be undertaken by a trained member of staff between 22:00 until the closure of the premises. Noise monitoring shall involve walking to the nearest noise sensitive premises and take place at least once every two hours. [Additional]
24. All noise monitoring visits shall be recorded in writing, stating the time of the visit, location, whether noise was or was not audible and any action taken. The noise monitoring log shall be kept at the premises in hard copy form and be produced upon request to any authorised officer of Brent Council. [Additional]
25. A telephone number shall be made available to be used by residents in relation to any complaint of noise resulting from the premises. The premises licence holder shall ensure that all complaints made by residents, and any action taken, are recorded within the incident log. [Additional]

26. Clear and legible notices shall be prominently displayed at the exit requesting patrons to respect the needs of residents when leaving the premises. [To replace Annex Two, Condition 13]
27. The placing of bottles into receptacles outside the building shall not be permitted between 22:00 hours & 09:00 hours the following morning. [To replace Annex Two, Condition 25]

The protection of children from harm

28. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport, or proof of age card with the PASS Hologram. [Additional]
29. A Challenge 25 notice shall be conspicuously displayed at the point of sale. [Additional]
30. A logbook shall be kept recording all refused sales of alcohol. The log shall contain the time/date of the refusal, a description of the customer, the name of the staff member who refused the sale, the reason the sale was refused and any other relevant observation. The refusals register shall be made available for inspection upon request of an authorised officer of a Brent Council and the Police. [Additional]
31. No person under the age of 18 shall be admitted unless accompanied by a responsible adult. [To replace Annex Two, Condition 24]
32. No person under the age of 18 shall be permitted entry or allowed to remain at the premises after 21:00 hours. [Additional]
33. Staff training shall be undertaken by all members of staff involved with licensable activities. Additionally, all staff shall undergo refresher training every 12 months which shall also be recorded. Staff training shall include the following topics:
- (a) Age verification policy.
 - (b) CCTV operation.
 - (c) Conflict management.
 - (d) Operating procedures.
 - (e) Proxy Sales.
 - (f) Permitted hours and relevant conditions.
 - (g) Noise monitoring.
- [To replace Annex Three, Condition 29]

34. Training records shall include the time/date of the training, staff members name, training topic and must be signed off by the relevant staff member and the respective premises licence holder/designated premises supervisor/duty manager. [To replace Annex Three, Condition 29]
35. A copy of staff training shall be available upon request by Police and authorised officers from Brent Council. [To replace Annex Three, Condition 29]

Wembley Stadium Event Days

36. During Wembley Stadium event days, patrons shall not be permitted to congregate outside the premises, save for ingress. [To replace Annex Two, Condition 10]
37. During Wembley Stadium event days, all drinks shall be decanted into either toughened glass, polycarbonate material or any other type of plastic vessel. [To replace Annex Two, Condition 10]
38. During Wembley Stadium event days, the DPS or relevant duty manager shall work in partnership with the Police and if necessary, comply with any direction given by a senior Police Officer, or Licensing Authority, on duty at the event. These directions may include:
 - (a) Cease the sale of alcohol for a specified amount of time. This shall be monitored, and the supply of alcohol reinstated as soon as is possible.
 - (b) Closing the entire premises for a specified amount of time. This shall be monitored, and the premises reopened as soon as possible.

The following conditions are to be removed:

1. *Signs alerting customers to theft shall be displayed. [To be removed, as it's unenforceable]*
2. *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. [To be removed, duplication of existing legislation]*
3. *No noise or vibration shall be detectable at any neighbouring noise sensitive premises. [To be removed as inaudibility conditions have been quashed due to lack of precision. As per Developing Retail Ltd v East Hampshire Magistrates' Court [2011] EWHC 618 (Admin)]*

4. *Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises. [To be removed, duplication of existing legislation]*
5. *The locks and flush latches on the exit doors and gates shall be unlocked and kept free from fastenings other than push bars or pads whilst the public are on the premises. [To be removed, as it's unenforceable]*
6. *The socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps). [To be removed, as it's unenforceable]*
7. *The Licensee shall undertake a risk assessment of any significant promotion or event, using the Metropolitan Police Service Promotion/Event Risk Assessment Form (Form 696) or an equivalent and provide a copy to the Metropolitan Police and Brent Council's Licensing Unit not less than 14 days before the event is due to take place. [To be removed, The Metropolitan Police Service has withdrawn the use of Form 696 and therefore it's unenforceable.]*
8. *Where an event has taken place the licensee shall complete a Debrief Risk Assessment Form (Form 696A) and submit this to the Metropolitan Police and Brent Council's Licensing Unit within 3 days of the conclusion of the event. [To be removed, The Metropolitan Police Service has withdrawn the use of Form 696 and therefore it's unenforceable.]*

From: Brendon.McInness@met.police.uk
Sent: Thursday, September 5, 2024 11:40 AM
To: Business Licence; office@compliancedirectltd.com
Cc: Legister, Linda
Subject: RE: CONSULT: Variation - Carlton Lounge, 232-234 Kingsbury Road, NW9 0BH - 32523

Good Morning.

As the applicants agent has agreed that the current conditions on the licence will remain.
Police offer no representations.

Kind regards



PC Brendon McInnes
1187NW
Brent Licensing
North West Command Unit
Metropolitan Police



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Brent

Regulatory Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

TEL: 020 8937 5359
EMAIL: business.licence@brent.gov.uk
WEB: 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: 29 May 2008
Current issue date: 17 June 2020

A handwritten signature in black ink, appearing to be 'G. J. ...'.

Authorised signatory

Premises licence number:
362998

Part 1 – Premises Details

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

232 - 234 Kingsbury Road, London, Brent, NW9 0BH

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: Both

The times the licence authorises the carrying out of licensable activities

Section E: Live music

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	02:00
Tuesday	11:00	02:00
Wednesday	11:00	02:00
Thursday	11:00	02:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	02:00

Section F: Recorded music

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	02:00
Tuesday	11:00	02:00
Wednesday	11:00	02:00
Thursday	11:00	02:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	02:00

Section G: Performances of dance

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	02:00
Tuesday	11:00	02:00
Wednesday	11:00	02:00
Thursday	11:00	02:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	02:00

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	11:00	02:00
Tuesday	11:00	02:00
Wednesday	11:00	02:00
Thursday	11:00	02:00

Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	02:00

Section I: Provision of Late Night

Refreshments:Indoors

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	23:00	02:00
Tuesday	23:00	02:00
Wednesday	23:00	02:00
Thursday	23:00	02:00
Friday	23:00	03:00
Saturday	23:00	03:00
Sunday	23:00	02:00

Section J: Sale or Supply of Alcohol:

Both

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	02:00
Tuesday	11:00	02:00
Wednesday	11:00	02:00
Thursday	11:00	02:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	02:00

The opening hours of the premises

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	02:30
Tuesday	11:00	02:30
Wednesday	11:00	02:30
Thursday	11:00	02:30
Friday	11:00	03:30
Saturday	11:00	03:30
Sunday	11:00	02:30

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

Both

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

Carlton Lounge (UK) Ltd
232-234 Kingsbury Road, NW9 0BH

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

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

Mr Tavi Thevarajah

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

Licence Number:
Issuing authority:

Annex 1 – Mandatory conditions

No Irresponsible Drinks Promotions

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

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

(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|| 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|| means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e)—valued added tax|| means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

Requirement for a DPS

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

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

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

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

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

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

a) premises where the premises licence authorises plays or films

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

c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

Film Classification When required

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

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

In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority

under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

Annex 2 – Conditions consistent with the operating schedule

- 1 CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council on demand.
- 2 A minimum of 2 door supervisors shall be employed from 22:00 hours when the premises are open for the sale of alcohol past 01.00hrs and will remain in place until the last customer has left the premises.
- 3 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.
- 4 The licensee shall keep an incident book which shall be made available to the Police and Licensing Authority on demand.
- 5 Notices clearly explaining the licensee's policy on admission and searching shall be displayed at each entrance.
- 6 Signs alerting customers to theft shall be displayed.
- 7 The outside drinking areas (including rear garden) shall cease at 2300 hours excluding the shisha area.
- 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 Substantial food and non-intoxicating beverages (including free drinking water) shall be available during the whole of licensed hours in all parts of the premises where intoxicants are provided.
- 10 On major event days at Wembley Stadium the following shall apply:
 - * Customers shall not be allowed to congregate outside the premises.
 - * No glass bottles shall be handed over the bar but decanted into toughened glass or plastic vessels.
 - * The DPS shall work in partnership with the Police and if necessary comply with any direction given by a senior Police Officer on duty at the event.
- 11 Notices clearly explaining the licensee's drugs policy shall be displayed at the entrance and at suitable places throughout the premises.
- 12 Windows within the bar and restaurant areas shall be kept closed after 22:00 hours.
- 13 Notices asking customers to leave quietly shall be conspicuously displayed at all exits.

14 The playing of live or recorded music shall not be permitted in any garden or external area after 2200 hours excluding the Shisha area.

15 No noise or vibration shall be detectable at any neighbouring noise sensitive premises.

16 The relevant areas where regulated entertainment or making music takes place shall be adequately sound proofed to prevent noise breakout.

17 Doors and windows shall be kept closed during entertainment to reduce noise breakout (ensuring there is adequate ventilation within the premises). Staff shall check prior to entertainment and periodically during entertainment, that all windows and doors are shut.

18 Lobbied entrances shall have automatic door closures.

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

20 The advertised smoking of shisha through "alcoholic drinks" shall not take place on the premises

21 The maximum number of persons permitted on the Ground Floor shall not exceed 300 persons including staff.

The maximum number of persons permitted on the First Floor shall not exceed 150 persons including staff.

22 The locks and flush latches on the exit doors and gates shall be unlocked and kept free from fastenings other than push bars or pads whilst the public are on the premises.

23 The socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).

24 No children shall be admitted unless accompanied by a responsible adult.

25 No rubbish or empty bottles shall be placed in the outside bins after 23:00 hours

26 The Licensee shall undertake a risk assessment of any significant promotion or event, using the Metropolitan Police Service Promotion/Event Risk Assessment Form (Form 696) or an equivalent and provide a copy to the Metropolitan Police and Brent Council's Licensing Unit not less than 14 days before the event is due to take place.

27 Where an event has taken place the licensee shall complete a Debrief Risk Assessment Form (Form 696A) and submit this to the Metropolitan Police and Brent Council's Licensing Unit within 3 days of the conclusion of the event.

28 No entry or re-entry shall be permitted after 00:00 hours on Sunday to Thursday and 00.30hrs on Friday and Saturday

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

Following Review -- condition added

29 Staff training schedule as agreed with Metropolitan Police shall be implemented.

Annex 4 – Plans

See attached

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