

Licensing Panel AGENDA

DATE: Thursday 17 March 2011

TIME: 2.30 pm *

VENUE: Committee Room 5,
Harrow Civic Centre

* THERE WILL BE A BRIEFING FOR MEMBERS AT 2:00PM IN COMMITTEE ROOM 3.

MEMBERSHIP (Quorum 3)

Chairman: (To be appointed)

Councillors:

Mrinal Choudhury
Ajay Maru

Husain Akhtar

Reserve Members:

Note: There are no Reserve Members currently appointed to this Panel.

Contact: Damian Markland, Democratic Services Officer
Tel: 020 8424 1785 E-mail: damian.markland@harrow.gov.uk

AGENDA - PART I

1. APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the purposes of this meeting.

2. DECLARATIONS OF INTEREST

To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Committee, Sub Committee, Panel or Forum;
- (b) all other Members present in any part of the room or chamber.

3. MINUTES

[Note: Licensing Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chairman for that meeting;
- (2) not submitted to the next panel meeting for approval.

Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chairman and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].

4. PUBLIC QUESTIONS, PETITIONS AND DEPUTATIONS

To receive any questions, petitions or deputations (if any), under the provisions of Committee Procedure Rules 17, 15 and 16 (Part 4B) of the Constitution respectively.

[Note: These items are qualified by the requirements of the licensing legislation and will not be applicable to applications on the current agenda.]

5. LICENSING PROCEDURES (Pages 1 - 2)

Procedure to be followed at an oral hearing.

6. APPLICATION TO TRANSFER THE PREMISES LICENCE IN RESPECT OF 'FUNKY BROWNZ', (FORMERLY KNOWN AS SPANISH ARCH PH) 28 BELMONT CIRCLE, KENTON LANE, HARROW, HA3 8RF (Pages 3 - 80)

Report of the Corporate Director Community & Environment.

AGENDA - PART II - NIL

Licensing Panel – Licensing Act 2003

Procedure R - Oral Hearing in Public

This document provides a summary of the Panel's procedure for the conduct of this oral hearing in public. This procedure is followed during a REVIEW procedure.

1. Introduction by chair of:
 - Members
 - Officers and Officers of Responsible Authorities
 - Applicants and Objectors
 - the procedure for the hearing.
2. Presentation of the report by Officers of the Relevant Authority.
3. Introduction by the objector of their statement. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.
4. Questioning of the objector by:
 - the applicant
 - the Panel
5. Presentation by the applicant, or their representative of their statements. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.
6. Questioning of applicant by:
 - the objector
 - the Panel
7. Concluding statement by the applicant.
8. Concluding statement(s) by objector.
9. The Panel together with their legal advisor and committee clerk withdraw to consider of the application. Should the Panel wish to clarify any point with any particular party, all sides are recalled for the questions to be asked.
10. The hearing is reconvened for the Panel to announce their decision. Should the application be refused or conditions be placed on the licence the Panel must give reasons for this action.

NOTES

WITNESSES: *Either side may call witnesses to support their case. Witnesses should have submitted written statements before the hearing which they present and on which they may be questioned. Witnesses introduced at short notice may speak with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.*

ADJOURNMENT: *The Panel may at any time adjourn to a later date for the further consideration of an application. The date and time should be agreed with all parties as far as possible.*

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REPORT FOR: LICENSING PANEL

Date of Meeting: 17 March 2011

Subject: Application to transfer the premises licence in respect of 'Funky Brownz', (formerly known as Spanish Arch PH) 28 Belmont Circle, Kenton Lane, Harrow, HA3 8RF

Responsible Officer: Brendon Hills – Corporate Director, Community & Environment

Exempt: No

Enclosures: Premises Licence
Transfer Application
Objection Notice
Premises Plan
Location Map

Section 1 – Summary

An application to transfer the premises licence issued under the Licensing Act 2003 in respect of "Funky Brownz" (formerly known as Spanish Arch PH), 28 Belmont Circle, Kenton Lane, Harrow, HA3 8RF, has attracted an objection notice from the Metropolitan Police, on the basis that granting it would undermine the crime prevention objective.

Representations received

From	Relevant Representations details
Metropolitan Police	Objection Notice received

Section 2 – Report

Current situation

- 2.1 There is currently a premises licence in force at “Funky Brownz” (formerly known as Spanish Arch PH), 28 Belmont Circle, Kenton Lane, Harrow, HA3 8RF. Briefly the premises licence authorises the following licensable activities during the timings specified:

Sale of Alcohol and Regulated Entertainment:

Monday to Wednesday	10.00am – Midnight
Thursday	10.00am - 01.00am (following morning)
Friday & Saturday	10.00am – 02.00am (following morning)
Sunday	10.00am – 00.30am (following morning)

Late Night Refreshment:

Monday to Wednesday	11.00pm – Midnight
Thursday	11.00pm - 01.00am (following morning)
Friday & Saturday	11.00pm – 02.00am (following morning)
Sunday	11.00pm – 00.30am (following morning)

Hours Open to Public:

Monday to Wednesday	09.30am – 00.30am (following morning)
Thursday	09.30am - 01.30am (following morning)
Friday & Saturday	09.30am – 02.00am (following morning)
Sunday	09.30am – 01.00am (following morning)

- 2.2 On 3rd February 2011, an application was made to transfer the premises licence to Funky Brownz 2 Ltd (the applicant).
- 2.3 The Metropolitan Police have submitted an objection notice on the grounds that the exceptional circumstances of the case are such that the granting of the application would undermine the crime prevention objective. A copy of this notice is attached to this report.
- 2.4 The premises is situated at 28 Belmont Circle, Kenton Lane, adjacent to both commercial and residential properties. A map of the area is attached to this report.

Licensing Policy Implications

- 2.5 In relation to the Council’s policy at paragraph 8.19, the applicants and the current premises licence holder have provided all relevant signatures and consents.

Legal Implications

- 2.6 The Licensing authority (in this case the London Borough of Harrow) is required to hold a hearing to consider the objection notice (and the transfer application) unless all parties agree that a hearing is unnecessary. The hearing must be held in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

- 2.7 The Licensing Panel is required to give appropriate weight to representations made by all parties, the Guidance issued pursuant to section 182 of the Licensing Act 2003, the Council's statement of licensing policy and the steps that are necessary to promote the crime prevention objective.
- 2.8 Having considered those relevant matters, the Licensing Panel can either:–
- a. Grant the application to transfer the premises licence;
 - b. Reject the application to transfer the premises licence if it considers it necessary for the promotion of the crime prevention objective.
- 2.9 It should be noted with all options that –
- Clear reasons should be given for the decision.
 - The applicant and the Metropolitan Police would have a right of appeal to a magistrates' court on one of the grounds provided in Schedule 5 to the Licensing Act 2003
- 2.10 In addition to determining the application in accordance with the legislation, Members must have regard to –
- The common law rules of natural justice
 - The provisions of the Human Rights Act 1998
 - The considerations in section 17 of the Crime and Disorder Act 1998
- 2.11 By section 6 of the Human Rights Act 1998, the Panel is required to act in a way that is compatible with rights under the European Convention for the Protection of Human Rights and Freedoms. The following provisions of the European convention seem relevant: Article 6 (right to a fair trial) Article 14 (prohibition of discrimination) and Article 1 of the First Protocol (protection of property).

Community Safety

- 2.12 In relation to section 17 of the Crime and Disorder Act 1998, this states:
- ‘Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.’
- 2.13 The Borough Commander, through Sergeant Davis, has submitted an objection notice against this application.

Financial Implications

- 2.14 There are no financial implications.

Risk Management Implications

- 2.15 If any party is aggrieved with the decision of the licensing panel on one of the grounds set out in Schedule 5 to the Licensing Act 2003, they can appeal to a Magistrates' Court. The Appeal period is 21 days from notification of the decision.

Section 3 - Statutory Officer Clearance

Name: Kanta Hirani	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 22 February 2011		
Name: Paresh Mehta	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 3 March 2011		

Section 4 - Contact Details and Background Papers

Contact: P Sivashankar, Head of Licensing Services, ext 6237

Background Papers:

- Premises Licence
- Transfer Application
- Objection Notice
- Premises Plan
- Location Map

LICENSING ACT 2003
Schedule 12
Part A (Regulation 33,34)
PREMISES LICENCE
HARROW COUNCIL, P O BOX 18, STATION ROAD, HARROW

Premises Licence Number	0706-FD3M-M9XF-NRQL
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Part 1 – Premises details **FUNKY BROWNZ**

Postal address of premises, or if none, ordnance survey map reference or description			
28 BELMONT CIRCLE KENTON LANE			
Post town	KENTON	Post code	HA3 8RF
Telephone number			

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
LIVE MUSIC (e) RECORDED MUSIC (f) PERFORMANCE OF DANCES (g) ENTERTAINMENT OF A SIMILAR DESCRIPTION TO THAT FALLING WITHIN e, f OR g (h) PROVISION OF ENTERTAINMENT FACILITIES: MAKING MUSIC (i) PROVISION OF ENTERTAINMENT FACILITIES: DANCING (j) ENTERTAINMENT OF A SIMILAR DESCRIPTION TO THAT FALLING WITHIN i OR j (k) LATE NIGHT REFRESHMENT (l) SALE BY RETAIL OF ALCOHOL (m)

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

HOURS OPEN TO PUBLIC (o)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	0000-0100	0000-0030	0000-0030	0000-0030	0000-0130	0000-0200	0000-0200
	0930-0000	0930-0000	0930-0000	0930-0000	0930-0000	0930-0000	0930-0000

LIVE MUSIC (e)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	0000-0030				0000-0100	0000-0200	0000-0200
	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000

RECORDED MUSIC (f)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	0000-0030				0000-0100	0000-0200	0000-0200
	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000

PERFORMANCE OF DANCES (g)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	0000-0030				0000-0100	0000-0200	0000-0200
	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000

ENTERTAINMENT OF A SIMILAR DESCRIPTION TO THAT FALLING WITHIN e, f OR g (h)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	0000-0030				0000-0100	0000-0200	0000-0200
	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000

PROVISION OF ENTERTAINMENT FACILITIES: MAKING MUSIC (i)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	0000-0030				0000-0100	0000-0200	0000-0200
	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000

PROVISION OF ENTERTAINMENT FACILITIES: DANCING (i)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	0000-0030				0000-0100	0000-0200	0000-0200
	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000

ENTERTAINMENT OF A SIMILAR DESCRIPTION TO THAT FALLING WITHIN i OR j (k)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	0000-0030				0000-0100	0000-0200	0000-0200
	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000

LATE NIGHT REFRESHMENT (l)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	0000-0030				0000-0100	0000-0200	0000-0200
	2300-0000	2300-0000	2300-0000	2300-0000	2300-0000	2300-0000	2300-0000

SALE BY RETAIL OF ALCOHOL (m)							
	MON	TUE	WED	THU	FRI	SAT	SUN
	0000-0030				0000-0100	0000-0200	0000-0200
	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000	1000-0000

1. LICENSABLE ACTIVITIES CAN BE EXTENDED BETWEEN THE TERMINAL HOUR ON NEW YEAR'S EVE AND THE COMMENCEMENT HOUR ON THE FOLLOWING MORNING.
2. LICENSABLE ACTIVITIES CAN BE EXTENDED UNTIL 0200 ON CHRISTMAS EVE AND BOXING DAY
3. THE MAXIMUM NUMBER OF PATRONS ACCOMMODATED AT ANY ONE TIME SHOULD NOT EXCEED 350
4. WHILE AMPLIFIED MUSIC IS PLAYED, THE INNER SET OF DOORS TO BOTH FRONT ENTRANCES ARE TO BE KEPT SHUT AFTER 8PM.
5. THE CONSUMPTION OF BEVERAGES IN EXTERNAL AREAS OF THE PREMISES SHALL CEASE AFTER 2330.

FOR CONSUMPTION ON OR OFF THE PREMISES

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**FUNKY BROWNZ 2 LTD
28 BELMONT CIRCLE
KENTON LANE
KENTON
HA3 8RF**

Registered number of holder, for example company number, charity number (where Applicable)

N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

NONE

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

NONE

State whether access to the premises by children is restricted or prohibited

N/A

DRAFT

ANNEX 1 – MANDATORY CONDITIONS:

1.SUPPLY OF ALCOHOL

- (1) NO SUPPLY OF ALCOHOL MAY BE MADE UNDER THE PREMISES LICENCE –
- (a) AT A TIME WHEN THERE IS NO DESIGNATED PREMISES SUPERVISOR IN RESPECT OF THE PREMISES LICENCE, OR
 - (b) AT A TIME WHEN THE DESIGNATED PREMISES SUPERVISOR DOES NOT HOLD A PERSONAL LICENCE OR HIS PERSONAL LICENCE IS SUSPENDED

2.DOOR SUPERVISION

- (1) WHERE A PREMISES LICENCE INCLUDES A CONDITION THAT AT SPECIFIED TIMES ONE OR MORE INDIVIDUALS MUST BE AT THE PREMISES TO CARRY OUT A SECURITY ACTIVITY, THE LICENCE MUST INCLUDE A CONDITION THAT EACH SUCH INDIVIDUAL MUST BE LICENSED BY THE SECURITY INDUSTRY AUTHORITY
- (2) BUT NOTHING IN SUBSECTION (1) REQUIRES SUCH A CONDITION TO BE IMPOSED-
- (A) IN RESPECT OF PREMISES WITHIN PARAGRAPH 8(3)(A) OF SCHEDULE 2 TO THE PRIVATE SECURITY INDUSTRY ACT 2001 (C.12) (PREMISES WITH PREMISES LICENCES AUTHORISING PLAYS OR FILMS), OR
 - (B) IN RESPECT OF PREMISES IN RELATION TO-
 - (i) ANY OCCASION MENTIONED IN PARAGRAPH 8(3)(B) OR (C) OF THAT SCHEDULE (PREMISES BEING USED EXCLUSIVELY BY CLUB WITH CLUB PREMISES CERTIFICATE, UNDER A TEMPORARY EVENT NOTICE AUTHORISING PLAYS OR FILMS OR UNDER A GAMING LICENCE), OR
 - (ii) ANY OCCASION WITHIN PARAGRAPH 8(3)(D) OF THAT SCHEDULE (OCCASIONS PRESCRIBED BY REGULATIONS UNDER THAT ACT).
- (3) FOR THE PURPOSES OF THIS SECTION-
- (A) "SECURITY ACTIVITY" MEANS AN ACTIVITY TO WHICH PARAGRAPH 2(1)(A) OF THAT SCHEDULE APPLIES, AND
 - (B) PARAGRAPH 8(5) OF THAT SCHEDULE (INTERPRETATION OF REFERENCES TO AN OCCASION) APPLIES AS IT APPLIES IN RELATION TO PARAGRAPH 8 OF THAT SCHEDULE

Annex 2 – Conditions consistent with the operating Schedule
PREMISES MAY OFFER PRIVATE ENTERTAINMENT ONLY, WITHOUT RESTRICTION

The consumption of beverages in external areas of the premises shall cease after 2330

Annex 3 – Conditions attached after a hearing by the licensing authority.

NONE

Annex 4 –
PLAN ATTACHED

[Insert details including name and address of licensing authority and application reference if any]

Application to transfer premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We FUNKY BROWNZ LTD apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below
(Insert name of applicant)

Premises licence number

C706-FD3M-MFXF-NRQL

Part 1 - Premises details FUNKY BROWNZ

Postal address of premises or, if none, ordnance survey map reference or description	
<u>28 BELMONT CIRCLE KENTON LANE</u>	
Post town <u>KENTON</u>	Post code <u>HA3 8RF</u>
Telephone number at premises (if any) <u>0208 909 3269</u>	

Please give a brief description of the premises

PUBLIC HOUSE.

Name of current premises licence holder

Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

- Please tick ✓ yes
- a) an individual or individuals* please complete section (A)
 - b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

RECEIVED AT
LICENSING OFFICE
03 FEB 2011
TIME

#328304116

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

- Please tick yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
 - I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname PATEL

First names SARASH

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

51 HEBER RD
CRICKLEWOOD
LONDON

Post Town

CRICKLEWOOD

Postcode

NW2 6AB

Daytime contact telephone number

0208 341 2900

E-mail address (optional)

info@funkybrownz.co.uk

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	SARASH PATEL <u>FUNKY BROWNZ 2 LTD</u>
Address	51 HEBER RD <u>25 BELMONT CIRCLE</u> <u>CRICKLEWOOD</u> <u>KENTON LANE</u> <u>LONDON</u> <u>HA3 8RF</u> NW2 6AB
Registered number (where applicable)	<u>497914</u>
Description of applicant (for example partnership, company, unincorporated association etc)	<u>COMPANY</u>
Telephone number, if any	<u>0208 341 2900</u>
E-mail (optional)	<u>info@funkybrownz.co.uk</u>

Part 3

Please tick Yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day	Month	Year

Please tick Yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

Please tick Yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick Yes

I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not.

- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I understand that if I do not comply with the above requirements my application will be rejected



IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 3). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 03/02/11

Capacity DIRECTOR.

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 03/2/11

Capacity DIRECTOR.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Consent of premises licence holder to transfer

I/~~we~~ FINBAR HOLIAN

[full name of premises licence holder(s)]

the premises licence holder of premises licence number 0608-7FDW-3PCT-B3RM

[insert premises licence number]

relating to

Spanish Arch. 28 Belmont Circle. Kenton Lane. Kenton HA3 8RF

[name and address of premises to which the application relates]

hereby give my consent for the transfer of premises licence number

0608-7FDW-3PCT-B3RM

[insert premises licence number]

to

FUNKY BROWN 2 LTD

[full name of transferee].

signed

name

(please print)


FINBAR HOLIAN

dated

3.2.11

Harrow Council, Licensing Section, P O Box 18, Station Road, Harrow.

Making an Objection against an Application to Transfer a Premises Licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I, Police Sergeant Carl Davis, make this representation under Section 42(6) of

the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description	
FunkyBrownz, 28 Belmont Circle, Harrow , Kenton Lane, Kenton	
Post town Harrow	Post code HA3 8RF

Name of premises licence holder or club holding club premises certificate (if known)
Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

- | | Please tick ✓ yes |
|---|--------------------------|
| 1) an interested party (please complete (A) or (B) below) | <input type="checkbox"/> |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current address

Post Town

Post Code

Daytime contact telephone number

Email address

(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail (optional)

2

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Metropolitan Police South Harrow Police Station 74 Northolt Road South Harrow HA2 ODN
Telephone number (if any) 0208 733 3415
E-mail (optional)

This representation relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children form harm

Please state the ground(s) for review (please read guidance note1)

Police consider that there are exceptional circumstances regarding this application and consider that granting the application would seriously undermine the crime prevention objective.

The current Premises Licence for this premises (Spanish Arch Public House) enables opening until 0030 Monday to Tuesday, 0130 on a Thursday, 0200 on a Friday and Saturday and 0100 on a Sunday.

The premises operated as a Public House and has only one condition in Annex 2 & 3 , which is :

“The consumption of beverages in external areas of the premises shall cease after 2330”.

Police have generally had no problems with the running of the premises under the old management regime.

The applicants who have submitted this Transfer application (FunkyBrownz) have apparently two other premises in North London.

One, in Haringey, is apparently shut.

The other , in Colindale, is situated at 63-65 The Hyde West Hendon London NW9 6LE

Under the same management and Licence Holders the premises has traded under the name Ash Bar/Waterfalls and Funky Brownz.

I have contacted the Police Licensing Sergeant for Barnet Borough- Sergeant Mark Altman - who has experience of dealing with this premises and he has informed me of the two Reviews of the Premises Licence and sent me supporting documents which I produce as exhibits.

The first document (CD/1) is an application for Review of the Licence by London Borough of Barnet Environmental Health Group Manager - Ralph Haynes, dated 10.09/2007

I note that the applicant explains the daily running and management structure and at the premises and refers to the owners son "Ash".

The second (CD/2) is a Representation in support of the above Review application which was completed by Sgt Altman on 3/10/2007.

Despite the seriousness of that situation in 2007 , I now refer the panel to the next document (CD/3)- an application by Sgt Altman to London Borough of Barnet Licensing Authority under S.53A Licensing Act 2003 for an expedited Review of the Premises Licence (premises associated with serious crime & disorder) , dated 23/03/2009.

I produce the Certificate under S.53A(1)(b) as CD/4

The information provided in support of a S.160 Closure document is CD/5 and the information document in support of the S.53A(1)(b) - which gives details of the Judge's Closure Order - is CD/6.

I produce the Licence (as at November 2009 - post Review hearings) as CD/7 and it can be seen in Annex 3 of the Premises Licence that it has taken the addition of 23 conditions , on top of the 18 conditions proffered in the Operating Schedule, to allow the management to hold onto its Licence and avoid having it revoked.

It can also be seen that the hours of premises opening and licensable activities are very similar to that of the Spanish Arch(this current Premises Licence).

I produce three(3) Companies House reports relating to Ash Bar Ltd (CD/8) , FunkBrownzLtd (CD/9) and FunkBrownz2Ltd (CD/10) to show the link to the applicant.

Additionally, the DPS variation (CD/11) combined with this Transfer application was to vary the DPS at the premises to Shrayash PATEL dob [REDACTED] and recorded that he held a Brent Personal Licence. When my colleague - Sergeant John Crump completed a police national computer check on Mr Patel he saw that he was [REDACTED]

Section 128(1) of the Licensing Act 2003 denotes that "Where the holder of a personal Licence is charged with a relevant offence, he must, no later than the time he makes his first appearance in a magistrates court in connection with that offence:-

- (a) produce to the court the personal licence, or
- (b) if that is not practicable, notify the court of the existence of the personal licence and the identity of the relevant licensing Authority and of the reasons why he cannot produce the licence.

Enquiries are still in hand to establish if this was done.

S.129 allows the Court to order suspension or forfeiture of the licence.

Mr Patel has verbally agreed with Sgt Crump to withdraw his application but up until the time I write this application no such written formal withdrawal has been received by the Licensing Authority.

Both Sergeants Altman and Crump will attend any hearing to provide evidence/clarify questions etc.

Police have serious misgivings as to whether this company/applicant should be granted Transfer onto this Licence and request the applicant be rejected.

Please provide as much information as possible to support the application (please read guidance note 2)

See all attached documents/exhibits as listed above

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [AMOUNT], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date 16th February 2011

Capacity Police Licensing Officer

.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you using an email address your e mail address (optional)	

Notes for Guidance

1. The ground(s) for representation must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems, which are included in the grounds for representation if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address, which we shall use to correspond with you about this representation.

Relevant Representations means;

- a) are about the likely effect of the grant of the premises licence or club premises certificate on the promotion of the licensing objectives,
- b) that the representation were made by an interested party or responsible authority within the period prescribed, 28 days from the application was advertised.
- c) in the case of representations made by an interested party (who is not also a responsible authority) that they are not, in the opinion of the relevant Licensing Authority, frivolous or vexatious.

Further restrictions apply relating to Police Representations on DPS’s and representations on provisional statements. Please check with the Licensing Section.

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Ralph Haynes Group Manager Noise and Nuisance.....

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Ash Bar/Waterfalls 63-65 The Hyde West Hendon	
Post town London	Post code (if known) NW9 6LE

Name of premises licence holder or club holding club premises certificate (if known) Miss V.Patel and Ragini Patel
--

Number of premises licence or club premises certificate (if known) LN/199906627

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Ralph Haynes Noise and Nuisance Manager Environmental Health NLBP London N11 1NP
Telephone number (if any) 0208 359 7448
E-mail address (optional) ralph.haynes@barnet.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

Following a second witness of breach of a noise abatement notice on 31st August. I would like a formal review of the licence to prohibit the playing of loud music after 11pm at night.

For the following reasons:

Noise abatement notice served in April 21st was breached and I undertook a seizure of noise equipment on the 24th April. Since then the principal complainant has been away at weekends avoiding the Noise but due to further complaints I wrote and warned the licence holders on the 30th July and gave them an hours worth of advice on how to minimise the noise on the 10th August 2007. Complainant complained over the weekend 31st August see WK 200626243, 200625936 and 200714223 for full details enclosed

I have 2 good witness statements from my Noise officers (attached) detailing that after advising Mr Ash Patel and his father Raj on 31st August at 2335 that they had witnessed evidence of music and noise from high bass levels and noise from patrons smoking externally at neighbouring residential premises and a noise abatement notice was served. They left after being reassured by Ash Patel that the noise from smokers would be controlled by security and music would be turned down. But due to further complaints received noise nuisance was witnessed again at 0105 hrs on 1st September 2007 from music in the Ash Bar premises in neighbouring premises. The officers then went to speak to Mr Ash Patel and his Father the owner Raj Patel. Mr Raj Patel was under the influence of alcohol and accused my officers of being prejudiced/racist even though one of them is of mixed race. At 2:30am the complainant stated the level of music was ongoing at the same level as when a nuisance existed which also exceeds the hours allowed in their licence.

Mr Patel has also alleged the complainants ask for free drinks to placate them which

they deny.

On the 30th July I wrote and advised the Patel's on how to minimise noise and went to the bar and gave them free advice for an hour which they understood but have not adhered to infact since the smoking ban there is also noise from patrons outside sometimes over 10 people smoking externally and shouting above the music noise less than 6 metres from residents.

By his own omission Mr Raj Patel is a builder and he has bought this site to redevelop in a few years. In the meantime his son Ash who is very young and is a keen DJ who loves loud music and is obviously a bit deaf and seems to run the premises even though Mr. Raj Patel daughters V and R .Patel are the Premises licence holders who have the abatement notice served on them.

Ash Patel (the bar is called after him) is not controlling the level of noise from the music which is audible till sometimes past 2:30am am next to a large residential block of flats. The threat of seizure does not work and the size of his speakers are massive so I would need to hire a removal firm and a possibly a mini Forklift to do a further seizure!!

My other options are a prosecution which I will pursue through legal however this can take six months therefore I request a formal review of the licence as they have been warned advised on numerous occasions and a serious noise nuisance still exists till 2am and can occur at least 3 nights.

Please provide as much information as possible to support the application
(please read guidance note 2)

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

1	0	0	9	2	0	0	7
---	---	---	---	---	---	---	---

If you have made representations before relating to this premises please state what they were and when you made them

No

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date 10th September 2007

.....

Capacity Group Manager Noise and Nuisance

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) as previously given	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

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With compliments

Mr C Matuszek
Licensing Officer
London Borough Barnet
Building 4 North London Business Park
Oakleigh Rd South
London N11 1NP

**WHETSTONE POLICE STATION
1170 HIGH ROAD
WHETSTONE
LONDON N20 0LW**

**Telephone: 020 8733 5261
Facsimile: 020 8733 5268
e-mail: SX_Licensing@met.police.uk
Date: 3rd October 2007**

L.B.B. ref:
Our ref: 552/2007

CC: London Borough of Barnet

**Police Make Representations in support of the Review of the premises
licence made by Ralph Haynes manager noise & nuisance LBB**

Section			51			Licensing Act 2003
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Premises: Ash Bar/Waterfalls 63-65 The Hyde West Hendon London NW9 6LE

Representations

Dear Mr Matuszek,

The Police representations are primarily concerned with the prevention of crime and disorder, although incidents of noise nuisance are frequently linked to this and as such may be a causal effect of the disorder.

The particular nuisance being caused has led to a number of calls being made to the Police and there are currently concerns that there is likely to be disorder when Police are requested to attend the premises to prevent a breach of the peace.

A statutory noise nuisance was served on the management of the premises by LBB after they had failed to address the issues following a number of warnings. The Police are concerned that the management of these premises having failed to comply with advice offered by Mr Haynes will be unable to properly control a venue with extended hours. The external Shisha area has also caused concern for Police and is likely to create an additional workload for patrolling officers.

The following bullet point is duplicated from my representation to the sect 34 variation and is pertinent to this review:

- There are also concerns with regard to the Shisha Lounge. Which will be outside the rear of the premises and due to the recent legislation regarding smoking has to remain open to the elements for no less than 50% of the structure. Due to this it would be impossible to have any effective control of the escape of noise. The likely outcome being that Police will be called to the venue by irate residents and to ensure there is no breach of the peace. We have been encouraging venues to prevent persons taking drinks outside with them when they leave the confines of the premises to smoke, and have also advised that beer gardens and similar outdoor spaces should be closed for general usage at a set hour in the evening to prevent such noise nuisance. By only allowing persons outside to smoke they are less inclined to spend any great length of time in these areas, and as such there is far less risk of a noise nuisance.

If any response is sent via e-mail it must be to the group address as shown and not to a personal/individual e-mail address.

Yours Sincerely,

Police Sergeant Mark ALTMAN

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

London Borough of Barnet Licensing Team, Building 4, North London Business Park, Oakleigh Rd South, London N11 1 NP

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I Sergeant Mark Altman officer of police for the Metropolitan Police (Barnet)	[on behalf of] the chief police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.
---	--

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Funky Brownz
63 – 65 The Hyde**

Post town: London

Post code (if known): **NW9 6LE**

2. Premises licence details:

Name of premises licence holder (if known): Vaishali Patel and Ragini Patel

Number of premises licence holder (if known): LN/199906627

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for

the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

**PLEASE SEE ATTACHED DOCUMENT:
"Information & Crime Reports Funky Brownz 63 – 65 The Hyde London NW9 6LE"**

Signature of applicant:
Date: 23rd March 2009
Capacity: Licensing Officer

Contact details for matters concerning this application:

Address: **Whetstone Police Station 1170 High Road Whetstone London N20 0LW**

Telephone number(s): 0208 733 5261

Email: sx-licensing@met.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

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The Metropolitan Police Service Barnet
Colindale Police Station,
Graham Park Way
Colindale
NW9 5TW

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder¹.

*Premises*²:

Funky Brownz
63 – 65 The Hyde
London
NW9 6LE

Premises licence number (if known): LN/199906627

Name of premises supervisor (if known): Mr Avinash Patel

I am a Superintendent ³ in the Metropolitan
police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

Serious disorder took place at the premises in the early hours of Friday 20th March 2009 resulting in seven arrests.

Since the 13th February 2009 there have been 11 calls to these premises relating to violent offences, disorder, offensive weapons. One male has been stabbed and two Police officers assaulted. These have all involved people associated with the premises.

A seven point action plan was implemented on the 2nd March 2009 following

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

concerns. Early indications are that the management of the premises have failed to follow this action plan resulting in the serious disturbance on Friday 20th March.

In recent weeks there has been a significant and real increase in disorder and alcohol related offences at these premises. (information contained in supporting document)

A standard review would be inappropriate as it does not allow for the immediate enforcement of conditions by means of the "interim steps". These steps are required to ensure that the likelihood of any further disorder is greatly reduced pending the full review.

.....
(Signed)

.....
(Date)

Since the 13th February 2009 there have been 11 calls to the location of **Funky Brownz. 63 – 65 The Hyde London NW9 6LE** relating to violent offences, disorder, offensive weapons. One male has been stabbed two Police officers assaulted. These have all involved people associated with the premises.

A seven point action plan was implemented on the 2nd March 2009 following concerns. Early indications are that they failed to follow this action plan resulting in last nights serious disorder.

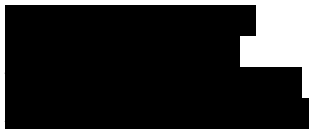
The Police anticipate that there will be further violence tonight due to people returning to the venue to take retribution and due to the poor management of the premises it is unlikely that they will be able to prevent this disorder thus relying on the Police to sort out the problems and creating a significant risk to public safety.

For these reasons the Police respectfully request that a closure order is granted.

Police will also be looking to the owners of these premises to voluntary close and or curtail their activities for the rest of the weekend.

There is also likely to be an application for a summary/expedited review of the premises licence.

Incidents recorded involving Funky Brownz 63 – 65 The Hyde London NW9 6LE

Date & Time	Reference	Incident
13/02/2009 23:30	2404024/09	ABH & M/Wound VIW1 and VIW2 are brother and sister. They were both attacked by SUSP1 outside the bar at location and suffered injuries where the skin was broken and blood drawn
13/02/2009 01:55	CRIS 2403520/09	GBH Victim was stabbed by an apparent unknown suspect, the victim was unable/unwilling to give any account of what happened or description of Suspect, he claimed that he did not know what happened
14/02/2009 02:15	CRIS 2403598/09	ABH & M/Wound Following a disturbance outside the ASH bar police attended and spoke to VIW1 who had a bloody nose and VIW2 who had a bruise to his forehead. They pointed out the suspect as being one of their attackers
22/02/2009 02:30	CRIS 2404188/09	ABH & M/Wound By suspect hitting VIW1 & 2 causing visible injuries
02/03/2009	ACTION PLAN	Meeting held at Colindale Police Station to discuss recent disorder at the premises Action plan agreed and copied to those attending: 
20/03/2009 01:55	2406348/09	ABH & M/Wound Viw 1 and viw 2 attacked by suspects in public house as they were asking them to leave the venue.
20/03/2009 02:10	2406344/09	Assault on Police VIW 1 WAS ASSISSTING IN THE ARREST OF SUSP 1 AND SUSP 1 KICKED VIW 1 IN THE RIGHT THIGH

		CAUSING INJURIES SHOWN
20/03/2009 02:10	2406347/09	Affray BY SUSPECT RUNNING TOWARDS OFFCIERS AND MOP SHOUTING AGGRESSIVELY WITH FISTS CLENCHED AND RAISED
20/03/2009 02:04	2406345/09	Assault on Police Police called to location as result of urgent assistance. Upon arrival Suspect was restrained and as trying to aid other officers Suspect has kicked out sticking officer in the face causing visible injuries.
20/03/09 02:15	2406342/09	Offensive Weapon

Information & Crime Reports Funky Brownz 63 – 65 The Hyde London NW9 6LE

Since the 13th February 2009 there have been 11 calls to the location of Funky Brownz relating to violent offences, disorder and offensive weapons. One male has been stabbed two Police officers assaulted and CS spray along with batons have been deployed by Police Officers due to the level of disorder. These incidents have all involved people associated with the premises.

A seven-point action plan was implemented on the 2nd March 2009 following earlier concerns re the management at the premises, type of event being promoted, and increase in disorder.

Unfortunately it would seem that some of the Police recommendations were not complied with and serious disorder took place on the morning of Friday 20th March 2009. London Borough of Barnet CCTV picked up a fight shortly before 2am. It was apparent that a large number of people were involved. First officers on scene called for urgent assistance and the majority of the night duty team attended. Dog teams and officers from surrounding Boroughs supported them.


During the fighting CS spray was deployed against one male. A female officer whilst defending herself from an attack by a female armed with a bottle sustained an injury to her hand. A male officer was also kicked about the head by another female and has sustained bruising to the area adjacent to his left eye. Five people were arrested at the scene for offences of affray, assault on Police, offensive weapon and Public Order offences. Further enquiries are ongoing to identify and arrest other offenders.

Closure Order Sect 160 Licensing Act 2003

On the authority and information of Superintendent Tucker a closure order was granted by district judge Daber, at Hendon Magistrates Court, under sect 160 Licensing Act 2003. The Closure Order was effective for a period of 24 hours starting at 19:00hrs on Friday 20th March 2009 until 19:00hrs on Saturday 21st March 2009.

This order was applied for due to the Police concerns that there would be further violence that evening due to people returning to seek retribution, and that the management of the premises was not strong enough to prevent further disorder.

Date & Time	Crime Report Reference	Brief Details of Incident
13/02/2009 23:30	2404024/09	ABH & M/Wound VIW1 and VIW2 are brother and sister. They were both attacked by SUSP1 outside the bar at location and suffered injuries where the skin was broken and blood drawn
13/02/2009 01:55	CRIS 2403520/09	GBH Victim was stabbed by an apparent unknown suspect, the victim was unable/unwilling to give any account of what happened or description of Suspect, he claimed that he did not know what happened
14/02/2009 02:15	CRIS 2403598/09	ABH & M/Wound Following a disturbance outside the ASH bar police attended and spoke to VIW1 who had a bloody nose and VIW2 who had a bruise to his forehead. They pointed out the suspect as being one of their attackers
22/02/2009 02:30	CRIS 2404188/09	ABH & M/Wound By suspect hitting VIW1 & 2 causing visible injuries

02/03/2009	ACTION PLAN	Meeting held at Colindale Police Station to discuss recent disorder at the premises Action plan agreed and copied to those attending: 
20/03/2009 01:55	2406348/09	ABH & M/Wound Viv 1 and viv 2 attacked by suspects in public house as they were asking them to leave the venue.
20/03/2009 02:10	2406344/09	Assault on Police VIW 1 WAS ASSISTING IN THE ARREST OF SUSP 1 AND SUSP 1 KICKED VIW 1 IN THE RIGHT THIGH CAUSING INJURIES SHOWN
20/03/2009 02:10	2406347/09	Affray BY SUSPECT RUNNING TOWARDS OFFICERS AND MOP SHOUTING AGGRESSIVELY WITH FISTS CLENCHED AND RAISED
20/03/2009 02:04	2406345/09	Assault on Police Police called to location as result of urgent assistance. Upon arrival Suspect was restrained and as trying to aid other officers Suspect has kicked out sticking officer in the face causing visible injuries.
20/03/09 02:15	2406342/09	Offensive Weapon

<p>Licensing Act 2003</p> <p>Part A:</p> <p>Premises Licence</p> <p>Premises Licence Number: LN/199906627</p>	<p>Licensing Authority: London Borough of Barnet, Building 4, North London Business Park Oakleigh Road South New Southgate, London, N11 1NP</p>
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Part 1 – Premises details

<p>Postal address of premises, or if none, ordnance survey map reference or description 63 The Hyde</p>	
<p>Post Town London</p>	<p>Post code NW9 6LE</p>
<p>Telephone number 020 8205 6266</p>	

<p>Where the licence is time limited the dates This premises licence is not time limited</p>

<p>Licensable activities authorised by the licence The Sale by Retail of Alcohol, The Provision of Regulated Entertainment, and The Provision of Late Night Refreshment</p>
--

<p>The times the licence authorises the carrying out of licensable activities</p> <p><u>Sale by retail of alcohol</u></p> <p><u>Standard Days and Timings:</u></p> <table> <tr> <td>Sunday to Wednesday</td> <td>10:00hrs - 00:00hrs</td> </tr> <tr> <td>Thursday</td> <td>10:00hrs - 01:00hrs</td> </tr> <tr> <td>Friday</td> <td>10:00hrs - 02:00hrs</td> </tr> <tr> <td>Saturday</td> <td>10:00hrs - 02:00hrs</td> </tr> </table> <p><u>Non Standard Timings and Seasonal Variations:</u> On the commencement of British Summer Time one hour to be added to the finish time above.</p> <p>From the end of the sale of alcohol on 31st December until the start of the sale of alcohol on the following day.</p>	Sunday to Wednesday	10:00hrs - 00:00hrs	Thursday	10:00hrs - 01:00hrs	Friday	10:00hrs - 02:00hrs	Saturday	10:00hrs - 02:00hrs
Sunday to Wednesday	10:00hrs - 00:00hrs							
Thursday	10:00hrs - 01:00hrs							
Friday	10:00hrs - 02:00hrs							
Saturday	10:00hrs - 02:00hrs							

The Exhibition of film's - Indoors only

Standard Days and Timings:

Sunday to Wednesday	10:00hrs - 00:00hrs
Thursday	10:00hrs - 01:00hrs
Friday	10:00hrs - 02:00hrs
Saturday	10:00hrs - 02:00hrs

Non Standard Timings and Seasonal Variations:

On the commencement of British Summer Time one hour to be added to the finish time above.

From the end of the sale of alcohol on 31st December until the start of the sale of alcohol on the following day.

The Performance of live music - Indoors only

Standard Days and Timings:

Sunday to Wednesday	10:00hrs - 00:00hrs
Thursday	10:00hrs - 01:00hrs
Friday	10:00hrs - 02:00hrs
Saturday	10:00hrs - 02:00hrs

Non Standard Timings and Seasonal Variations:

On the commencement of British Summer Time one hour to be added to the finish time above.

From the end of the sale of alcohol on 31st December until the start of the sale of alcohol on the following day.

The Playing of recorded music - Indoors only

Standard Days and Timings:

Sunday to Wednesday	10:00hrs - 00:00hrs
Thursday	10:00hrs - 01:00hrs
Friday	10:00hrs - 02:00hrs
Saturday	10:00hrs - 02:00hrs

Non Standard Timings and Seasonal Variations:

On the commencement of British Summer Time one hour to be added to the finish time above.

From the end of the sale of alcohol on 31st December until the start of the sale of alcohol on the following day.

The Performance of dance - Indoors only

Standard Days and Timings:

Sunday to Wednesday	10:00hrs - 00:00hrs
Thursday	10:00hrs - 01:00hrs
Friday	10:00hrs - 02:00hrs
Saturday	10:00hrs - 02:00hrs

Non Standard Timings and Seasonal Variations:

On the commencement of British Summer Time one hour to be added to the finish time above.

From the end of the sale of alcohol on 31st December until the start of the sale of alcohol on the following day.

The performance of entertainment of a similar description to performance of live music, the playing of recorded music or performances of dance - Indoors only

Standard Days and Timings:

Sunday to Wednesday	10:00hrs - 00:00hrs
Thursday	10:00hrs - 01:00hrs
Friday	10:00hrs - 02:00hrs
Saturday	10:00hrs - 02:00hrs

Non Standard Timings and Seasonal Variations:

On the commencement of British Summer Time one hour to be added to the finish time above.

From the end of the sale of alcohol on 31st December until the start of the sale of alcohol on the following day.

The provision of facilities for making music - Indoors only

Standard Days and Timings:

Sunday to Wednesday	10:00hrs - 00:00hrs
Thursday	10:00hrs - 01:00hrs
Friday	10:00hrs - 02:00hrs
Saturday	10:00hrs - 02:00hrs

Non Standard Timings and Seasonal Variations:

On the commencement of British Summer Time one hour to be added to the finish time above.

From the end of the sale of alcohol on 31st December until the start of the sale of alcohol on the following day.

The provision of facilities for dancing - Indoors only

Standard Days and Timings:

Sunday to Wednesday	10:00hrs - 00:00hrs
Thursday	10:00hrs - 01:00hrs
Friday	10:00hrs - 02:00hrs
Saturday	10:00hrs - 00:00hrs

Non Standard Timings and Seasonal Variations:

On the commencement of British Summer Time one hour to be added to the finish time above.

From the end of the sale of alcohol on 31st December until the start of the sale of alcohol on the following day.

The provision of facilities of a similar description to that of the provision of facilities for making music or the provision of facilities for dancing - Indoors only

Standard Days and Timings:

Sunday to Wednesday	10:00hrs - 00:00hrs
Thursday	10:00hrs - 01:00hrs
Friday	10:00hrs - 02:00hrs
Saturday	10:00hrs - 02:00hrs

Non Standard Timings and Seasonal Variations:

On the commencement of British Summer Time one hour to be added to the finish time above.

From the end of the sale of alcohol on 31st December until the start of the sale of alcohol on the following day.

The Provision of late night refreshment - Indoors only

Standard Days and Timings:

Sunday to Wednesday	23:00hrs - 00:00hrs
Thursday	23:00hrs - 01:00hrs
Friday	23:00hrs - 02:00hrs
Saturday	23:00hrs - 02:00hrs

Non Standard Timings and Seasonal Variations:

On the commencement of British Summer Time one hour to be added to the finish time above.

From the end of the sale of alcohol on 31st December until the start of the sale of alcohol on the following day.

The hours that the premises are open to the public

Standard Days and Timings

Sunday to Wednesday	10:00hrs - 00:30hrs
Thursday	10:00hrs - 01:30hrs
Friday	10:00hrs - 02:30hrs
Saturday	10:00hrs - 02:30hrs

Non Standard Timings and Seasonal Variations:

On the commencement of British Summer Time one hour to be added to the finish time above.

From the end of the sale of alcohol on 31st December until the start of the sale of alcohol on the following day.

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On and Off supplies

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Vaishali Patel & Ragini Patel

[REDACTED]

[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Vaishali Patel

[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

09VP-00AQ-CP43-WEHC - Harrow Council

Annex 1 - Mandatory Conditions

- 1 No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3 Each individual employed in the role of guarding the premises against unauthorised access or occupation, against outbreaks of disorder or against damage must be licensed by the Security Industry Authority.
- 4 The admission of a child or young persons under the age of 18 to the exhibition of any film shall be restricted in accordance with any recommendations made by any film classification body and or persons designated as such by the Secretary of State under section 4 of the Video Recordings Act 1984.

Annex 2 – Conditions consistent with the operating schedule

- 5 This licence is granted in accordance with the published terms and conditions set out in the London Borough of Barnet's Entertainment Licensing Rules of Management for Places of Public Entertainment dated the 15th May 1989
- 6 The Premise Licence Holder and Premises Supervisor shall ensure that music provided at the premises shall not create any disturbance or annoyance to residents in the area. The Premise Licence Holder and Premises Supervisor shall monitor the music noise levels outside the premises, whenever the premises is in use under this licence, and take immediate action to reduce music levels so that music is inaudible in any residential premises.
- 7 The total number of persons present at any one time in the Function Room shall not exceed 150.
- 8 The total number of persons present at any one time in the Main Bar shall not exceed 100.
- 9 The premises shall be provided with adequate facilities to monitor and control the number of people present.
- 10 Staff are trained as appropriate in respect of relevant licensing law, the implementation of licence conditions, health safety, first aid, alcohol and drug awareness and conflict management.
- 11 Customers will not be permitted to take open glass containers outside the premises, as defined in the plan submitted with the operating schedule and approved by the Licensing Authority.
- 12 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.
- 13 A summary of the Premises Licence will be displayed at each public entrance to the premises.
- 14 The applicant monitors the need for door supervisors and in so doing takes into account any advice given by the Police.
- 15 In line with our Alcohol and Social Responsibility Policy there will be no promotions that

encourage illegal, irresponsible or immoderate consumption.

- 16 Six SIA registered door supervisors are employed at busy times.
- 17 Bag searches are conducted at random
- 18 There will be at least one Personal Licence Holder on duty during permitted hours.
- 19 No adult entertainment (paid for by the company of a nude physical nature) is permitted at these premises. Any children under 16 remain the responsibility of the accompanying adult when using the premises (and/or exterior area). Staff are not allowed to be in sole supervision of children which remains the responsibility of the accompanying adult at all times.
- 20 The Designated Premises Supervisor/ Personal Licence Holder and staff will at all times remain aware of their responsibilities under this objective, including that alcohol shall not be sold to anyone under the age of 18. Staff on duty have been trained and made aware of these requirements and the need to demand an acceptable form of age I.D. (i.e. an accredited 'Proof of Age' card or 'new type' driving licence with a photograph or passport with (photograph) where considered appropriate.
- 21 Children under the age of 18 will only be allowed on the premises as long as they are accompanied by their parents or other adults as part of a 'family' taking a table meal.
- 22 Challenge 21 Scheme will be adopted. Customers who appear to be 21 years or less are to be challenged when attempting to purchase alcohol.

Annex 3 – Conditions attached after hearing by the licensing authority

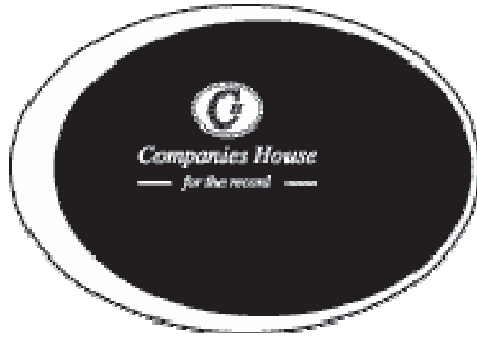
- 23 No patrons allowed in the northern access area of the premises next to 69 The Hyde NW9 at any time.
- 24 No patrons to be admitted or readmitted to rear smoking area after 11pm on Sunday, Monday, Tuesday, and Wednesday or after midnight on Thursday, Friday and Saturday.
- 25 Security staff to regularly monitor rear smoking area after 9pm each night to ensure no noise from patrons is clearly audible at nearest residential premises situated at Malvern Court and 69 The Hyde NW9. The partition of the smoking area connected to the premises structure is to be extended (by the 9th October 2007) so there are no gaps from the doors, roof or partition where it connects to the site perimeter fence to minimise noise break out from patrons in the smoking area.
- 27 The License holder is to attend all pub watch meetings and arrange meetings with the Area residents Association on a quarterly (3-monthly) basis.
- 26 No empty bottles to be disposed of until after 10am the following morning.
- 28 SIA door supervisors will be employed on Thursday, Friday and Saturday from 8:30pm (20:30hrs) until 30 minutes after the premises have closed
- 29 The SIA door supervisors will wear a clearly identifiable jacket with high visibility (light reflective) panels.
- 30 5 SIA door supervisors will be employed at any time when the club is open.
- 31 If the club is closed then the requirement for SIA door supervisors may be reduced to 2. This reduction in doors supervisors is at the discretion and risk assessment of the premises licence holders and the Designated Premises Supervisor (DPS).

- 32 If the club is closed and the bar/restaurant also closes no later than 12:30am (00:30hrs) there shall be no requirement for door supervisors. This decision is at the discretion and risk assessment of the premises licence holders and the Designated Premises Supervisor (DPS).
- 33 A digital CCTV system is installed to the requirements of the Crime Prevention Officer and include:
- a. Digital recording colour CCTV comprising a multi-camera system.
 - b. The head unit (recorder) for storing the images will store such data on a hard drive or a similar quality medium.
 - c. A CD or DVD burner will also form part of the system to facilitate copies of the images.
 - d. If the head unit (recorder) is kept at the premises it must be located in a secure cabinet or other secure area, preferably out of sight and reach of the public. The unit must be further secured by physical means to prevent anyone from merely picking up and removing the unit, e.g. a secure metal boot, or metal case strap, bolted to an immovable object like a wall or floor.
 - e. The quality of the images must be of a sufficiently high standard to allow identification of the subject matter.
 - f. Cameras will cover key areas identified by the operator and Police. These will include external cameras covering any outside area used by patrons of the premises, the external entrance and exit doors, clear headshots of persons entering the premises, approach route to the toilets, the bar and till areas and other areas not in full view from the bar.
 - g. Images must be retained for a period of 31 days before overwriting.
 - h. The images will be made available on reasonable demand by the Police and authorised officers of the London Borough of Barnet.
 - i. At all times when the premises are open there shall be at least one person who is capable of operating the CCTV system if required to do so by the Police or authorised officers of the London Borough of Barnet.
 - j. This system will be fully maintained at all times to ensure correct operation.
- 34 There shall be no entry to the premises one hour before the end of the licensable activities.
- 35 When the premises are open, staff will carry out security checks to the premises including the toilet areas. A log will be kept of those checks.
- 36 Regular checks of the toilets to be made and recorded, with intervals being no greater than one hour.
- 37 Police and London Borough of Barnet approved signs to be clearly displayed. The signs will be worded to advise clients that CCTV covers the premises and that there is zero tolerance to drugs and other criminal activity.
- 38 Besides any prosecution for offences, anyone barred from these premises will also be barred from all of the other premises in the pubwatch scheme.
- 39 When the "Club" section of the premises is open there shall be at least one Personal Licence Holder on duty during the hours, as shown on the licence, where the premises are open to the public.
- 40 Public transport information and taxi cab numbers will be available to all customers.
- 41 Acceptable forms of ID are (but not limited to) valid passport, photocard driving licence, PASS approved proof of age card.

- 42 The applicant must ensure that the amplified music system in use at the premises includes a noise limiting device which:
- a. Measures the sound level in the premises by use of a tamper proof device permanently sited at the premises. Such sound pressure levels are to be measured in octave band frequencies of 16, 32, 63, 125, 250 and 500 Hz
 - b. Immediately withdraws power to the amplifier in the event that preset sound levels of any or all of the individual octave bands which have previously been agreed by the Group Manager, Public Health and Nuisance at the London Borough of Barnet are exceeded. Such levels will be based upon inaudibility in residential properties between the hours of 2300 and 0700 hours. Outside of these times noise must not be at a level which causes a nuisance.
 - c. Is permanently fixed in the premises and cannot be altered, bypassed or tampered with in any way.
 - d. Is correctly installed by a competent person, being an electrician who is enrolled with NICEIC.
 - e. Includes electrical contact point switches fitted on all open able windows to the property; such switches to be fitted in series in a single electrical circuit loop such that in the event of the electrical contact switches becoming separated (by a window being opened) then the power to the amplifier is withdrawn immediately.
 - f. Includes electrical contact point switches fitted on all openable doors which are fire doors used other than to enter or leave the premises under normal circumstances; such switches to be fitted in series in a single electrical circuit loop together with the electrical contact switches fitted to the windows, such that in the event of the electrical contact switches becoming separated (by a fire door being opened) then the power to the amplifier is withdrawn immediately.
- 43 There shall be no external promotions at the venue. All functions at the premises shall be controlled by the premises licence holders and the Designated Premises Supervisor (DPS). This includes the advertising and promotion of events.
- 44 There shall be no direct access for the public via the intercommunicating doors between the bar/restaurant area and the club
- 45 The terminal hour for all licensable activities shall be no later than 1am (01:00hrs) on any Friday with the premises being closed and cleared by 1:30am (01:30hrs) of all persons with the exception of staff employed at the premises.
- 46 There shall be a 'calm down' period of 20 minutes in the night club prior to closing at 2.00am (02:00hrs)
- 47 All licensable activity in the restaurant/bar area of the premises will end 30 minutes prior to any current terminal hour of the club. The restaurant/bar area will also close 30 minutes earlier than any terminal hour for the club.

Annex 4 - Plan

As submitted to the Council with the application for the grant of a premises licence under schedule 8 of the Licensing Act 2003. Reference: LPRL/07/15320



**Current Appointments Report for:
ASH BAR LTD
05858367**

Created: 16/02/2011 17:13:10

Companies House is a registry of corporate information. We carry out basic checks to make sure that documents have been fully completed and signed, but we do not have the statutory power or capability to verify the accuracy of the information that corporate entities send to us. We accept all information that such entities deliver to us in good faith and place it on the public record. The fact that the information has been placed on the public record should not be taken to indicate that Companies House has verified or validated it in any way.

Company Register Information

Company Number:	05858367	Date of Incorporation: 27/06/2006
Company Name:	ASH BAR LTD	
Registered Office:	51 HEBER ROAD, CRICKLEWOOD LONDON CRICKLEWOOD NW2 6AB	
Company Type:	Private Limited Company	
Country of Origin:	United Kingdom	
Status:	Dissolved 08/02/2011	
Nature Of Business (SIC(92)):	7487 - Other business activities	
Number of Charges:	1 (1 outstanding / 0 part satisfied / 0 satisfied)	

Previous Names

No previous name information has been recorded over the last 20 years.

Key Filing Dates

Accounting Reference Date:	30/06
Last Accounts Made Up To:	30/06/2009 (DORMANT)
Next Accounts Due:	
Last Return Made Up To:	27/06/2009
Next Return Due:	
Last members list:	27/06/2009
Last Bulk Shareholders List:	Not available

Current Appointments

Number of current appointments: 3

SECRETARY: PATEL, SHRAYESH MR
Appointed: 27/06/2006 **Date of Birth:** [REDACTED]
Nationality: BRITISH
No. of Appointments: 5
Address: [REDACTED]
[REDACTED]
[REDACTED]
Country/State of Residence: [REDACTED]

DIRECTOR: PATEL, SHRAYESH MR
Appointed: 01/02/2009 **Date of Birth:** [REDACTED]
Nationality: BRITISH
No. of Appointments: 5
Address: [REDACTED]
[REDACTED]
[REDACTED]
Country/State of Residence: [REDACTED]

DIRECTOR: PATEL, VAISHALI MRS
Appointed: 01/11/2009 **Date of Birth:** [REDACTED]
Nationality: BRITISH
No. of Appointments: 5
Address: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Country/State of Residence: [REDACTED]

This Report excludes resignations

Recent Filing History

Documents filed since 17/08/2009

DATE	FORM	DESCRIPTION
08/02/2011	GAZ2	STRUCK OFF AND DISSOLVED
26/10/2010	GAZ1	FIRST GAZETTE
30/03/2010	AA	ACCOUNTS OF DORMANT COMPANY MADE UP TO 30/06/09
11/11/2009	DISS40	DISS40 (DISS40(SOAD))
10/11/2009	AP01	DIRECTOR APPOINTED MS VAISHALI PATEL
10/11/2009	AR01	27/06/09 FULL LIST
20/10/2009	GAZ1	FIRST GAZETTE
17/08/2009	288b	APPOINTMENT TERMINATED DIRECTOR VAISHALI PATEL

This Report excludes 88(2) Share Allotment documents



**Current Appointments Report for:
FUNKY BROWNZ LTD
07155966**

Created: 09/02/2011 15:42:21

Companies House is a registry of corporate information. We carry out basic checks to make sure that documents have been fully completed and signed, but we do not have the statutory power or capability to verify the accuracy of the information that corporate entities send to us. We accept all information that such entities deliver to us in good faith and place it on the public record. The fact that the information has been placed on the public record should not be taken to indicate that Companies House has verified or validated it in any way.

Company Register Information

Company Number:	07155966	Date of Incorporation: 12/02/2010
Company Name:	FUNKY BROWNZ LTD	
Registered Office:	63-65 THE HYDE LONDON ENGLAND NW9 6LE	
Company Type:	Private Limited Company	
Country of Origin:	United Kingdom	
Status:	Active	
Nature Of Business (SIC(92)):	None Supplied	
Number of Charges:	(0 outstanding / 0 part satisfied / 0 satisfied)	

Previous Names

No previous name information has been recorded over the last 20 years.

Key Filing Dates

Accounting Reference Date:	28/02
Last Accounts Made Up To:	(NO ACCOUNTS FILED)
Next Accounts Due:	12/11/2011
Last Return Made Up To:	
Next Return Due:	12/03/2011
Last Bulk Shareholders List:	Not available

Current Appointments

Number of current appointments: 2

DIRECTOR: PATEL, SHARYASH MR
Appointed: 12/02/2010 **Date of Birth:** [REDACTED]
Nationality: BRITISH
No. of Appointments: 2
Address: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Country/State of Residence: [REDACTED]

DIRECTOR: PATEL, VAISHALI MRS
Appointed: 12/02/2010 **Date of Birth:** [REDACTED]
Nationality: BRITISH
No. of Appointments: 5
Address: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Country/State of Residence: [REDACTED]

This Report excludes resignations

Recent Filing History

Documents filed since 12/02/2010

DATE	FORM	DESCRIPTION
12/02/2010	NEWINC	CERTIFICATE OF INCORPORATION GENERAL COMPANY DETAILS & STATEMENTS OF OFFICERS, CAPITAL & SHAREHOLDINGS, GUARANTEE, COMPLIANCE MEMORANDUM OF ASSOCIATION ARTICLES OF ASSOCIATION
12/02/2010	LATEST SOC	12/02/10 STATEMENT OF CAPITAL; GBP 2

This Report excludes 88(2) Share Allotment documents



**Current Appointments Report for:
FUNKY BROWNZ 2 LTD
07156086**

Created: 09/02/2011 15:42:23

Companies House is a registry of corporate information. We carry out basic checks to make sure that documents have been fully completed and signed, but we do not have the statutory power or capability to verify the accuracy of the information that corporate entities send to us. We accept all information that such entities deliver to us in good faith and place it on the public record. The fact that the information has been placed on the public record should not be taken to indicate that Companies House has verified or validated it in any way.

Company Register Information

Company Number:	07156086	Date of Incorporation: 12/02/2010
Company Name:	FUNKY BROWNZ 2 LTD	
Registered Office:	63-65 THE HYDE LONDON ENGLAND NW9 6LE	
Company Type:	Private Limited Company	
Country of Origin:	United Kingdom	
Status:	Active	
Nature Of Business (SIC(92)):	None Supplied	
Number of Charges:	1 (1 outstanding / 0 part satisfied / 0 satisfied)	

Previous Names

No previous name information has been recorded over the last 20 years.

Key Filing Dates

Accounting Reference Date:	28/02
Last Accounts Made Up To:	(NO ACCOUNTS FILED)
Next Accounts Due:	12/11/2011
Last Return Made Up To:	
Next Return Due:	12/03/2011
Last Bulk Shareholders List:	Not available

Current Appointments

Number of current appointments: 2

DIRECTOR: PATEL, AMIT MR
Appointed: 12/02/2010 **Date of Birth:** [REDACTED]
Nationality: BRITISH
No. of Appointments: 1
Address: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Country/State of Residence: [REDACTED]

DIRECTOR: PATEL, SHARYASH MR
Appointed: 12/02/2010 **Date of Birth:** [REDACTED]
Nationality: BRITISH
No. of Appointments: 2
Address: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Country/State of Residence: [REDACTED]

This Report excludes resignations

Recent Filing History

Documents filed since 12/02/2010

DATE	FORM	DESCRIPTION
05/02/2011	MG01	PARTICULARS OF A MORTGAGE OR CHARGE / CHARGE NO: 1
12/02/2010	NEWINC	CERTIFICATE OF INCORPORATION GENERAL COMPANY DETAILS & STATEMENTS OF OFFICERS, CAPITAL & SHAREHOLDINGS, GUARANTEE, COMPLIANCE MEMORANDUM OF ASSOCIATION ARTICLES OF ASSOCIATION
12/02/2010	LATEST SOC	12/02/10 STATEMENT OF CAPITAL; GBP 2

This Report excludes 88(2) Share Allotment documents

Application to vary a premises licence to specify an individual as designated premises supervisor under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/we SHAYASH PATEL
(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

0706-FD3M-M9XF-NRQL

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description <u>28 BELMONT CIRCLE</u> <u>KENTON LANE</u> <u>H3 8RF</u>	
Post town <u>KENTON</u>	Post code (if known) <u>H3 8RF</u>
Telephone number (if any) <u>0208 909 3269</u>	

Description of premises (please read guidance note 1)

PUBLIC HOUSE

#328304116

RECEIVED AT
LICENSING OFFICE
03 FEB 2011
TIME

Part 2

Full name of proposed designated premises supervisor

MR SHRAMASH PATEL

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

497914

Full name of existing designated premises supervisor (if any)

FINBAR HOLLAN

Please tick yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003



I have enclosed the premises licence or relevant part of it



(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

Please tick yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed premises supervisor
- I have enclosed the premises licence, or relevant part of it or explanation
- I will give a copy of this form to the existing premises supervisor, if any
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 3). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 03/02/11

Capacity DIRECTOR

For joint applicants signature of 2nd applicant 2nd applicant's solicitor or other authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 03-2-11


Capacity DIRECTOR

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Consent of individual to being specified as premises supervisor

I MR SHRAYASH PATEL
[full name of prospective premises supervisor]

of


[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

To vary a Premises Licence to specify a Designated Premises Supervisor (DPS)

[type of application]

by

MR SHRAYASH PATEL
[name of applicant]

relating to a premises licence 0608-7FDW-3PCT-B3RM
[number of existing licence, if any]

for

The Spanish Arch
28 Belmont Circle
Kenton Lane.
Kenton HA3 8RF

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

MR SHRAJASH PATEL
[name of applicant]

concerning the supply of alcohol at

Spanish Arch
28 Belmont Circle
Kenton Lane
Kenton
HA3 8RF

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number


497914

[insert personal licence number, if any]

Personal licence issuing authority

LANSON BOROUGH OF BENT HA9 6EP !
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

MR SHRAJASH PATEL

Date

02/02/11

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By Email and Post

Funky Brownz 2 Limited
28 Belmont Circle
Kenton Lane
Harrow
HA3 8RF

Licensing Department
Community Safety Services
Harrow Council
Civic Centre
PO Box 18
Station Road
Harrow
HA1 2UT

C/C Metropolitan Police (Harrow) F.A.O Sergeant John Crump

Dear Sirs,

Re: Transfer of premises licence from Finbar Holian to Funky Brownz 2 Ltd

Further to your objection letter dated 17 February 2011, I write to as one of the existing Directors of Funky Brownz Ltd and soon to be Director of Funky Brownz 2 Ltd.

I have read all the grounds for review that you have provided and would like to reply to your concerns with the following.

Firstly, you mention that one of our branches in Haringey is 'apparently shut'. This statement is incorrect. We have been successfully operating in Haringey since August 2009, and have not been closed or 'shut' to date. Apart from this I can also claim that neither have we had any issues or incidents which have led to any concern for the police or council.

With regards to our Colindale branch, I have read your concerns regarding the two reviews. This branch has been in operation for the past 6 years.

The first review as you know was to do with noise nuisance. This problem was brought to our attention in September 2009 and was dealt with almost immediately. Since this time (2 and a half years), we have had no complaints or issues with anything to do with any noise stemming from our establishment.

The second review was associated with crime and disorder which stemmed from a closure order in early 2009. When at the licence review we put forward our argument that the crime occurred due to the promoting of the business by a third party. The committee at the time thankfully acknowledged that it was a bad error of judgement and due to the fact that we had never had any crime and disorder issues prior to this decided not to revoke our licence. Since then (2 years), we have carried on promoting our business in house and have been running a successful operation.

You may be aware that our Colindale branch is split in two sections. The first is a bar restaurant and second is the club, both of which have two separate entrances. It would be worth considering that both of these above reviews arose from the club side of our business. The style of business that we are proposing in Belmont Circle is very similar to that of the bar/restaurant in Colindale. I would like to stress that we are not going to be taking the club route at all.

The other concern that has been brought to my attention is that of the proposed DPS of the premises. I can confirm that Mr Shrayash Patel has formally withdrawn his application via email on 16th February, marked to the attention to Miss Forde. Nonetheless, Shrayash Patel has emailed Harrow Council again today re iterating the same and has asked for an acknowledgment of receipt. For your information, I will be making an application for DPS immediately.

I would like to take this opportunity to say that when we first opened our Colindale branch we were relatively new to the business. As such we incurred a few teething problems. Since then we have rectified any issues concerning the police and the council and have always done our very best to work closely with them. Our Haringey branch is proof that we are capable of opening and running a successful business with no issues. We do find it very unfair that we are penalised for the incidents that have taken place with our Colindale branch especially since that last incident took place 2 years ago.

I cannot stress enough that we are more than happy to work along side the police and the council to make sure that no issues are to arise with the opening of our establishment in the Harrow area. We want to work with the local community and business owners and bring a better and more upmarket atmosphere to the area.

I do hope that you are able to appreciate the above comments and hope that you will give them careful consideration before taking this to a licensing committee.

Should you have any questions, please do not hesitate to contact me.

Please acknowledge receipt of this email.

Yours sincerely
Vaishali Patel

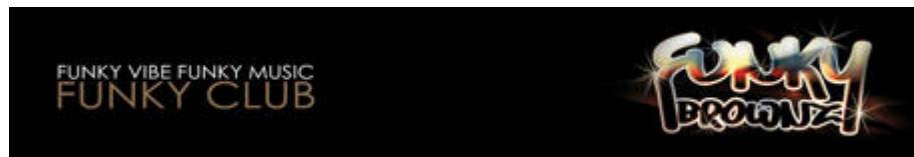


Funky Brownz

63-65 The Hyde, West Hendon,
London, NW9 6LE

Tel: 020 8205 6266

info@funkybrownz.co.uk
www.funkybrownz.co.uk



Notes

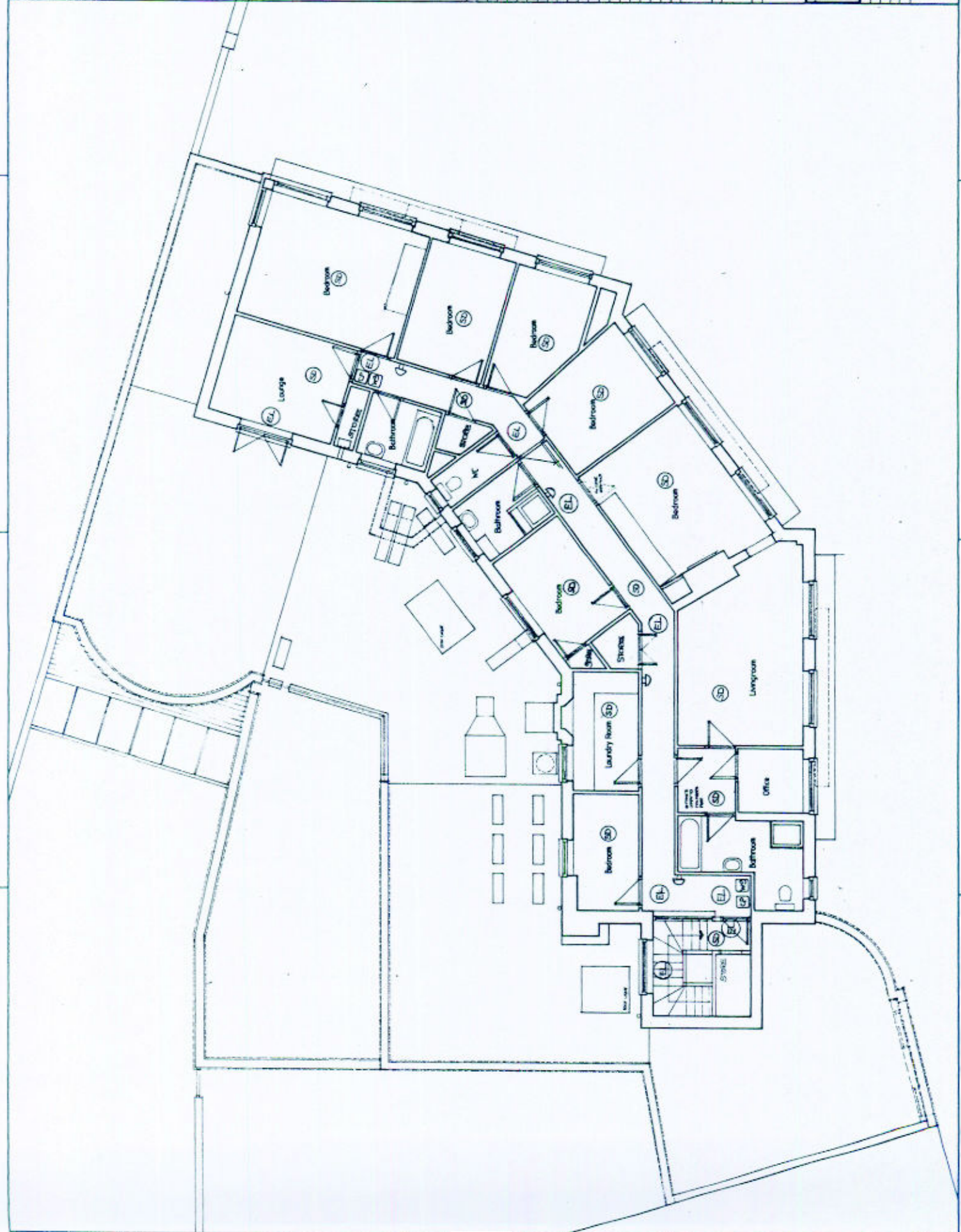
2/2

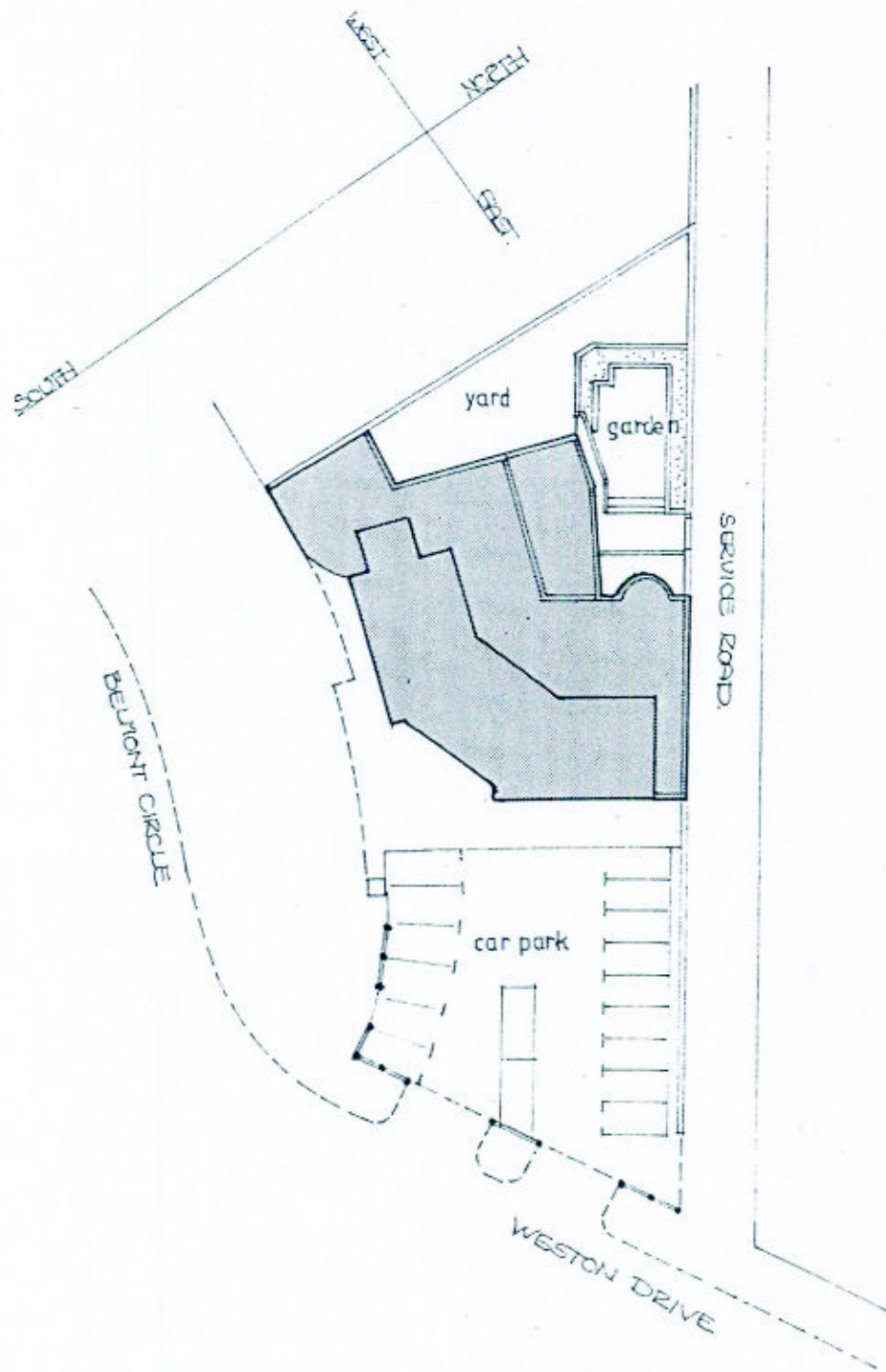
Author	
Checker	
Drawn	
Scale	
Date	

Finbar Holian
 Proposed Rear Extension
 The Spanish Arch P.H.
 Belmont Circle Harrow
 Existing First Floor

Date	16.04.2022
Scale	1:1000
Drawn	T. SPENCE
Checked	
Drawing No.	

21/651

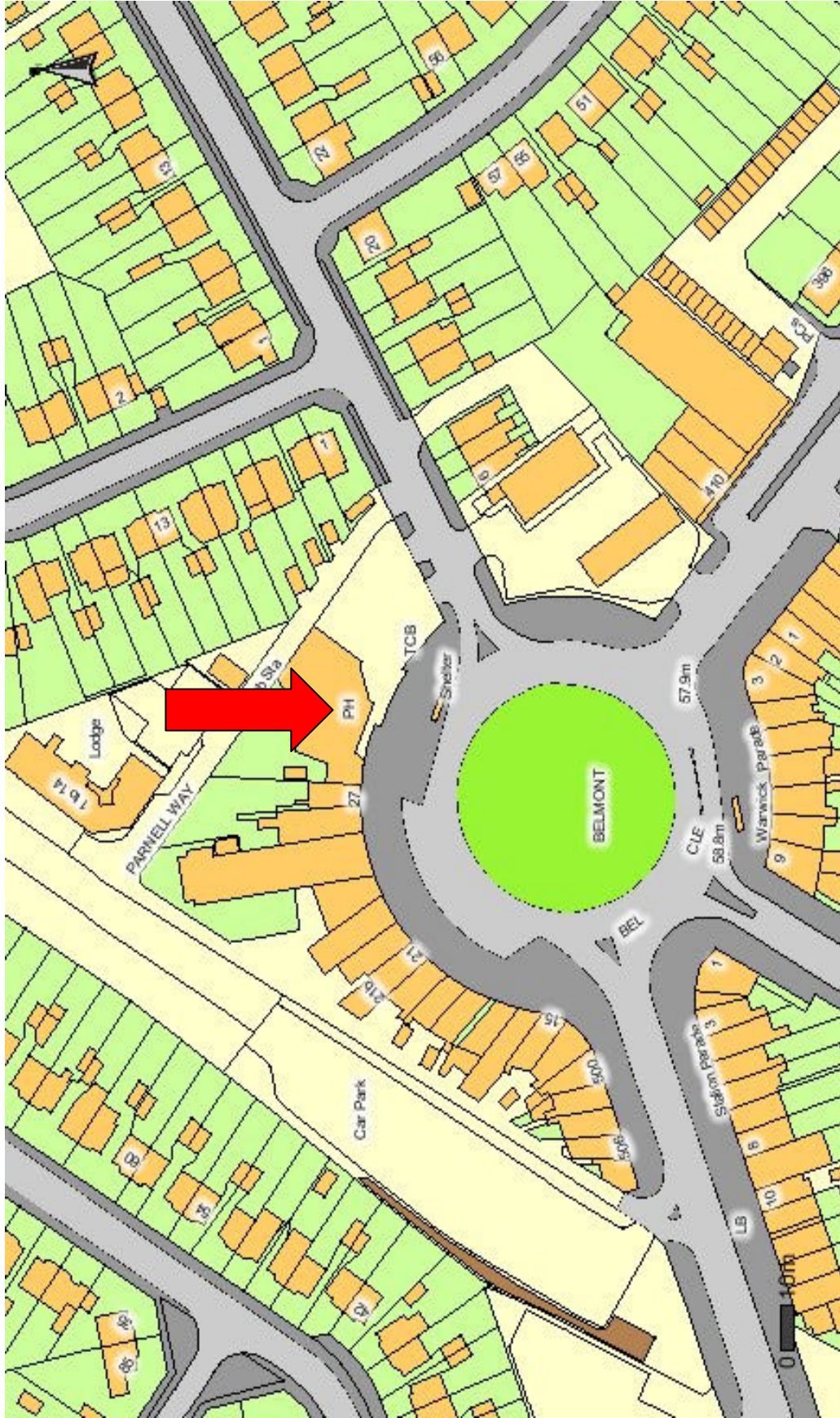




CLIENT	FINBAR HOLIAN	Date	JULY 2005	TONY TRIPPICK AND PARTNERS Chartered Building Surveyors, 65 Oakleigh Park North, London, N.20 9AU Tel. 020 8445 7633
PROJECT	THE SPANISH ARCH, HARROW	Scale	1:500	
DWG TITLE	BLOCK PLAN	Dwg No.	199/11/5	

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28 Belmont Circle, Kenton Lane, Harrow, HA3 8RF



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