

BRENT COUNCIL

ALCOHOL AND ENTERTAINMENT LICENSING SUB-COMMITTEE

22ND MARCH 2017

**PARADISE BY WAY OF KENSAL GREEN
EVIDENCE OF PREMISES LICENCE HOLDER**

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TAB 1

SUBMISSIONS OF PREMISES LICENCE HOLDER

PARADISE BY WAY OF KENSAL GREEN

SUBMISSIONS OF PREMISES LICENCE HOLDER

Summary

1. This application for review has been made by Eleanor Pole, who owns and lets out a small house on Regent Street which sits directly opposite Paradise and almost next to another pub, the Parlour. Apart from Eleanor Pole and her former tenants / current house-sitters, six other current householders in the area have made representations. All concern amenity issues.
2. There is no supportive representation from the environmental health authority.
3. Nor is there any representation from the Police.
4. The licensing authority made a representation. This was withdrawn upon agreement by the premises licence holder to the following conditions:

CCTV

1. A CCTV camera shall be installed and maintained to monitor the Regent Street side of the premises.
2. The CCTV system installed in the premises shall be capable of obtaining clear facial recognition images and a clear head and shoulder image of every person entering or leaving the premises.

External area

3. A non-fixed roped off area shall be in place from the premises entrance leading to the right side (when facing the premises), during the operating hours after 8 p.m. in order to prevent customers obstructing the public highway.

4. A designated smoking area shall be located to the left side (when facing the premises) to the end of the building boundary line on Kilburn Lane. A non-fixed rope shall be placed around the designated smoking area after 8 p.m.

5. No more than 8 (eight) customers shall be permitted in the designated smoking area. It will be the duty of the SIA staff to manage/monitor the area on a regular basis.

Proof of age

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

7. A refusal book detailing date and time of the refused sale and the name of the person refusing the sale shall be kept and maintained and made available for inspection at the premises.

General

8. Notices explaining the licensee's policy on admission and searching shall be placed at each entrance.

9. 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

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

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

12. The placing of bottles into receptacles outside the premises shall not be permitted between 21:00 hours and 08:00 hours the following morning.

13. No entry or re-entry shall be permitted after 0030 hours on Thursday, Friday and Saturday.

14. On any day alcohol is to be sold past 24:00 hours, there shall be a minimum of one SIA located at the bottom of each set of stairs to control the flow of customers to and from the first floor in order to control overcrowding.

5. A copy of the agreement and withdrawal of the licensing authority's representation is at **Tab 2**.
6. This represents the licensing authority's own view of a fair, balanced and proportionate response to the matters which have been raised. Currently, the premises has no last entry time, so the new condition 13 above will mean that no customers are admitted for the last 90 minutes of trade on Thursday to Saturday. This represents a substantial curtailment for the premises licence holder. It ought, however, to reduce activity on the street, and therefore potential nuisance, significantly.
7. No other responsible authorities support this review at all.
8. The Licensing Sub-Committee is therefore requested to adopt the solution advised upon by its officers, and impose the above conditions on the licence.

Paradise By Way of Kensal Green

9. Paradise is a beautiful former coaching house. It was the last stop on the way into London from Bristol, and was later named after a line in a poem by GK Chesterton, commemorated inside the pub itself.

10. The Columbo Group took over the pub in 2008 as a failing business. They restored it so as to respect and accentuate its historic features (including panelling, cornicing, glazed panels and wooden floors), and turned it into a thriving community hub. Downstairs there is a comfortable bar and a first class 75 cover restaurant. Upstairs there is a music / dance space (without windows, so preventing noise break-out), and a quiet conservatory and dining room. The small rear garden is the main smoking area and a smaller smoking area is maintained at the front on Kilburn Lane. Mr Ball has installed secondary double glazing throughout to protect the neighbours.
11. Photographs of the pub are at **Tab 3**.
12. Recent menus are at **Tab 4**.
13. The Columbo Group is owned by Steven Ball, who is a very experienced operator of licensed premises, including Blues Kitchens in Shoreditch, Brixton and Camden, the Jazz Café in Camden, Camden Assembly, The Old Queens Head public house in Islington and three nightclubs, Phonox in Brixton, Nest in Dalston and XOYO in Shoreditch.
14. This is the first time Mr Ball has been to a licensing review hearing. (A resident brought a review in 2008 but did not come to the hearing.)
15. The Columbo Group won the Best Late Night Operator Award at the Publican Awards in 2015.
16. Mr. Ball sets out to work in and with local communities. For example:
 - a. For many years Paradise has hosted every Kensal Green Triangle Residents Association meeting free of charge.
 - b. It has supported the save Kensal Green Library campaign both financially and through hosting events and meetings.
 - c. It holds the Kensal Flea, the annual fete and market which supports local businesses and charities.
 - d. It hosts the Harvest Festival, a local, community event at the neighbouring church, with all proceeds going to the parish.

- e. It hosts Island Experiment, supporting local musicians and artists in the area, every week.

17. More widely:

- a. It raised £24,000 for Great Ormond Street Hospital through two art auctions.
- b. It raised £35,806 for Temwa, a charity supporting sustainable community development in Malawi.
- c. It raised over £10,000 for Kids Company with a series of events.
- d. It supported Street Smart's Christmas campaign for the homeless, for 4 years running.
- e. It hosts all the live performances of the Institute of Contemporary Music – a local music school for young people – for free.
- f. It hosts the live performances of the Rhythm Studio, a local music school for children, for free.
- g. It has hosted events for Save a Child's Heart Foundation, Oxfam, Get Tested, Blue Marine Foundation and the You You Mentoring Scheme for young people.

18. Evidence of some of this activity is included at **Tab 5**.

19. Paradise is known not just for its excellent décor and food, but also for its entertainment. Artists who have played there include Ed Sheeran, Blur, Emili Sande, Mumford & Sons, Lily Allan, Nick Grimshaw, Sophie Ellis Bextor and Annie Mac. Comedians have included Stewart Lee, Stephen Merchant and Russell Brand. It has hosted many events including book readings by Zadie Smith and Louis Theroux's wedding. There are many birthday, wedding and anniversary celebrations in the private rooms upstairs.

20. The pub has, therefore, been a great success story for Kensal Green and the borough in terms of heritage, culture, leisure, investment and employment.

21. In terms of impact, the absence of police and environmental health representation speaks for itself.
22. The venue is very quiet during the week, when it is not thought that there are significant noise issues. The complaints seem to relate chiefly to Friday and Saturday nights when the venue is busiest and when the upstairs room is used for dancing. The upstairs accommodates 100 people, generally in the age range 25 – 40.
23. The small rear garden, with its licensed capacity for 30 (in fact Mr Ball permits 25), is used for exterior drinking until 11 p.m. but no drinks can be taken outside after that, i.e. it is then only for smoking. It is closed altogether at 1 a.m. The smoking area at the front is roped off and supervised with a maximum capacity of 15 (now to become 8 according to the conditions agreed with the licensing service). No drinks are permitted out front to protect the amenity of Kilburn Lane neighbours.
24. Rubbish is collected during the day: see waste contract at **Tab 6**. Other local premises are subject to night-time collections.
25. The venue is properly staffed. On Saturday nights there are 41 members of staff, tapering to 23 staff members working until closing time.
26. Paradise is on the corner of Kilburn Lane and Regent Street. Almost next door in Regent Street is the Parlour public house, which tends to serve alcohol until 12 with a long drinking up period to about 1 a.m. It does not use door staff at all. See photo at **Tab 7**.

History

27. The licensed hours have been the same since long before the Columbo Group took over the pub, i.e. midnight Monday to Wednesday, 2 a.m. Thursday to Saturday and 11.30 p.m. on Sunday.
28. However, the main neighbour complaints have only come in the last few months. Mr Ball, who enjoys excellent relations with neighbours and authorities wherever he trades, has always responded positively to complaints and tried to take appropriate action.

29. After taking over the pub, there was a complaint of noise from the outside terrace upstairs. Mr Ball therefore glassed in the area and turned it into a conservatory with background music only to avoid noise breakout.
30. In June 2016, there was a query from the licensing service as to whether capacity limits upstairs were being observed. The premises supplied four weeks of CCTV footage to demonstrate they were. However, on the advice of the licensing service clickers were then used at the foot of the stairs to monitor capacity.
31. In August 2016, there was a complaint about day-time student parties which were said to be creating a disturbance to neighbours. Mr Ball met residents, heard their concerns, apologised profusely and made the decision to stop holding the parties altogether.¹
32. At the same time, there was a complaint about customers coming out of a door from the conservatory and standing on the stairs. Mr Ball installed a flashing light to warn staff if the door is opened, and a sign making it clear it is an emergency exit, which seems to have improved matters.
33. At the beginning of February, the applicant, Ms Pole and her neighbour, met with Mr Ball's wife, co-owner and DPS to complain of noise from customers in Regent Street. At the meeting, Mr. Ball's co-owner presented gifts to each of them, accepted that their management of egress should have been better, apologised about the problems they had had, and offered them each £3,000 for a holiday by way of apology. Before the meeting, Ms Pole and her neighbour were also given £350 worth of vouchers for food and drink at Paradise.
34. Following the meeting, Paradise's DPS wrote to Ms Pole and her neighbour offering to take a number of steps to resolve the issue of noise in Regent Street. The offers included better policing of Regent Street among other items.
35. Ms Pole rejected the offers and started these review proceedings, although in the chain of correspondence which followed, she did refer to the idea of a steward in a hi-vis jacket standing on the corner of Kilburn Lane and Regent Street.

¹ Ms Pole says that Mr Ball was aggressive and dismissed at the meeting. Mr Ball is sad about that. He is a calm and concerned person, apologised and made it clear that he was going to take action, which he did.

36. Mrs Pole is critical of the Columbo Group's approach to the meetings. Mr Ball is very sad she feels that way. The correspondence shows the Columbo Group to have approached the matter in a sensitive, respectful and neighbourly way.
37. As a result of the February meeting and correspondence Mr Ball stationed a steward in Regent Street at night to move customers on and moderate their behaviour. Towards closing time, one of the managers is in the street directing taxis and moving people on.
38. As stated above, the venue is quiet at night apart from Friday and Saturday. The new last entry time of 12.30 a.m. on Friday and Saturday will obviously reduce activity significantly, and the new management arrangements in relation to the exterior will be maintained.
39. In general, Mr Ball has not received continuing complaints from neighbours over the period he has been here. When there have been issues, he has dealt with them. He had believed that any more general complaints would come through the Kensal Triangle Residents Association, which he is proud to host. However, it does strike him that there may be room for a separate community forum dealing with any concerns arising from Paradise, which he would be pleased to host. He would also be pleased to give out a dedicated telephone number to local residents so that they can get any issues attended to rapidly.

This review

40. It is believed that Ms Pole has not lived at her property for very many years. The first time she met and spoke with Mr. Ball was in about August 2016, when Mr Ball took steps to resolve her then complaints relating to day time parties and use of the stairs from the conservatory. Following her conversation with Mr Ball's colleagues in February, he has taken further steps by posting a steward at the head of Regent Street to protect the amenity of residents of Regent Street. This has been observed by Mr Forde and seems to be helping: see his report at Tab xxx.
41. The other representations include 9 from current residents.

42. Of these, two live on Regent Street. It is hoped that the recent measures will have helped them, together with the conditions agreed with the licensing service, including in particular the last entry of 12.30 a.m.
43. Two live in Pember Road, out of the 70 residential dwellings on that road, while five live on Kilburn Lane, out of a large number of dwellings on the Westminster and Brent side of the road between Buller and Harrow Roads. They also ought to be assisted by the conditions agreed with the licensing service, including in particular the last entry of 12.30 a.m.

Report by Niall Forde

44. In response to this review, Mr Ball instructed a licensing consultant, Niall Forde, to inspect the premises, its operation and impact. The report is at **Tab 8**. Mr. Forde inspected following the February meeting with Ms Pole and observed the steward now being used to police the corner of Regent Street on Friday and Saturday nights as well as other exterior management measures, including active intervention to move customers on and manage the activity of cabs. He witnessed no public nuisance from persons outside the premises and no music noise audible outside. He considered that the new last entry time of 12.30 a.m. will reduce the potential for nuisance on the way in, and result in a more gradual dispersal on the way out. He concludes:

“In summary staff are now taking effective measures to mitigate disruption on dispersal. These measures have been place for the last five weeks and are regularly being reviewed and adapted.

I didn’t witness any public nuisance or crime and disorder during my inspection. The licence holder has since further agreed to additional condition regarding re-entry and numbers of smokers outside the premise after 23:00. I therefore believe that the representation including agreed conditions made by the Licensing Authority is a proportionate response to the review application submitted, and that amending the licence in line with their recommendations would be promoting the licensing objectives in this case.”

45. He also made some short extra recommendations (report page 9), which the premises licence holder will act upon.

Conclusion

46. Mr Ball has owned the venue for 9 years and has proved himself to be a responsible, community-minded operator. He has not extended the hours of trade. Over the last few months, he has met with residents who have complained and he has taken immediate action to resolve their complaints.
47. The current objectors represent a small percentage of local residents.
48. Mr. Ball has given careful consideration to what they say and has agreed to accept a further 14 conditions on his licence, proposed by the licensing service.
49. No other responsible authorities have made representations at all.
50. Mr Ball is keen to establish a community forum so that the situation can be monitored collaboratively, and is also happy to establish a dedicated telephone line so that any issues can be rapidly communicated and acted upon. He will also act on the suggestions made by Mr Forde.
51. The Sub-Committee will be invited to impose the conditions agreed with the licensing service.

PHILIP KOLVIN QC
20th March 2017

Cornerstone Barristers
London WC1

TAB 2

LICENSING AUTHORITY AGREEMENT
AND WITHDRAWAL OF REPRESENTATIONS

Philip Kolvin QC

From: Chan, Esther <Esther.Chan@brent.gov.uk>
Sent: 15 March 2017 16:15
To: 'Philip Kolvin QC'
Cc: Business Licence; Patel, Yogini; Legister, Linda; Miller-Johnson, Lavine
Subject: The Paradise, 19 Kilburn Lane, W10 4AE - Your Ref 223713460

Dear Philip,

Thank you for your email, the licensing authority accept the conditions as set below.

I hereby withdraw my representation.

Kind Regards

Esther Chan
Licensing Inspector
Planning, Transportation & Licensing
Brent Council

0208 937 5303

www.brent.gov.uk

From: Philip Kolvin QC [<mailto:philipk@cornerstonebarristers.com>]
Sent: 15 March 2017 11:11
To: Chan, Esther
Subject: RE: Paradise

Dear Esther

Thanks so much for talking to me just now.

This is just to record the agreement we reached. We have agreed the following conditions. On that basis, you have agreed to withdraw your representation. The conditions we have agreed are:

CCTV

1. A CCTV camera shall be installed and maintained to monitor the Regent Street side of the premises.
2. The CCTV system installed in the premises shall be capable of obtaining clear facial recognition images and a clear head and shoulder image of every person entering or leaving the premises.

External area

3. A non-fixed roped off area shall be in place from the premises entrance leading to the right side (when facing the premises), during the operating hours after 8 p.m. in order to prevent customers obstructing the public highway.
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5. No more than 8 (eight) customers shall be permitted in the designated smoking area. It will be the duty of the SIA staff to manage/monitor the area on a regular basis.

Proof of age

6. A "Challenge 25" policy shall be adopted and adhered to at all times.
7. A refusal book detailing date and time of the refused sale and the name of the person refusing the sale shall be kept and maintained and made available for inspection at the premises.

General

8. Notices explaining the licensee's policy on admission and searching shall be placed at each entrance.

9. 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
10. SIA Security shall wear clothing that can be clearly and easily identified on CCTV.
11. Notices asking customers to leave quietly shall be conspicuously displayed at all exits.
12. The placing of bottles into receptacles outside the premises shall not be permitted between 21:00 hours and 08:00 hours the following morning.
13. No entry or re-entry shall be permitted after 0030 hours on Thursday, Friday and Saturday.
14. On any day alcohol is to be sold past 24:00 hours, there shall be a minimum of one SIA located at the bottom of each set of stairs to control the flow of customers to and from the first floor in order to control overcrowding.

Thank you so much for your assistance and co-operation in this matter.

Kind regards

Philip
Philip Kolvin QC
Cornerstone Barristers

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TAB 3

PARADISE PHOTOGRAPHS



16



THE ROLLING ENGLISH ROAD

G. K. CHESTERTON

II

FORGIVEN HIM: OR WHY DO FLOWERS RUN

17

III
MY FRIENDS, WE WILL NOT GO AGAIN OR APE AN ANCIENT RACE

OR STRETCH THE FOLLY OF OUR YOUTH TO BE THE SHAME OF AGE

BUT WALK WITH CLEARER EYES AND EARS THIS PATH THAT WANDERETH

AND SEE UNDRUGGED IN EVENING LIGHT THE DECENT INN OF DEATH;

FOR THERE IS GOOD NEWS YET TO HEAR AND FINE THINGS TO BE SEEN

BEFORE WE GO TO PARADISE BY WAY OF KENSAL GREEN.





20







THIS IS A
RESIDENTIAL AREA

PLEASE RESPECT
OUR NEIGHBOURS

PLEASE KEEP
NOISE DOWN
& RESPECT OUR
NEIGHBOURS
THIS IS A
RESIDENTIAL
AREA

25





Fashion Style
Tel: 011 900 1234

BIBBLES

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20

27

TAB 4
MENUS



PARADISE
BY WAY OF KENSAL GREEN

Saturday 18th February

Prosciutto & pear risotto with roasted tomato & rosemary breadcrumbs 7.50

Burrata & beetroot salad with celeriac, blood orange & watercress pesto 7.50

Quail & purple kale 'mousakhan' with sumac & whipped fetta 8.50

Pork belly pie with lemon puff pastry & winter cabbage slaw 8.50

Seared sesame tuna, avocado Fattoush salad, tahini yoghurt 9.00/14.50

Jerusalem artichokes, carrots & beetroot with barley, flowering sprouts & almonds 14.00

Pan fried sea bream with grilled cabbage, agretti, olives, tomatoes, crème fraiche & chilli oil 17.50

Grilled poussin with pomegranate, fennel & radicchio salad, garlic aioli & coriander cress 17.00

Slow roasted lamb shoulder with parsnip puree, spiced swiss chard & Marsala jus 18.50

Char-grilled rib eye with roasted root vegetables, broccoli & blue cheese butter 24.50

Chateaubriand (to share) with char-grilled broccoli, horseradish, crispy kale, fries & peppercorn sauce

62.50

Fries & rosemary salt 3.00

Mixed leaf salad with Amalfi lemon dressing 3.50

Polenta chips with parmesan 4.00

Winter kale & chilli oil 4.00

Dine in the restaurant and bring your own wine for free every Monday

A discretionary service charge of 12.5% will be added to your bill

All dishes are made in an environment in which nuts are used.

If you have a food allergy or intolerance, please inform your server.

follow us on Instagram @weloveparadise

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