

## **Pattenden, Daniel**

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**From:** Pattenden, Daniel  
**Sent:** 21 January 2015 10:36  
**To:** Pattenden, Daniel  
**Subject:** Funky Brownz Review Police information supporting the current review  
**Attachments:** Picture (Metafile) 1.jpg

Hi Janet,

This is a summary of the information which certainly indicates a long running failure of the owners and management to comply with the legislation. To be honest I have lost faith in them and don't know what would work other than revocation of their premises licence.

I have also attached the 3 licensing sub committee decisions from the previous reviews. All papers and evidence are on your web site if you need to take a closer look at them.

I am more than happy to appear at the hearing if called by yourselves. Please let me know if you require any additional information.

Regards

Mark

**Sergeant Mark Altman**  
**Licensing Officer**

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## **History**

The premises have previously come to the attention of Police on numerous occasions.

There have been two significant action plans and frequent e-mail re advice and warnings.

There have also been three reviews including an expedited/summary review, a closure under Section 161 with a subsequent application to the magistrates court, and a closure under section 160 made by Superintendent Tucker on application to the Magistrates court.

Various conditions and hours relating to licensable activity were applied following the reviews.

The owners also have premises at 5 Tottenham Lane, Hornsey, London, N8 9DJ and at 28 Belmont Circle,

Kenton Lane, Harrow. HA3 8RF. The former was the subject of a London Fire Service enforcement notice 20<sup>th</sup> February 2013, and the later was reviewed by Harrow Council on the 26<sup>th</sup> June 2012.

## **Seven Point Action Plan 2<sup>nd</sup> March 2009**

**Agreed action plan.**

1. Staff to patrol outside in yellow jackets up to 30 meters either side of the premises. Five door staff to work for the next 4 weeks on a Thursday, increasing the door staff available by one.
2. Issuing of lollipops to patrons leaving as a diversionary tactic.

3. Increase in searching, utilising knife wands by door staff. (Assistance from police priority intervention officers)
4. Early intervention by staff calling police when they suspect violence is imminent or anticipated.
5. Police to support door staff and management with extra patrols from the priority intervention team when demand permits. Thursday evenings at approximately 1.45am as a priority.
6. Change in the tempo of the music towards the end of the evening.
7. The removal of DJ Scratchy as a promoter and removal of his name from all flyers.
8. We will seek to review this action plan in one month from 13<sup>th</sup> April 2009.

Yours sincerely,

Inspector

**Simon Roberts**

**Barnet**

Priority Intervention Team

**Action Plan Nov 2009**

**Funky Brownz 63 The Hyde London NW9 6LE**

With regard to the meeting in the Licensing Office at Whetstone Police Station on Wednesday 25<sup>th</sup> November 2009.

**Persons present:**

Sergeant Mark Altman Metropolitan Police

David Curtis-Botting London Borough of Barnet

Roland Wilding London Borough of Barnet

Mrs Ragini Patel Joint Premises licence holder Funky Brownz

Mr Ash Patel Operations/functions manager Funky Brownz

**Apologies for absence** Mrs Vaishali Patel Joint Premises Licence holder and DPS for Funky Brownz

Please be advised that strict adherence must be paid to the following points and guidance to ensure that the conditions of the premises licence are complied with.

On complaint from a resident it was found that you were in breach of condition 43 of the premises licence. This resulted in a visit from Police and the Local Authority whereby the event was cancelled and the club section of the premises were voluntarily closed

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.

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This matter has now been fully investigated and a decision has been made on this occasion to deal with the incident by way of a warning and an action plan.

Agreement was reached with regard to:

- Condition 43 and the compliance with this condition after a full explanation was given to avoid any confusion as to the interpretation of the said condition
- The Police Licensing Office and Licensing Office at London Borough of Barnet will be advised of all promotions
- Police risk assessment form to be completed and returned to the Police Licensing Office no later than 14 days prior to any promotion.

- All advertised promotions will show the telephone contact number for Funky Brownz and similarly with any e-mail address or web sites.
- The designated premises licence will be varied to show a designated premises supervisor who is in day to day control of the premises and not in full time employment elsewhere. It was suggested that Mrs Ragini Patel was best placed to be nominated.

This action plan will be reviewed in 3 months time from the date of the meeting and then at 6 months.

Hopefully compliance with this action plan will negate the need for any prosecution or the submission of papers for the review of the premises licence.

You are reminded that failure to comply with the conditions of the premises licence and a breach of the Licensing Act 2003 could result in a maximum penalty on conviction of £20,000 and or 6 months imprisonment.

If you are in any doubt with regard to this letter or the discussion during our meeting please do not hesitate to contact myself or the officers from London Borough of Barnet.

Yours sincerely,

**MarkALTMAN**

### **Reviews**

1<sup>st</sup> November 2007 Standard Review LBB Sect 51 Licensing Act 2003 Ralph Haynes  
 20<sup>th</sup> April 2009 Expedited/Summary review Sect 53a Licensing Act 2003 Police  
 28<sup>th</sup> November 2013 Standard Review following Sect 161 Closure Order Police

### **Information for Sect 161 Closure 10<sup>th</sup> November 2013**

1. The premises were closed at 12:00hrs on Sunday 10<sup>th</sup> November 2013 pursuant to Sect 161 Licensing Act 2003. Authorised by Inspector Warwick-Saunders (This Closure Order has now expired)
2. A serious incident took place inside the premises at approximately 00:55 hours on Sunday 10<sup>th</sup> November 2013. whereby a fight broke out and one male was slashed across his neck
3. Another male was struck with a plank of wood after leaving the premises
4. 4 male suspects have been arrested and enquiries are continuing
5. Staff from the premises were unable to operate the CCTV and it appears that the recording unit was unplugged. This has been seized by the Police

### **Information for Sect 160 Closure Order application to Magistrates Court 20<sup>th</sup> March 2009**

Since the 13<sup>th</sup> 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, eight others have been assaulted and two Police officers have also been assaulted. These have all involved people associated with the premises.

A seven point action plan was implemented on the 2<sup>nd</sup> March 2009 following concerns. Early indications are that they failed to follow this action plan resulting in last night's 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 voluntarily 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**

<b>Date &amp; Time</b>	<b>Reference</b>	<b>Incident</b>
<b>13/02/2009 23:30</b>	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
<b>13/02/2009 01:55</b>	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
<b>14/02/2009 02:15</b>	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
<b>22/02/2009 02:30</b>	CRIS 2404188/09	ABH & M/Wound By suspect hitting VIW1 & 2 causing visible injuries
<b>02/03/2009</b>	ACTION PLAN	Meeting held at Colindale Police Station Monday Action plan agreed and copied to those attending: Rajendra Patel (Dad) Raigini Patel (Mum) Vaishali Patel (Daughter) Avinash Patel (Son) DPS
<b>20/03/2009 01:55</b>	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.
<b>20/03/2009 02:10</b>	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
<b>20/03/2009 02:10</b>	2406347/09	Affray BY SUSPECT RUNNING TOWARDS OFFCIERS AND MOP SHOUTING AGGRESSIVELY WITH FISTS CLENCHED AND RAISED
<b>20/03/2009 02:04</b>	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.
<b>20/03/09 02:15</b>	2406342/09	Offensive Weapon

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