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TERRITORIAL POLICING

Brent Police Licensing Unit

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Your ref:

Our ref: 01QK/ 18/53QK

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Date: 11th October 2018

Police representation to the Premises Licence Variation Review Application for 'SAHRAH Lounge' 5-7 Wembley Hill Road, Wembley, HA9 8AF.

Officer: Damien Smith
Licensing Sergeant PS 53QK

An officer of the Metropolitan Police, 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 variation of the premises licence under section 34 of the act.

I certify that I have considered the application shown above and I wish to make representations that the likely effect of the grant of the application is detrimental to the Council's Licensing Objectives for the reasons indicated below. I am of the opinion that the risk to the Council's objectives can be mitigated by rejecting the requested variation regarding extended opening hours.

The Police representations are concerned with the prevention crime and disorder and public nuisance.

The current premises licence number for 5-7 Wembley Hill Road, Wembley is 223223095. Police dealt with the initial application for the premise Licence received by Brent Police Licensing team on 9th November 2014. This applicant and premises licence holder are one of the same: Ms Hamida Moalin, of 296 Harrow Road, Wembley, HA9 6LJ.

In 2015 and 2016 the premises concerned was linked to anti-social behaviour and complaints from residents of noise nuisance both internally and externally. As a consequence of the complaints the venue was taken to a review of its licence and the committee decided that the licence be suspended for 2 months to enable the licence holder to bring the management and maintenance of the premises up to a required standard. Furthermore after the suspension ended the opening hours were amended

and currently remain as Sunday to Thursday 1100 until 2330 hours and Friday and Saturday 1100 until 0030 hours as agreed by the committee.

The amended hours implemented have significantly impacted 'positively' on the amount of nuisance caused or linked to the venue.

In 2017 no temporary event notices (TENS) took place at the premises.

To date, six TENS have been applied for in 2018, four of which the applications indicated 70 guests and two of which indicated 50 guests were expected to attend including staff. Five of the applications indicated 3 x SIA staff and 1 indicated 4 x SIA staff. Each of the TEN requested an extension of hours until 0400 hours. The temporary events have all been private parties or celebrations which would suggest 'invitees only'. The Invitees wouldn't necessarily consist of regular customers to the venue.

This full variation application is asking to remove the conditions imposed by the committee following the last review. The hours requested by the applicant are Sunday to Thursday 1100 hours until 0300 hours and Friday and Saturday 1100 hours until 0500 hours.

On Wednesday 3rd October 2018, I visited the restaurant accompanied by PC McDonald at 1600 hours in uniform. To the right of the main entrance (Externally) there was an A3 blue notice displaying the proposed new hours applied for with the local authority. In the venue I met with the applicant who was welcoming and showed us around her restaurant area and the upstairs section. The applicant pointed out that business was slow and that the request for extending the opening hours was based on the Somali communities demand.

For clarity, the applicant pointed out two ground floor areas, one at the front of the venue incorporating the main entrance and a second area that has a glass partition set back from the front that consists of dining area. It is the larger area that the applicant has held temporary events beyond the 0030 hours. I asked what happens with the regular customers at the front, and the applicant indicated that they would be kept separate from the parties/functions in the rear section. The applicant informed me that it was difficult to take bookings from customers in advance based on the limitations of TENS. The applicant indicated that all parties/functions held at the venue would be family orientated and by invite or ticket only. I asked whether the front would operate to the same hours it currently does or if the front would also remain open to the public utilising the extended hours if authorised by the committee. The applicant expressed she would like the whole restaurant to remain open to the extended hours applied for. At this point the applicant also indicated that she doubted staying open until 0500 hours every time. I asked the necessity for 0500 hours as opposed to 0200 hours or 0300 hours to which the applicant again said she knew her customers' requirements and demand.

The applicant voluntarily showed me cctv from Friday September 28th 2018 at 0030 hours which clearly showed no customers in the venue as per current license conditions. I note that the current licence has 29 conditions. These conditions were also set with each TEN by the applicant. The applicant stated that the business no longer provides shisha and there was no evidence of equipment in the venue. Of note there was no signage at the exit requesting that patrons be quiet or respectful to neighbours as per **Annex 2 - condition 18** and there was no signage on display at the entrance regarding the licensees admission policy and use of search by staff – **annex 2 condition 10**

The applicant informed me that she has invested heavily into the restaurant and was determined to make it work. I pointed out that some of the issues that resulted in the review in 2017 remained such as Parking, close proximity to residential properties, backing onto a service road, used by delivery vehicles and refuse collectors early in the morning. The applicant acknowledged this and insisted that was based on the customers the venue used to attract. The applicant again insisted that she was concentrating on attracting families and group parties to the venue that were older and more respectful.

The applicant referred to the temporary events that had been held and said she had learnt from them. This included using SIA door staff. The premises was broken into within the last month and the applicant stated everything was taken including paper work from the manager's office. This included the SIA door log and incident book.

In relation to the six temporary events held at the venue I am not aware of any complaints to the 999 or 101 call handling system regarding these events or any associated ASB. I am concerned that the venue being open until 0300 hours Sunday through until Thursday and then until 0500 hours Friday and Saturday will afford an opportunity for noise nuisance and reported ASB to reappear and it is through the TENs process applied for, the venue has been used appropriately – i.e. an event outside that of the normal business held at the venue.

The applicant also wishes to open until 0500 hours on bank holidays and New Year's Eve. There is no other business in the vicinity that will be open that late and the residents have been problem free since the amended hours authorised by the committee. Should the committee authorise the new extended hours I request that new conditions are set in addition to the current 29 listed.

The conditions that Police require to be added to the Premises Licence are listed below:

1. Anytime the premises are open to the public, for licensable activities after 0030hrs, the customers will be attending a pre-booked event in the rear function room.
2. The licensee upon accepting bookings implements a system whereby she obtains valid photo Identification and proof of address for the person responsible for the attending party/function attendees.
3. The front area by the main entrance remain open at the current hours Sunday through Thursday 2330 hours with Friday and Saturday until 0030 hours. This facilitates the control of the private function/party and who is at the venue and avoids any temptation for regular customers to join the party.

Yours Sincerely,

Damien Smith 53QK
Licensing Constable Brent Police