

Mr Callum Haddow
Saunders Solicitors Ltd
6 Snow Hill
EC1A 2AY

17 March 2023

Reference: 27367

Dear Mr Haddow,

Re: Licensing Representation to the Application for the New Premises Licence at The Field Bar, 249 Neasden Lane, NW10 1QG

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

Officer: Esther Chan – Licensing Inspector

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

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

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

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

Background

Neasden town centre consists of a medium sized parade of shops that run along Neasden Lane which is just off the North Circular Road. The town centre is in an area of medium to high levels of deprivation. Neasden Town Centre is a hotspot for alcohol flagged calls to the Police and attracts anti social behaviour ranging from street drinking to drug dealing.

The Field, formally known as Sal's Bar has been trading as a public house for a number of years.

The premise licence has been revoked on three occasions instigated by reviews of the premise licence from responsible authorities in 2017, 2018 and 2021 for undermining the licensing objectives associated to public safety, crime and disorder.

It has been established that occurrence of the issues that led to these reviews were due the persistent influence of the original manager, known as Timothy Sheahan despite the changes to the actual licence holder.

In 2022, Mr Patrick Joseph Finn had applied for a new premise licence to supply alcohol and provide regulated entertainment, however the sub committee determined that the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance would be undermined were the application to be allowed and therefore refused it.

The sub-committee considered that the application was being made against a background of significant problems experienced with the premises over the past five years, both in terms of the then management and its compliance with the licensing objectives and licence conditions, as well as with ongoing and regular complaints of crime linked to the venue.

The committee accepted that these issues could not be laid at the feet of Mr Finn himself, and accepted from him that he would attempt to address all of those issues and had distanced himself from individuals who had been previously involved with the premises who he had initially intended to employ. Despite that however the sub-committee was mindful of the need to minimise the risk of such issues re-occurring.

Following the refusal of the aforementioned application, Mr Finn has submitted another application for a new premise licence in February 2023.

During the consultation period, I was notified by the Safer Neighbourhood Team that Police Officers had visited the premise on a number of occasions on 25th January 2023 and 14 February 2023 and subsequently provided me with their witness statements describing their encounter during their visits.

Mr Finn was invited to attend Brent Civic Centre to have a discussion with me, on the behalf Licensing Authority in respect of the application and visits conducted by the Police.

Due to personal reasons Mr Finn was unable to attend a meeting in person and subsequently had a telephone conversation with me on Thursday 9 March 2023. I was accompanied by my colleague, Licensing Officer John McGann at the time of my telephone conversation with Mr Finn.

A series of questions were asked to ascertain if Mr Flynn was aware of the visits conducted by the Police and how he intended to manage the business. The below questions and answers were captured:

1. Esther Chan - Have you seen the application and happy with the content?
Patrick Finn - Yes, I am meeting with the agent tomorrow to go through the conditions.
2. Esther Chan - Can you explain how you intend to meet the licensing objectives?
Patrick Finn - I have dropped late night opening.

3. Esther Chan - Have you made any changes to the pub?
Patrick Finn - I have checked what cameras are working on the CCTV system but don't want to spend any money until I get the licence.
 4. Esther Chan - You mentioned that you are aware of Mr Tim Sheahan's previous involvement in the business, have you had any engagement with Tim Sheahan recently?
Patrick Finn – No I've had no engagement with Tim Sheahan. John McGann had called me to inform that Tim Sheahan was in the premises when the police visited. He saw my name on the blue notice, so he knew I was the applicant.
 5. Esther Chan - Have you visited the premises since the refusal of the last application?
Patrick Finn - Possibly the beginning of December 2022.
 6. Esther Chan - Do you still have access to the premises?
Patrick Finn - I have the keys to gain access.
 7. John McGann – Why do you have access to the premise if you haven't got the lease?
Patrick Finn - I was given a set of keys to look around the premise to determine what refurbishment works are needed.
 8. Esther Chan - Who is the freeholder / leaseholder of the premises?
Patrick Finn – The freeholder is Mr A Khan, I have contact with him and the lease may be under Tim Sheahan possibly but I am not certain.
 9. Esther Chan - Who occupies the building at present and holds the keys?
Patrick Finn – Nobody, only I have the keys.
 10. Esther Chan - Have you signed the lease?
Patrick Finn – No. I will only sign the lease when I have the licence.
 11. Esther Chan - What is leasehold length?
Patrick Finn – Yearly, with an Opt Out option.
 12. Esther Chan - Who is paying the business rates?
Patrick Finn – No idea.
 13. Esther Chan - Do you still have your other business?
Patrick Finn – Yes.
 14. Esther Chan - How often do you intend to be at the premises if the application is granted?
Patrick Finn – I will be primarily in London.
 15. John McGann – How do you know the proposed DPS Kenneth Guthrie?
Patrick Finn – I wasn't happy with the last one. Kenneth runs a few pubs in London.
 16. Esther Chan – Do you have Kenneth Guthrie's contact number?
Patrick Finn – No.
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17. Esther Chan - How often will Kenneth Guthrie be at the premise?

Patrick Finn – Annette Piperan will be managing the premise.

18. John McGann – On 14 February, there was a man called Tim Sheahan who gave his home address as 37 Knowles House, 51 Lonestone Avenue, which is the same address as the DPS. What is the connection between the DPS and Mr Sheahan?

Patrick Finn – No idea.

At the end of our conversation, Mr Finn assured us that Mr Tim Sheahan will have no involvement in business, should the application for a premise licence be granted.

Due to the historical issues connected to the premise, the Metropolitan Police had reasons to believe that the premise was trading without a premise licence, which led them to visit the premises on a number of occasions.

The witness statement from PC Lashley-Foster indicate that the premise was in preparation for trading despite the application was not even submitted to the Council, when the Police visited on 25 January 2023. When questioned by the police, both Ms Piperan and Ms Handro could not confirm who owned the bar. Although, Mr Finn told me he had hired Annette Piperan as a manager, he did not mention Camylla Handro who apparently holds the same position as Ms Piperan.

The witness statements from PC During, PC Smallwood and PCSO Imber indicate that alcohol was being supplied without authorisation, when they visited 14 February 2023 at 19:00hrs. It was apparent that Mr Sheahan was in the premises and falsely provided his name as the applicant, Mr Finn of 37 Knowles House, NW10 3AZ when questioned by the Police. He also stated that he will be the owner and was waiting for the licence. The male then admitted that he was in fact Mr Timothy Oliver Sheahan, when he was requested to clarify his identity.

During my telephone conversation with Mr Finn on 9 March 2023, it was pointed out to him that the Licensing Authority had been made aware that Mr Sheahan was in the premises on 14 February 2023 and the residing address that Mr Sheahan provided is the identical to Kenneth Guthrie's (proposed DPS) address. Mr Finn did not offer any explanation, which poses concerns that Mr Sheahan continues to have some form of business involvement.

In light that there is evidence to suggest that Mr Tim Sheahan will have involvement in the business, the Licensing Authority have serious concerns that the applicant, Mr Finn will have little control over how the premises is going to operate and thus, undermine the licensing objectives. The Licensing Authority request that the application be refused.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Esther Chan". The signature is written in a cursive, slightly slanted style.

Esther Chan
Licensing Inspector
Regulatory Services