

From: Karen Lush [mailto:Karen.Lush@met.police.uk]
Sent: 01 August 2019 15:56
To: 'Paul.Scott9@met.police.uk' <Paul.Scott9@met.police.uk>
Cc: Business Licence <business.licence@brent.gov.uk>; Legister, Linda <Linda.Legister@brent.gov.uk>; Patel, Yogini <Yogini.Patel@brent.gov.uk>
Subject: RE: Nando's, Unit 2, Capitol Way, Colindale, NW9 0AW - 16819

Dear Paul

Thank you for your email and agreement to amendments below.

I can agree to retaining no.9 with a minor amendment to limit recording of complaints to the licensing objectives as follows:

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:

- 1) All crimes reported to the venue.
- 2) Any complaints received *relating to the licensing objectives*
- 3) Any faults in the CCTV system.
- 4) Any visits by a relevant authority or emergency service.

For clarity I set out below a full list of amended conditions to be inserted in to the operating schedule:

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 upon request.

A CCTV camera shall be installed to cover the entrance of the premises.

The CCTV system shall display on any recordings the correct date and time of the recordings.

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.

2. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and date of birth. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to that person. Challenge 25 signage shall be displayed within the premises
3. The sale of alcohol at the premises shall only be to persons either waiting to be seated or those taking a table meal and for consumption by such persons as ancillary to their meal.
4. A copy of the premises licence summary shall be visible from the outside of the main entrance to the premises.
5. Each member of staff authorised to sell alcohol will receive adequate training on the law with regard to alcohol sales. All training will be properly documented and retained. The training records will be kept on the premises and made available for inspection by authorised officers.
6. Notices asking customers to leave quietly shall be conspicuously displayed at the exit.
7. 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:

- 1) All crimes reported to the venue.
- 2) Any complaints received relating to the licensing objectives
- 3) Any faults in the CCTV system.
- 4) Any visits by a relevant authority or emergency service.

Please confirm your agreement and withdrawal of your representation.

Regards

Karen

From: Paul.Scott9@met.police.uk [<mailto:Paul.Scott9@met.police.uk>]

Sent: 31 July 2019 15:50

To: Karen Lush

Cc: business.licence@brent.gov.uk; Linda.Legister@brent.gov.uk; Yogini.Patel@brent.gov.uk

Subject: RE: Nando's, Unit 2, Capitol Way, Colindale, NW9 0AW - 16819

Dear Karen,

Thank you for replying to my email and to agreeing to some of the conditions proposed.

Police agree to **remove** the following points from the proposed conditions on the premises licence:

Open Containers and Areas for Consumption of Alcohol

Customers will not be permitted to take open containers outside the premises, as defined in the plan submitted with the operating schedule and approved by Responsible Authorities. The consumption of alcohol will be restricted to those parts of the premises identified on the plan submitted with the operating schedule and approved by the licensing authority.

3) Customers will not take open drink vessels outside the premises as defined on the plan submitted to and approved by the Licensing authority.

4) Alcohol to be consumed on the premises shall only be provided as an accompaniment to a meal. Customers are not allowed to sit, stand or be served from the bar area, or any other staff area used for the preparation of alcoholic beverages.

This will be worded as; The sale of alcohol at the premises shall only be to persons either waiting to be seated or those taking a table meal and for consumption by such persons as ancillary to their meal.

6) A clear and unobstructed view into the premises shall be maintained at all times. (To be removed).

Police also agree with the wording of point 7, Each member of staff authorised to sell alcohol will receive adequate training on the law with regard to alcohol sales. All training will be properly documented and retained. The training records will be kept on the premises and made available for inspection by authorised officers.

In relation to point 9, the wording as given by police should remain the same:

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:

- 1) All crimes reported to the venue.**
- 2) Any complaints received.**
- 3) Any faults in the CCTV system.**

4) Any visits by a relevant authority or emergency service.

This is so that it is clear to whoever completes the incident log, what the specific incidents recorded in the incident log should contain.

I look forward to hearing from you,

Regards,

Paul

Paul Scott | Police Constable 3302NW | Licensing Officer – **Brent** - North West BCU | Partnership & Prevention Hub

From: Karen Lush [
Sent: 31 July 2019 10:55
To: Scott Paul - NW-CU
Cc: business.licence@brent.gov.uk; Linda.Legister@brent.gov.uk; Yogini.Patel@brent.gov.uk
Subject: RE: Nando's, Unit 2, Capitol Way, Colindale, NW9 0AW - 16819

Dear Paul

I hope you have had a good break.

Thank you for your email of 20th July.

I would like to take this opportunity firstly to clarify further background information concerning my client's experience in the licensed trade. My client operates over 400 restaurants nationwide and is experienced in successfully running licensed premises within various cumulative impact areas and stress areas. I note that this particular site does not fall within any cumulative impact area or stress area identified within the Licensing Policy. Being a restaurant style operation the premises are food led with alcohol sales making up a very small proportion of sales. The majority of customers take advantage of the bottomless soft drinks offered on the menu. Alcohol sold consists of wine, beer and cider all premium priced so not attractive to those seeking cheap alcohol. My client's menu and style of operation is very popular with families and all age groups.

Government Guidance does state that any conditions should be appropriate and proportionate to the individual premises including its location and premises characteristics and should not be standardised. As you will be aware we have offered a number of conditions within our operating schedule to address the licensing objectives to include CCTV, Staff training and Challenge 21. My client is always willing to co-operate with the police where possible and, in order to work with you in this matter, although it appears clear that some of the requested conditions do not, in the circumstances of this particular case, fit Government Guidance they have considered your request.

To demonstrate their good faith they will be agreeable to expanding their offered conditions to the additional ones I set out below on the basis you do not raise any representation to their application (my comments in yellow not forming part of any condition):

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 upon request.

A CCTV camera shall be installed to cover the entrance of the premises.

The CCTV system shall display on any recordings the correct date and time of the recordings.

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.

Whilst my client has offered a comprehensive CCTV condition within their operating schedule, they are prepared to substitute this with your version above.

2. A 'Challenge 25' policy shall be adopted and adhered to at all times

My client offered Challenge 21 but is agreeable to amend this to 25. We would however wish to retain the wording offered within our operating schedule with the substituted age of 25 as set out below and which confirms signage will be displayed advertising the proof of age scheme.

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and date of birth. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to that person. Challenge 25 signage shall be displayed within the premises

~~3. Customers will not take open drink vessels outside the premises as defined on the plan submitted to and approved by the Licensing authority.~~

We have only applied for on sales only so this would not be authorised in any event so we request this be removed.

~~4. Alcohol to be consumed on the premises shall only be provided as an accompaniment to a meal. Customers are not allowed to sit, stand or be served from the bar area, or any other staff area used for the preparation of alcoholic beverages.~~

In order for my client to operate in their usual style we are unable to agree to the above wording and instead offer the following alternative:

The sale of alcohol at the premises shall only be to persons either waiting to be seated or those taking a table meal and for consumption by such persons as ancillary to their meal.

5. A copy of the premises licence summary shall be visible from the outside of the main entrance to the premises.

~~6. A clear and unobstructed view into the premises shall be maintained at all times.~~

I would not feel comfortable advising my client to agree to this in case of the need for blinds/anti reflective coatings in the future. This is a Nando's restaurant and I do not feel this wording is proportionate to the style of operation.

7. Each member of staff authorised to sell alcohol will receive adequate training on the law with regard to alcohol sales. All training will be properly documented and retained. The training records will be kept on the premises and made available for inspection by authorised officers.

We believe our offered staff training condition is appropriate and proportionate to the style of operation and promotes the licensing objectives.

8. Notices asking customers to leave quietly shall be conspicuously displayed at the exit.

9. A written or electronic incident record will be kept at the premises and measures put in place to record all incidents of crime and disorder at the premises. The record shall be made available to Police and/or authorised person upon request.

I look forward to hearing from you.

Regards
Karen

Karen Lush
Associate & Head of Licensing
For and on behalf of Trethowans LLP