



Brent

Brent Civic Centre
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Wembley
HA9 0FJ

email [REDACTED]
web www.brent.gov.uk

[REDACTED]
Recanto K Limited
Unit 25 Sapcote Trading Centre
374 High Road
London
NW10 2DH

Also sent via email - [REDACTED]

16 September 2024

Ref: 17743

Dear [REDACTED],

**Licensing Act 2003:
Section 136 - Unauthorised licensable activities (Non-compliance of conditions)
Chapter 7: Promotion of the four licensing objectives**

**Recanto Kings, Unit 25 Sapcote Trading Centre, 374 High Road, NW10 2DH
(Premises licence number: 31677)**

After the follow up inspection carried out at the above premises on Thursday 5 September 2024, Brent London Borough Council's Licensing Department do not have any major concerns regarding your management of the premises, although there are some important advisory matters that I believe should be brought to your attention.

The reason for my visit was that I had recently received a secondary complaint on 2 September 2024 pertaining to live music and the behaviour of patrons at the premises. A snippet of this complaint states that:

"Loud music every night and general antisocial behaviour.", "a place that has live music every night till about 12-1 am every night", & "Shouting and screaming people."

As this was a second complaint of a similar nature, I thought that it would be remiss of me not to make you aware of this allegation.

Further to this, the Licensing Authority has also received the following additional complaint made to Brent Council's Noise Nuisance Team on 5 September 2024:

"Every night they have live music events and it's become unbearable to live with this constant noise pollution It goes on most nights into the early hours.", "It's like living next door to a

nightclub.”, “I cannot get to sleep because of the music literally vibrating my home.” & “This needs to be stopped or completely soundproof the property.”

As such, given the context of these complaints, and that there have been three complaints made in total since the licence was issued in June 2024 - I would say that it is probably worthwhile being mindful about the level of noise emitting from your premises. This is predominantly in relation to the live music, recorded music, and noise from patrons at the premises.

It therefore might be beneficial to introduce measures that help minimise this disturbance. Such measures can include soundproofing the premises, ensuring that the volume of any live/recorded music is reduced, investigating any weak points inside your premises to reduce noise breakout, ensuring that all doors and windows are shut and instructing staff to ensure that all patrons keep conversational noise to a minimum.

Should complaints continue to be received, it might be considered that the licensing objective of “the prevention of public nuisance” is being undermined. The promotion of the four licensing objectives remains an integral responsibility of licence holders under the legislation and failing to promote the objectives could give rise to a review of your premises licence.

Continued issues leading to substantiated noise nuisance complaints may also result in the issuing of a noise abatement notice for the premises under the Environmental Protection Act 1990 from Brent Council’s Nuisance Control Team.

As such, it is of the utmost importance that as the premises licence holder, you should consider the possible impact of any activities on local residents and continue to promote the four licensing objectives at all times.

In respect of the inspection and compliance of the conditions, I was pleased to see that you have undertaken measures as detailed within the warning letter that I had sent 23 July 2024, following on from my inspection on 17 July 2024. Consequently, I gratefully acknowledge that you have rectified most of the conditions and are now compliant with the below:

6. CCTV signage will be displayed, reminding customers that CCTV is in operation - *New CCTV signage is displayed throughout the premises.*

7. A "Challenge 25" policy shall be adopted and adhered to at all times - *Challenge 25 policy signage is displayed twice at the point sale, one in front and one behind the bar.*

8. A sign stating "No proof of age -- No sale" shall be displayed at the point of sale – *“No proof of age – No sale” signage is displayed twice at the point sale, one in front and one behind the bar.*

10. Notices asking customers to leave quietly shall be conspicuously displayed at all exits – *Signage was displayed near the exit to the premises.*

15. Customers shall not be permitted to take any open drink containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority – *You confirmed that you do not allow patrons to take their alcoholic drinks outside.*

21. Staff training must be documented and based on legislation and operating procedures. All training shall be signed and dated and a copy of such records will be available for inspection by Police and local authority enforcement officers – *You presented me with evidence that each*

member of staff had undertaken the relevant staff training, signed off by the relevant staff member. The topics included on this list went over and beyond what is stipulated within the condition.

Further to this, you also confirmed that you would replace “Part A” which is currently displayed behind the service area, with the two pages of “Part B” of your premises licence summary.

It should be noted that your willingness to comply with the conditions of your premises licence demonstrates good management and co-operation with the Licensing Authority insofar that you take your responsibility as the premises licence holder seriously.

The only outstanding issues are in relation to the two below conditions:

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. – *While you were able to show CCTV footage from the previous 7 days (which didn't show any licensable activities take place beyond your permitted hours), you could not go back further than 7 days. As such, this is in breach of this condition. I understand that you're engineer stated that due to the high definition of the cameras, it reduces the memory available to retain footage however this is something that will need to be addressed.*

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

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

I understand that you were under the impression that you had an incident log, however as you were unable to provide it upon request, this would also mean that you were in breach of this condition.

As stated previously in my correspondence, I think you should be mindful of the fact that failure to adhere to any of the conditions stipulated within your premises licence could result in you committing a criminal offence each time you undertake licensable activities (i.e., the sale of alcohol). This is pursuant to Section 136(1)(a) of the Licensing Act 2003 (Unauthorised licensable activities) as any sale of alcohol made would not be in accordance with the lawful authorisation of your premises licence.

Offences committed under the Licensing Act 2003 and/or further non-compliance of conditions in addition to further complaints being made could result in the premises licence being called into review where it could ultimately be revoked.

Furthermore, as you are personally liable for any offences committed under the Licensing Act 2003 in relation to the premises licence, you could also face an unlimited fine and/or be imprisoned for up to 6 months if prosecuted.

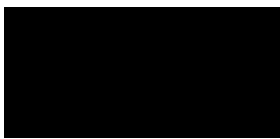
I believe it's only fair that we give you one calendar month to try and rectify the matters relating to the non-compliance of your conditions. I don't foresee any of them being particularly difficult to resolve.

I would also like you to confirm that you have undertaken measures to mitigate against the noise complaints that Brent Council have received.

I therefore request that you contact me by **Friday 18 October 2024** via email to confirm that you have carried out the necessary provisions to be compliant with the remaining two conditions of your premises licence and have taken steps to reduce any potential noise related issues. I have included guidance that can be found enclosed at the rear of this letter.

Of course, if you do have any questions regarding this letter, please feel free to email me using the above details at any time and I will be willing to assist you as much as possible.

Yours sincerely



Edwin Maldoom
Licensing Enforcement Officer

CC: Brent Police Licensing, Metropolitan Police Service.

CC: Martin Wood, Principal Nuisance Control Officer, Community Safety and Prevention, Brent Council

List of conditions and recommended actions.

I fully appreciate that this is a lot of information for you to take in all at once. I would advise you to carefully read the below and carry out the recommendations. I have nonetheless condensed this information so that it is more palatable:

1) To comply with Annex Two, Condition 24, I would suggest purchasing an incident book. An example of an incident logs can be found by following the below link:

<https://www.amazon.co.uk/incident-report-book/s?k=incident+report+book>

Upon purchasing one of these logs, you can put the first entry as “Brent Council Licensing Inspection 17.07.2024, 15:00” and then a secondary entry can be included as “Brent Council Licensing Inspection 05.09.2024, 15:30”.

Once you have entered these entries into your incident log, I would be most grateful if you could email me a photo confirming that you have entered these visits into your log as required as per the condition of your premises licence.

2) To comply with Annex Two, Condition 24, I would advise that you speak to your CCTV engineer so that the retention is increased from 7 days to 31 days. Once this has been rectified, I would be most grateful if you could let me know via email.

3) Put in measures to negate any noise related issues at your premises. This can be done by reducing the volume of music, changing the hours of the live music so that it finishes earlier, ensuring that all doors and windows are shut during any performance of live music, ensuring that patrons keep conversational levels to a minimum and considering any other additional measures.

4) Submit a minor variation application to include the astroturf frontage of the premises. If you need any assistance with submitting the minor variation application, please feel free to email me using the details provided above.