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Sparta Card Gaming Ltd
Zombie Games Café
15 Cricklewood Broadway
London
NW2 3JX

5 March 2025

Our Ref: 34040

Dear Sir/Madam,

Licensing Representation to the Variation Application for the Premises Licence at Zombie Games Café, 15 Cricklewood Broadway, London, NW2 3JX

I certify that I have considered the application shown above and I wish to make a representation that the likely effect of the grant of the application is detrimental to the Licensing Objectives for the reasons indicated below.

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 to vary the premises licence under section 34 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

The original application for a new premises licence was granted in June 2023 for the following licensable activities:

Films

Sunday – Thursday from 19:00hrs – 23:30hrs

Friday – Saturday from 19:00hrs – 00:30hrs

Late Night Refreshments (Indoors)

Sunday – Thursday from 16:00hrs – 23:30hrs

Friday – Saturday from 16:00hrs – 02.00hrs

Sale/Supply of Alcohol (On the Premises)

Sunday – Thursday from 12:00hrs – 23:30hrs

Friday – Saturday from 12:00hrs – 02:00hrs

Opening Hours

Sunday – Thursday from 07:00hrs – 00:00hrs

Friday – Saturday from 07:00hrs – 02.30hrs

In July 2023, an application to vary the premises licence was submitted to include **additional regulated entertainment activities**, which was granted to include the following:

Live Music

Sunday – Thursday from 12:00hrs – 23:30hrs

Friday – Saturday from 12:00hrs – 02:00hrs

Recorded Music

Sunday – Thursday from 08:00hrs – 23:30hrs

Friday – Saturday from 08:00hrs – 02:00hrs

Performance of Dance

Sunday – Thursday from 12:00hrs – 23:30hrs

Friday – Saturday from 12:00hrs – 02:00hrs

The current variation application seeks to:

- modify conditions
- extend the hours for licensable activities
- include off/outdoor sales for various licensable activities
- amend/extend the plan

History of Complaints

Complainant	Date Of Complaint	Nature of Complaint	Action
Resident 1	30 October 2023	28 & 29 October 2023 - Loud music is playing in the pub on the ground floor from a party.	29 October 2023 Nuisance Control Team advised complainant to keep records of three or four separate nuisance-level incidents over a 4 week period to open an investigation.
Resident 2 (on the behalf of 3 residents)	13 May 2024	Noise and other licensing breaches. Cafe operate a "Sunday Barbecue" and a Bazar in the pedestrian area	16 May 2024 – Licensing Officer EM conducted inspection. 21 May 2024 – Warning Letter Issued (Appendix EC/01).
Resident 2 Resident 3	18 October 2024	1. Excessive Noise and Lack of Soundproofing: The café frequently operates late into the night with amplified	22 October 2024 – 6 November 2024 Licensing Officer EM informed PLH

		<p>music, yet there seems to be no proper soundproofing in place. The noise levels are excessive and clearly audible in the flats above, making it difficult for residents to rest, especially during weekends and extended hours.</p> <p>2. Alcohol Consumption Outside the Premises: Despite the conditions stated in the premises license, I have observed groups of more than 5-10 people drinking and creating noise outside the venue. This activity not only disrupts the peace but also violates the licensing requirements that limit alcohol consumption to within the premises.</p> <p>3. Lack of Security Personnel: The venue seems to lack appropriate security measures when it reaches full capacity. Although the licence conditions state that SIA-licensed door supervisors should be present and risk assessments conducted based on the event or crowd size, there appears to be insufficient supervision of patrons during busy periods.</p>	(Premises Licence Holder of complaint) (Appendix EC/02).
Resident 1	23 October 2024	After that was very loud music, DG, live music, people talking, laughing loudly outside, sometimes people are in front of our building door, drinking, smoking, sitting in a chair attached to our building door.	25 October 2024 – 9 December 2024 Licensing Officer EM informed PLH of complaint exchange emails (Appendix EC/03)
Resident 2	1 January 2025	The premises have consistently operated outside their approved hours. Music has been played, and patrons have been served well past the permitted closing times,	2/3 January 2025 - Response from PLH providing photos showing that the premises was closed, and that no sales of alcohol took place. PLH

		particularly on weekdays and weekends when their licensing hours explicitly such as today from 12am-1am during week days and after 2 am to over 5am with patrons frequently gathering outside to smoke or when leaving the premises are loud or keep screaming.	stated that it was a private gathering between close friends. In response to the PLH, advise was given that whilst no offences took place, he should be mindful as it could be considered that on this occasion, his actions led to the licensing objective of "the prevention of public nuisance" being undermined.
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Under the Licensing Act 2003, the Licensing Authority does not support the extension of licensing and opening hours for the premises in question. Although the premises are situated on a busy road, there are residential dwellings in close proximity, including those located above the premises. The business has already attracted complaints, primarily related to noise disturbances, and breaches of the licensing conditions have been identified.

An extension of both the operating area and hours would allow the premises to increase its capacity and alter its business model, essentially transforming it into a club/bar. This raises significant concerns regarding the potential for increased noise and disruption, which could adversely affect the local residential community. However, the Licensing would not have an objection to off sales to support the business with the current hours embedded on the premises licence and added conditions.

Proposed Extension of Timings for Licensable Activities

Section B: Films (to **add** Outdoors) – Refuse

Section E: Live music (Indoors only) – Refuse

Section F: Recorded music (Indoors only) – Refuse

Section G: Performances of dance (Indoors only)- Refuse

Section I: Provision of late night refreshment (to **add** Outdoors) – Refuse on extension of hours.

Accept for 'Outdoor/Off Sales'

Section J: Sale of alcohol (to **add** Outdoors) - Refuse on extension of hours. Accept for 'Outdoor/Off Sales'

Proposal to Modify Conditions

To replace Annex 2, Condition 9 from "Regular documented staff training on licensing legislation and operating procedures shall be given. The training shall be signed and dated and a copy of these training records available for inspection by Police and local authority enforcement officers" to "The DPS shall produce a written list of all staff members who are authorised to sell alcohol on behalf of the DPS. This list shall have the staff members name, the signature of the staff member and the authorisation date."

Decision – The Licensing Authority recommend refusal. *It would not be sufficient to change the training requirement in the way you propose. The provision you mentioned from the Licensing Act 2003 focuses on regular, documented staff training on licensing legislation and operating*

procedures. It requires training to be signed and dated, and the records must be available for inspection by the police and local authority enforcement officers.

Simply providing a list of staff members who are authorised to sell alcohol, with their names, signatures, and authorisation dates, does not fulfill the requirement for regular documented training on licensing legislation and operating procedures. The intention behind the training provision is to ensure staff are consistently educated on their responsibilities and the law, rather than just being listed as authorised.

The list you propose would cover the staffing authorisation but not address the broader training needs specified in the Licensing Act 2003. Therefore, you would still need to include a provision for regular documented training on licensing laws and procedures, along with the signed and dated training records.

To remove Annex 2, Condition 14 - No noise or vibration shall be detectable at any neighbouring noise sensitive premises. This basis for this is that inaudibility conditions have been quashed due to lack of precision.

Decision – The Licensing Authority **accept removal of condition.**

To remove Annex 2, Condition 22 & Condition 23 - “Toilets shall be checked every 2 hour(s) for the use of drugs and other illegal activities.” & “A toilet check list shall be displayed on the wall in all toilets. Staff shall use these checklists to record their name and certify the time of the check. Checklists are to be replaced daily and old checklists must be retained and made available for inspection by the Police and authorised officers from Brent Council.”

Decision – The Licensing Authority **accept removal of condition.**

To remove Annex 2, Condition 25 - Notices explaining the licensee’s policy on admission and searching shall be placed at each entrance.

Decision – The Licensing Authority **accept removal of condition.**

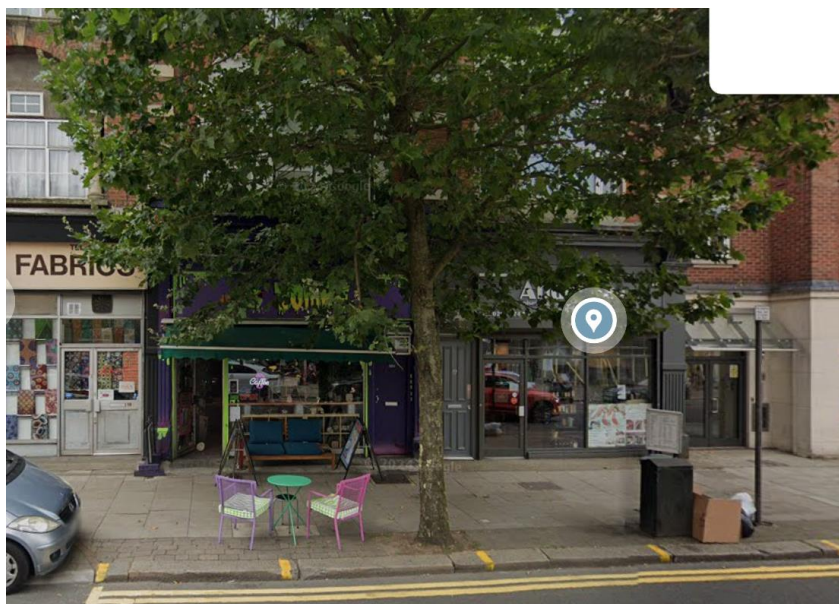
To remove Annex 2, Condition 30 “A capacity specific risk assessment shall be conducted by a competent risk assessor. This assessment will include holding capacity, exit capacity and the calculations to demonstrate how that was reached, the lower of the two numbers shall be the final capacity. The guidance used to reach this capacity must be quoted. This risk assessment shall be appraised annually or at the time of any building or layout structural works. The Capacity Assessment must be made available to an authorised officer upon request.

Decision – The Licensing Authority **accept removal of condition on the grounds that you provide a fire safety assessment that includes the capacity covering the new operating area formally known as the ‘Office Space’ by 18 March 2025.**

To remove Annex 2 Condition 18 “The designated smoking area (DSA) shall be located at the front of the premises facing Cricklewood Broadway. When the premises licence is in operation the DSA shall be limited to no more than 5 (five) people at any one time. This shall be supervised at all times”” Alternatively To amend Annex 2 Condition 18 and increase the maximum number of persons smoking from 5 to 15.

Decision – The Licensing Authority **recommend refusal.**

The forecourt outside the premises is highly restricted, and the increase in capacity results in elevated noise levels. Additionally, patrons spilling onto the public highway create obstructions, further exacerbating the situation.



In regards to the objective related to the *prevention of public nuisance*, I understand that the applicant has communicated with Nuisance Control Team to discuss the following conditions, which have been agreed in principle (subject to further assessment). As such, the Licensing Authority have no comments.

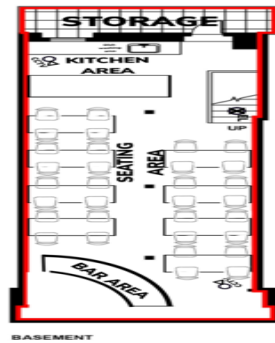
As previously agreed with Mrs Diane Lewis from Nuisance Control

- Any live or recorded music undertaken in the basement shall not exceed 95 - 100db.
- Any live or recorded music undertaken on the ground floor front main bar (underneath flats) shall not exceed 75 - 80db.
- A decibel level reading device shall be fixed onto the wall and shall be monitored by staff to ensure that it does not exceed the agreed levels for both the basement and the ground floor.
- Ex-Office Area New Back Room Area live or recorded music noise db Levels to be decided if arising noise complaints deem it necessary.
- The premises shall install and operate a custom amplifier that allows the licence holder to override the music controls and reduce the bass if necessary.
- Staff will be trained and monitor outside area to make sure customers are respecting the neighbourhood.
- Customers will be verbally informed to keep noise outside the premises to a minimum and respect the neighbourhood.
- Additional signs for customers to stay / leave quietly and respect the neighbourhood outside the premises will be put into place.

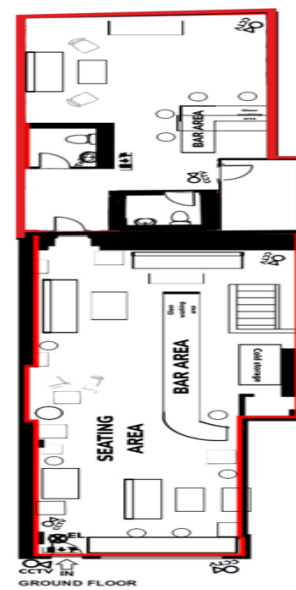
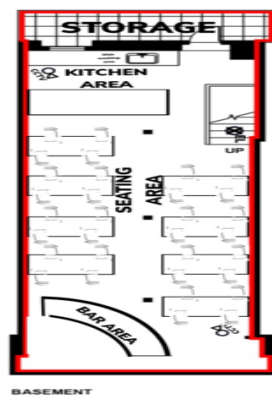
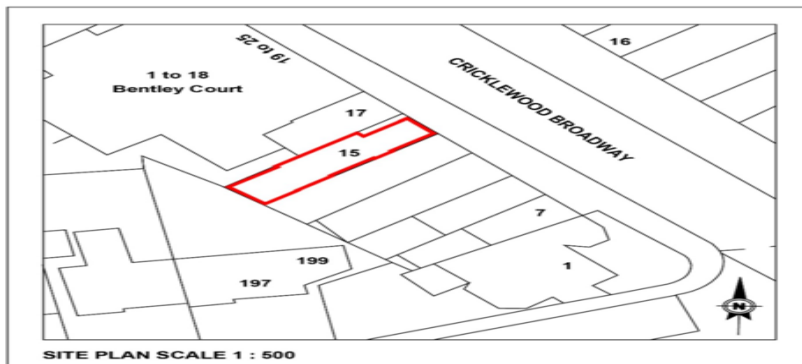
Proposal to amend the plan

The Licensing Authority have no objection providing an up date to date fire risk assessment that includes the capacity as mentioned above.

Current Plan



Proposed New Plan – To convert the ‘Office Space’ to a licensable area which feature an additional bar.



■ RED OUTLINED AREAS ARE PART OF PREMISES

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

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council. This must comply with the Data Protection Act including signage.
2. CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the full interior of the premises. This will include both the ground floor and basement areas.
3. A member of staff trained in the use of the CCTV system shall be available at the premise at all times that the premises are open to the public.
4. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
5. The CCTV images shall be kept in an easily downloadable format.
6. The CCTV system shall display on any recordings the correct date and time of the recording.
7. A "Challenge 25" policy shall be adopted and adhered to at all times.
8. A sign stating "No proof of age – No sale" shall be displayed at the point of sale.
9. Regular documented staff training on licensing legislation and operating procedures shall be given. The training shall be signed and dated and a copy of these training records available for inspection by Police and local authority enforcement officers.
10. 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.
11. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

Amend to add - **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.**

12. All deliveries shall take place during the normal working day (i.e. 09:00hrs to 18:00hrs daily).

13. A refusal book detailing date and time of the refused sale (of alcohol), the name of the person refusing the sale and a description of the person attempting to purchase alcohol, shall be kept and maintained and made available for inspection by authorised officers from Brent Council or the police.

Amend to add - **Any entries into the log shall be made within 24 hours of any refusals and shall contain the time/date of the refusal, the nature of the refusal, 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 refusal.**

~~14. No noise or vibration shall be detectable at any neighbouring noise sensitive premises.~~ **To be Removed**

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

16. Customers shall not be permitted to take glassware or any other open drink container save for recognisable soft drink containers, outside the premises as defined on the plan submitted to and approved by the Licensing Authority.

~~17. There shall be no licensable activities including the consumption of alcohol undertaken in the 'OFFICE SPACE'.~~

To be Removed

18. The designated smoking area (DSA) shall be located at the front of the premises facing Cricklewood Broadway. When the premises licence is in operation the DSA shall be limited to no more than 5 (five) people at any one time. This shall be supervised at all times.

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

20. Substantial food and non-intoxicating beverages shall be available during the whole of licensed hours in all parts of the premises where intoxicants are provided.

21. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.

~~22. Toilets shall be checked every 2 hour(s) for the use of drugs and other illegal activities.~~ **To be Removed**

~~23. A toilet check list shall be displayed on the wall in all toilets. Staff shall use these checklists to record their name and certify the time of the check. Checklists are to be replaced daily and old checklists must be retained and made available for inspection by the Police and authorised officers from Brent Council.~~ **To be Removed**

24. A suitable intruder alarm complete with panic button shall be fitted and maintained.

~~25. Notices explaining the licensee's policy on admission and searching shall be placed at each entrance.~~ **To be Removed**

26. Customers carrying open or sealed bottles or glasses shall not be admitted to the premises.

27. SIA door supervisors of a suitable number, gender mix and other suitable measures shall be put in place after undertaking a sufficient and suitable risk assessment based on the proposed event at the premises.

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

29. A register/log containing the names, badge number, dates & times of duty of security staff and any incidents that occur shall be kept at the premises and made available to the Police and Licensing Authority.

~~30. A capacity specific risk assessment shall be conducted by a competent risk assessor. This assessment will include holding capacity, exit capacity and the calculations to demonstrate how that was reached, the lower of the two numbers shall be the final capacity. The guidance used to reach this capacity must be quoted. This risk assessment shall be appraised annually or at the time of any building or layout structural works. The Capacity Assessment must be made available to an authorised officer upon request.~~ **To be Removed**

31. Unaccompanied children shall not be permitted on the premises at any time. All children under the age of 18 shall be accompanied by a responsible adult at all times.

On Line Orders / Deliveries

32. Full name and address details, including postcode, must be given when placing an order.

33. Drivers shall not deliver to any person anywhere other than that at the residential / business address given when the order was placed. There shall be NO deliveries made to any open/public spaces

34. Delivery drivers should be asked to keep noise to a minimum when collecting takeaways and must not be permitted to loiter unnecessarily

35. No idling of delivery vehicles

Proposed New Conditions by the Licensing Authority

- a) Alcohol 'Off' Sales shall be restricted to home deliveries or collection as part of a food order.
- b) All staff shall be made aware of the Ask for Angela/Clive Campaign or any other similar initiative. Posters shall be displayed at the premises to raise awareness for customers.

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

- Acceptance that the proposed extension of hours for licensable activities are refused.
 - Confirm you happy to accept the aforementioned conditions (A&B) proposed by the Licensing Authority.
 - Provide a fire safety assessment that includes the capacity covering the new operating area formally known as the 'Office Space' by 18 March 2025.
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Yours sincerely,

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

Esther Chan
Licensing Inspector
Regulatory Services
