

Lorraine Baxendale

From: Charlotte Carr (93682) Local Policing <Charlotte.Carr@northwales.police.uk>
Sent: 29 March 2022 10:54
To: Lorraine Baxendale
Subject: FW: Bengal Dynasty

Hello Lorraine,

Please see the below email train between myself and Florin with regards to his new application at the Bengal Dynasty in Shotton.

I am happy given the below. If we can make sure that CCTV is included on the licence too.

Thanks,
Charlotte

From: florin budescu <fbudescu@yahoo.com>
Sent: 24 March 2022 16:20
To: Charlotte Carr (93682) Local Policing <Charlotte.Carr@northwales.police.uk>
Subject: Re: Bengal Dynasty

Hi Charlotte,

Thank you for your early reply.

I am happy that I did answer all your questions.

Because you ask about the CCTV and if I have it on my premises and also the supporting posters and literature for example Challenge 25, Refusals log etc, please find below a copy of my Operating Schedule where it identifies all the conditions that I believe does fully support the licensing objectives.

Thank you for your advice on the supporting posters and literature but I already have a set of full Compliance log books and notices, for example Challenge 25, Refusals and proxy signs prominently displayed on the premises.

What I have

Refusals log,
Incident log,
CCTV log
Staff Induction and alcohol training book
Noise assessment log
Challenge 25 posters
Refusals policy
Proxy signs
Resident 'Quiet' notices.

Here is a copy of the conditions of my licence that I have now

1. CCTV

- 1.1 *The premises shall install and maintain a digital CCTV system*
- 1.2 *The CCTV system shall have sufficient hard drive storage capacity to store a minimum of 28 days.*
- 1.3 *The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises at each exit and entrance point.*

1.5 A CCTV log will be completed on a weekly basis to record all elements of the CCTV System is maintained in good working order and recordings date and time stamped.

1.6 Only nominated staff shall be trained in the operation of the CCTV system to ensure rapid data retrieval & downloads of footage can be provided to the Police & the Local Authority Officer upon reasonable request in accordance with the Data Protection Act.

1.7 CCTV shall be continually recording during licensable hours

1.8 In the event of a failure of the CCTV system for any reason, a record of the failure will be recorded in the premises log and immediate steps will be made to rectify the problem.

2: ALCOHOL

2.1 Alcohol will only be sold with food orders for consumption on and off the premises and for home deliveries.

2.2 All home delivery orders for alcohol will be taken over the phone or on the Internet and full payment made prior to delivery.

2.3 All alcohol will be stored on the premises in the fridge behind the counter and the store room.

2.4 No alcohol will be served to anyone under the age of 18, for consumption on the premises.

3. INCIDENT LOG

3.1 An incident log must be kept at the premises. Log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by section 13 of the Licensing Act 2003), an authorised trading standards officer or the police, and must record the following;

(a) All crimes reported to the premises (where relevant to the licensing objectives)

(c) Any other incidents of disorder witnessed during deliveries

3: REFUSALS

3.1 Refusals Book

The refusals book will be retained by the premises and will be used to record all refusals to sell alcohol for any reason. Where other age restricted products are sold at the premise, any refusals to sell such items to underage persons or persons who appear underage must be recorded. The details to be recorded must be as follows:

(i) Time, day & date of refusal

(ii) Item refused

(iii) Name & address of customer (if given)

(iv) Description of customer

(v) Details of i.d. offered (if shown)

3.2 The refusals book must be made available for inspection by responsible authorities on request.

4. When the DPS is not on duty a contact telephone number will be available at all times

5. The Driver will always carry with him/her the following Compliance log books:

a) Incident log

b) ID Signature delivery log

c) *Customer Refusal Log.*

6: NOISE /NUISANCE CONTROL

6.1 *No refuse shall be disposed of or collected from the premises between the hours of 1900 and 07.00 on any day*

6.2 *The Premises Licence holder / Designated Premises Supervisor will ensure that litter arising from people using the premises is cleared away and checked periodically throughout the opening times and at the end of each night.*

6.3 *The Manager and staff will carry out with regard to their own personal safety, their best endeavours to disperse any persons that appear to be loitering outside the immediate area of the restaurant.*

6.4 *Notices will be displayed in a prominent position to remind customers to leave the area quickly and quietly and to respect local residents.*

5: TRAINING

5.1 *A "Challenge 25" policy shall be operated at the premises at all times including home deliveries.*

5.2 *Prominent, clear and legible Challenge 25 signage shall also be displayed at all entrances to the premises as well as at, at least one location at the point of sale and behind any counter advertising the scheme operated.*

5.3 *The only forms of ID that shall be accepted (at the discretion of the Management) as proof of age are a valid passport, a valid photographic driving licence, a PASS approved proof of age card, HM Services Warrant Card or other reliable photo I.D. that is approved for acceptance by the Police or other Authorised Officers.*

5.4 *A documented training programme shall be introduced for all staff upon first appointment in a position to sell, serve alcohol. This training will include information on preventing the sale of alcohol to persons who appear to be drunk or underage or purchasing on behalf of another who appears to be drunk or underage at the point of sale.*

5.5 *Relevant staff shall be given appropriate accredited training on the law*

relating to alcohol and those diners under 18 years of age, even though they are not allowed to serve.

5.6 *The DPS or PLH shall conduct six monthly reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. A written record shall be kept of the content of such reviews.*

5.7 *The training programme shall be made available for inspection at the request of Trading Standards, Licensing Authority Officers and Police. A written record shall be kept of the content of training*

5.8 *All customers when ordering food with alcohol will be informed of the following at the time of the sale:*

When placing an order customers will be informed that

a: *The business operates Challenge 25*

b: *it is unlawful to purchase alcohol for persons under the age of 18 years.*

c: *At the time of delivery the driver must be instructed that should they believe that any alcohol ordered will be consumed by a person under the age of 18 years, delivery will be refused.*

d: *All customers will be informed at the point of sale that all delivery drivers are unable to deliver any alcoholic items if they believe a customer is drunk or appears to be drunk or the alcohol could be intended for persons who appear to be underage and a full refund for the items will be made.*

6. *The log of all the individuals who are authorised to sell alcohol will be maintained in the staff training manual.*

Plus:

All children under the age of 18 to be accompanied by a responsible adult at all times.

So as you can see that I already have lots of conditions on my licence that fully support my application.

I hope that this will satisfy the concerns of the Sgt.

Please get in touch with me if you have any more questions.

Thank you

Florin

On Thursday, March 24, 2022, 01:35:56 PM GMT, Charlotte Carr (93682) Local Policing <charlotte.carr@northwales.police.uk> wrote:

Hi Florin,

Thank you for getting back to me and answering the questions. The normal process for myself is I receive the application and then I forward onto a local inspector or sergeant to have a look as they know the area more so than I. They then pose any questions or concerns they may have which is when I look for an answer from yourselves.

I should have been more precise when I mentioned "location", my apologies. I mean within the premise how many people can you have in comfortably. You did say 130 which is good to know.

Just for confirmation, do you have CCTV within the premises? This usually is a great help with the preventing crime and disorder licensing objective which is what I, as part of the application process, look at.

If you need any posters or literature regarding drugs, the recent ask angela initiative, challenge 25 etc, please get in touch with myself and I will help best I can.

Kind Regards,



Charlotte Carr

LPS LICENSING OFFICER – EASTERN (LLAY)

Heddlu Gogledd Cymru | North Wales Police

• - Symudol | Mobile: 07989170373

✉ - E-bost | E-mail: charlotte.carr@northwales.police.uk

Rydym yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg – byddwn yn ymateb yn gyfartal i'r ddau ac yn ateb yn eich dewis iaith heb oedi.

We welcome correspondence in Welsh and English – we will respond equally to both and will reply in your language of choice without delay.

From: florin budescu <fbudescu@yahoo.com>
Sent: 24 March 2022 13:17
To: Charlotte Carr (93682) Local Policing <Charlotte.Carr@northwales.police.uk>
Subject: Re: Bengal Dynasty

- Good afternoon Charlotte,

Please accept my apologies for not responding to your email. I am always on the move and I don't go to my computer very often. normally my wife picks up all emails but she has been away for a while.

To answer your questions:

1. What is your aim for the premises?

The premises is supposed to be an Indian restaurant. I bought the business just before covid broke out and I've not been confident enough to open full during the pandemic. So I decided to open for functions only mainly at weekends. We cater for weddings, birthday, christening, baby baths, anniversaries and any other type of function. We have been able to pay the bill this way.

Most of the time, customers have brought their own alcohol as we have never stocked up the bar properly due to random bookings as products will go out of date.

Now that businesses seem to be opening again, we have made the decision to open the restaurant properly and are busy organising this, but we don't yet have a date for opening as I need to organise chefs etc.

2. What are you marketing yourself as? Only that you are a currently a restaurant which serves food, so the local Sgt is wondering why you will play live music and recorded music till 2.15am?

As I have explained above, we are an Indian Restaurant but even when we open we would still like to continue to hold functions for our customers as they have been

very popular. On our application we have only requested music until 2.15 for pre-booked functions only.

3. What do you mean by a pre booked function?

A pre-booked function is a function what is pre-booked...So customers do not just turn up....for instance a wedding, christening, birthday.

A customer pre-books the room and we organise what entertainment they would like and for that day or night, the restaurant will be closed to any other customers. So its a private party in reality. At the moment we are doing one or two per month, we have another function booked THIS week then nothing until May, so they are random.

The live music we have is normally just 2 people, one with an instrument ie guitar and one singer. The music is amplified. Sometimes the customers want a disco or both.

I only understand that we only need a licence after 11pm at night. This is the reason why we are applying for entertainment and my customers ask can we open a little later for their parties.

When it is just a normal restaurant (hopefully soon), there will not be any live music or entertainment, just food and background music.

4. Are people paying on the door to enter?

5. Are people booking a table for the evening?

No...all people who attend the functions will be guests of the organiser. They will be private parties.

6. What is the capacity for the location? Is that with or without tables?

I am sorry but I do not understand your question.. I do not understand what you mean by location.

With regards to capacity, the parties I usually cater for are from 30 to 120 persons and the restaurant will be closed at the time to normal customers. The parties are mainly in the day and at weekends.

I would like this extension to my licence to help with the parties and I have said in the application, the extra hours and music will only be for my pre-booked functions only...if we do not have a function at the moment the restaurant is closed all week. When the restaurant opens properly, we will be closing at around 11pm seven days per week.

I hope this has answered your questions and concerns. It may be easier to call me on my phone or come to see the restaurant if you prefer. I am always very active and don't go my computer very often.

Thank you

Florin

On Monday, March 21, 2022, 07:24:34 PM GMT, Charlotte Carr (93682) Local Policing <charlotte.carr@northwales.police.uk> wrote:

Hello again Mr Budescu,

Did you receive my below email? If you could answer ASAP.

Kind Regards,



Charlotte Carr

LPS LICENSING OFFICER – EASTERN (LLAY)

Heddlu Gogledd Cymru | North Wales Police

• - Symudol | Mobile: 07989170373

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Rydym yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg – byddwn yn ymateb yn gyfartal i'r ddau ac yn ateb yn eich dewis iaith heb oedi.

We welcome correspondence in Welsh and English – we will respond equally to both and will reply in your language of choice without delay.

From: Charlotte Carr (93682) Local Policing
Sent: 18 March 2022 11:46
To: 'fbudescu@yahoo.com' <fbudescu@yahoo.com>
Subject: Bengal Dynasty

Good morning Mr Budescu,

I have received your application for a licence for BENGAL DYNASTY on Chester Road East in Shotton.

I have some questions from a local Sgt regarding your plans with the premises. Could you please answer the below for me?

1. What is your aim for the premises?
2. What are you marketing yourself as? Only that you are a currently a restaurant which serves food, so the local Sgt is wondering why you will play live music and recorded music till 2.15am?
3. What do you mean by a pre booked function?
4. Are people paying on the door to enter?
5. Are people booking a table for the evening?
6. What is the capacity for the location? Is that with or without tables?

If you can answer the above, I can let Flintshire County Council know that we either confirm or object to your application.

Kind Regards,



Charlotte Carr

LPS LICENSING OFFICER – EASTERN (LLAY)

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