



Alcohol and Entertainment Licensing Sub-Committee

Monday 26 February 2024 at 10.00am

Boardrooms 7 & 8, 3rd Floor, Brent Civic Centre

Please note that this meeting will be held in person with members of the Sub-Committee required to attend in person.

The press and public are also welcome to attend this meeting in person. Please note the meeting is not scheduled for live webcast
Membership:

Members

Councillors:

Ahmed (Chair)
Long
Collymore

Substitute Members

Councillors:

Bajwa, Chohan, Ethapemi, Hack, Mahmood, Lorber,
Rubin

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 6841; Email: devbai.bhanji@brent.gov.uk

For electronic copies of minutes and agendas please visit:
[Council meetings and decision making | Brent Council](#)

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item	Page
1 Apologies for absence and clarification of alternate members	
2 Declarations of Interests	
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.	
3 Application for a New Premises Licence by Tony Thiago Rocha Goncalo for the premises known as Xodo Brazil, 29 Cricklewood Broadway, NW2 3JX, pursuant to the provisions of the Licensing Act 2003	1 - 68

Date of the next meeting: Monday 26 February 2024 @ 2.00pm



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public. Alternatively, it will be possible to follow proceedings via the live webcast [HERE](#)

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LICENSING ACT 2003

Application for New Premises Licence

1. The Application

Name of Applicant:	Tony Thiago Rocha Goncalo
Name & Address of Premises:	Xodo Brazil, 29 Cricklewood Broadway, NW2 3JX
Applicants Agent:	

The application is for a new premises licence as follows:

To provide: Live music from 4pm to 7pm on Wednesdays.
The supply of alcohol and to remain open from 9am to 7.30pm Monday to Saturday and 9am to 5pm Sunday.

2. Background

The review of the Statement of Licensing Policy has introduced Cumulative Impact Zones for all new or variation applications for 'Off' licences in the borough.

This application falls within a Cumulative Impact Zone.

The presumption is that any new licence or variation to an existing licence that increases the scope for the sale of alcohol will not be granted unless the applicant can evidence that the licence will not negatively impact on the licensing objectives.

3. Promotion of the Licensing Objectives

See page 13 of the application.

4. Relevant Representations

Representations have been received from The Licensing Police, Licensing Officers, Nuisance Control Team and local residents.

The applicant has submitted a petition of 22 names in support of the application.

5. Interested Parties

None

6. Policy Considerations

Policy 1 – Process for Applications

Conditions on the licence, additional to those voluntarily sought/agreed by the applicant, may be considered. Conditions will focus on matters which are within the control of individual licensee and which relate to the premises or areas being used for licensable activities, the potential impact of the resulting activities in the vicinity. If situations arise where the licensing objectives may be undermined but cannot be dealt with by the use of appropriate conditions the Licensing Authority will consider whether it is appropriate for a licence to be granted or continue to operate.

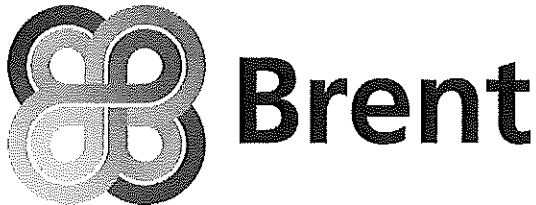
7. Determination of the Application

Members can take the following steps when determining a new premises licence application:

- grant the licence;
- exclude from the scope of the licence any of the licensable activities to which the application relates;
- refuse to specify a person in the licence as the premises supervisor;
- reject the application

8. Associated Papers

- A. Application Form & plan
- B. Police Representation
- C. Licensing Representation
- D. NCT Rep
- E. Resident Reps
- F. OS Map



NEW PREMISES LICENCE APPLICATION FORM

Application for a 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..... TONY THIAGO ROCHA GONCALO

.....apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 29 CRICKLEWOOD BROADWAY	
Post town LONDON	Post code NW2 3JX

Telephone number of premises (if any)

02045687441

Non-domestic rateable value of premises

£ 0

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ Yes

- a) An individual or individuals* please complete section (A)
- b) a person other than an individual*
 - i. as a limited company/limited liability partnership please complete section (B)
 - ii. as a partnership (other than limited liability) 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)
- 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) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England 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
 - o Statutory function or
 - o 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

ROCHA GONCALO

TONY THIAGO

Date of Birth

I am 18 years old or over (Please tick yes)

Nationality

Current postal address if different from premises address

[REDACTED]

Post Town

[REDACTED]

Postcode

[REDACTED]

Daytime contact telephone number

[REDACTED]

E-mail address (optional)

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Date of Birth

I am 18 years old or over (Please tick yes)

Nationality

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

Current postal address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS

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

Name

Address

Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
0	3	0	1	2	0	2	4

If you wish the licence to be valid only for a limited period, when do you want it to end?

--	--	--	--	--	--	--	--

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

--

Please give a general description of the premises (please read guidance note 1)

IT'S A BUTCHER AND GROCERIES STORE, SMALL BUSINESS WITH A CAPACITY OF 8 PEOPLE THAT INCLUDES 8 AVAILABLE SEATING SPACES. WE SELL BRAZILIAN SNACKS AND MOST OF OUR CUSTOMERS WILL BE BUYING THE DRINKS WHILST IN THE PREMISES AND FOR TAKE AWAY AS WE WILL BE THE ONLY ONE IN THE AREA PROVIDING BRAZILIAN ALCOHOLIC DRINKS.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick [✓] (please read guidance note 3).	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the performance of films take place indoors or outdoors or both – please tick [✓] (please read guidance note 3).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)		
Day	Start	Finish			
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)		
Tue					
Wed					
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [✓] (please read guidance note 3).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun						

E

Live Music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick [✓] (please read guidance note 3)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4) EVERY WEDNESDAY I WILL BE RECORDING MY DAUGHTER SINGING WITH MICROPHONE AND AMPLIFIER FOR HER YOUTUBE CHANNEL.	Both		
Tue						
Wed	1600	1900		State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick [✓] (please read guidance note 3)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 5)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick [✓] (please read guidance note 3).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [✓] (please read guidance note 3).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box ✓) (please read guidance note 8)	On the premises	
Day	Start	Finish		Off the premises	
Mon	0900	1930	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	Both	
Tue	0900	1930			
Wed	0900	1930	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur	0900	1930			
Fri	0900	1930			
Sat	0900	1930			
Sun	0900	1700			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name..... TONY THIAGO ROCHA GONCALO

Date of Birth.....

Address..... [REDACTED]

[REDACTED]

Postcode..... [REDACTED]

Personal Licence number(if known)

Issuing licensing authority (if known).....

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5)
Day	Start	Finish	
Mon	0900	1930	
Tue	0900	1930	
Wed	0900	1930	<u>Non-standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 6)</u>
Thur	0900	1930	
Fri	0900	1930	
Sat	0900	1930	
Sun	0900	1700	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 10)

THE SHOP DOES OPERATE TO A HIGH STANDARD, AND WILL CONTINUE TO DO SO SHOULD THIS LICENCE BE GRANTED IN TERMS OF THE SALE OF ALCOHOL. STAFF WILL BE FULLY TRAINED IN THEIR RESPONSIBILITIES WITH REGARD TO THE SALE OF ALCOHOL, AND WILL BE RETAINED EVERY SIX MONTHS, THIS WILL BE KEPT ON THE RECORDED TRAINING FOR INSPECTION. THE SHOP WILL BE CLOSED 30 MINUTES AFTER LICENSING ACTIVITIES HAVE CEASED, TO ALLOW CUSTOMERS ENOUGH TIME TO FINISH THEIR DRINKS AND LEAVE THE PREMISES QUIETLY TO DO NOT DISTURB ANY NEIGHBOURHOOD.

IN ORDER FOR OFF LICENSING ALCOHOL WILL BE MAINTAINED IN A PLASTIC BAG AND CUSTOMERS WILL BE ADVISED NOT TO OPEN AT THE PUBLIC STREETS AND NOT TO SELL FOR PEOPLE WHO ARE SHOWING DRUNKENNESS AND UNDERAGE PERSONS.

b) The prevention of crime and disorder

CCTV WILL BE USE AT THE SHOP, IT SHALL BE APPROPRIATE STANDARD AS AGREED WITH THE LICENSING AUTHORITY

IN CONSULTATION WITH THE POLICE.

CCTV EQUIPMENT WILL BE MAINTAINED IN A GOOD WORKING ORDER AND CONTINUALLY RECORD WHEN LICENSABLE ACTIVITY TAKES PLACE AND FOR A PERIOD OF TWO HOURS AFTERWARDS.

PREMISES LICENCE HOLDER WILL ENSURE IMAGES FROM THE CCTV ARE RETAINED FOR A PERIOD OF 31 DAYS. THE IMAGE RETENTION PERIOD MAY BE REVIEWED AS APPROPRIATE BY THE LICENSING AUTHORITY, THE CORRECT TIME AND DATE WILL BE GENERATED ONTO BOTH THE RECORDING AND THE REAL TIME IMAGE SCREEN.

AN INCIDENT RECORD WILL BE KEPT IN A BOOK, AS WILL REFUSALS FOR THE SALE OF ALCOHOL. THESE BOOKS WILL BE MADE AVAILABLE TO THE POLICE OFFICER FROM THE COUNCIL ON REQUEST.

c) Public safety

STAFF WILL BE TRAINED TO BE ALERT TO ANY POTENTIAL DANGER TO CUSTOMERS AND REACT ACCORDINGLY. IF IN CASE THEY ARE UNABLE TO DEFUSE THE SITUATION WITHOUT RISK TO CUSTOMER OR STAFF, THEY ARE INSTRUCTED TO CALL THE POLICE. ALL RELEVANT FIRE PROCEDURES ARE IN PLACE FOR THE SHOP OF THIS SIZE. THERE WILL BE ON-SITE ACCIDENT BOOK IN OPERATION TO RECORD ANY ACCIDENT OR INJURY INCURRED ON THE PREMISES.

THIS DOCUMENT WILL BE RETAINED FOR INSPECTION BY THE BUSINESS FOR A PERIOD OF THREE YEARS.

THERE WILL ALSO BE APPROPRIATE FIRE SAFETY PROCEDURES IN PLACE THAT INCLUDES FIRE EXTINGUISHERS (FOAM, H2O AND CO2), FIRE BLANKET, INTERNALLY FIRE EXIT SIGNS, SMOKE DETECTORS AND EMERGENCY LIGHTING.

d) The prevention of public nuisance

I AM AWARE THE SHOP IS UNDER A CUMULATIVE IMPACT ZONE (CIZ), HOWEVER AS THE OPENING HOURS FINISHES AT 1930 THERE'S LESS RISK TO POSE NOISE POLLUTION, BUT GUESTS WILL STILL BE REMINDED BY WAY OF NOTICE AT THE ENTRANCE/ EXIT DOOR TO PLEASE LEAVE THE SHOP QUIETLY.
CLEAR AND ELIGIBLE NOTICES WILL BE PROMINENTLY DISPLAYED TO ALSO REMIND CUSTOMERS TO LEAVE QUIETLY AND HAVE REGARD TO OUR NEIGHBOURS.

e) The protection of children from harm

ONLY PHOTOGRAPHIC ID IS ACCEPTED (PASSPORT, DRIVING LICENCE, PROOF OF AGE CARD WITH PASS HOLOGRAM, OR MILITARY ID). ANYONE THAT APPEARS TO BE UNDER AGE OF 25 IS CHALLENGED TO PROVIDE WITH AN ID. IF THE CUSTOMER IS UNABLE TO PROVIDE WITH AN IDENTIFICATION THEN NO SALE IS MADE. NO ID NO SALE. CHALLENGE 25 POS WILL BE ON DISPLAY IN THE STORE. IF THERE'S ANY STAFF MEMBER WHO IS UNDER 18 MUST CALL A SENIOR STAFF MEMBER TO DEAL WITH THE SALE AND FINISH TRANSACTION. IF IT IS KNOWN THAT A CUSTOMER INTENDS TO PURCHASE ALCOHOL TO PROVIDE TO A MINORS THEN SALE WILL BE REFUSED. ALL REFUSED SALES WILL BE RECORDED IN A REFUSALS BOOK, WHICH WILL BE MADE AVAILABLE FOR INSPECTION BY POLICE OR LICENSING OFFICERS OF THE COUNCIL ON REQUEST.

ALL CHILDREN ON THE PREMISES WILL BE SUPERVISED/ ACCOMPANIED BY AN ADULT AT ALL TIMES.

Checklist

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (Please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Declaration

- (Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership) I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
- The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)

Signature TONY GONCALO

Date 03 JANUARY 2024

Capacity 8

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

TONY GONCALO
[REDACTED]

Post town LONDON

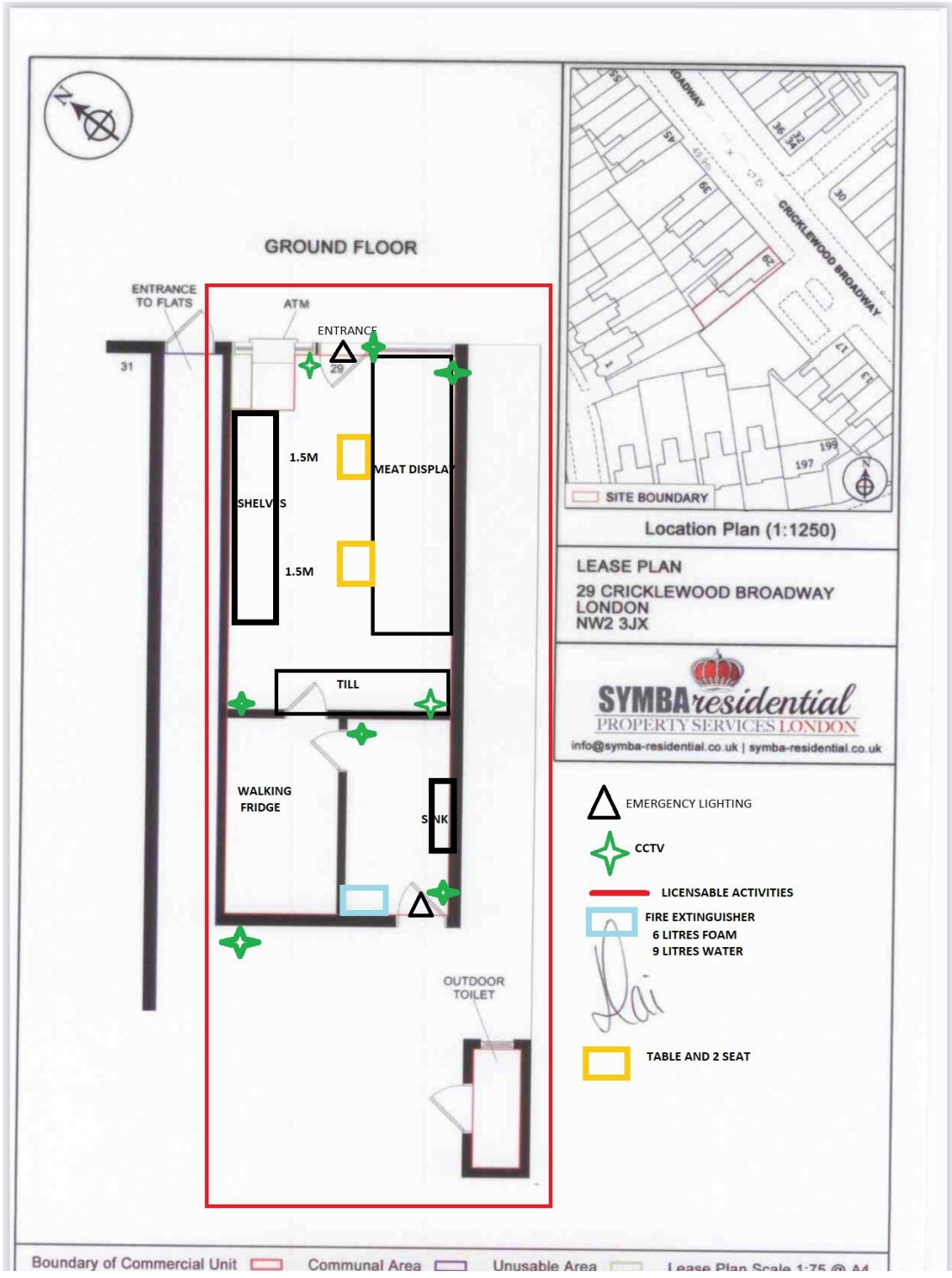
Post code [REDACTED]

Telephone number [REDACTED]

E-mail address (optional)
[REDACTED]

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.



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Working together for a safer London

TERRITORIAL POLICING

Xodo Brazil
29 Cricklewood Broadway
London
NW2 3JX

Your Ref: 30493

Our ref: 01QK/30493/33/3193NW

NW BCU Licensing Department - Brent

Harrow Police Station

74, Northolt Road

Harrow

HA2 ODN

Email:

nwmailbox.licensingbrent@met.police.uk

Web: www.met.police.uk

Date: 26th January 2024

Police representations to the application for a new Premises Licence for 'Xodo Brazil, 29 Cricklewood Broadway, NW2 3JX'

Police certify that we have considered the application shown above and wish to make representations that the likely effect of the grant of the application is detrimental to the Council's Licensing Objectives for the reasons indicated below.

Officer: PC Philip BRISTOW
Licensing Constable 3193NW

An officer of the Metropolitan Police, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The application has been made for a new premises licence under section 17 of the Licensing act 2003. The Police representations are concerned with all four of the licensing objectives, namely:

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

The Application

The application is for a new Off License / Delicatessen in Cricklewood Broadway.

The applicant is asking for venue to be open from 09.00 hours to 19.30 hours Monday to Saturday and on Sunday 09.00 hours to 17.00 hours. The supply of alcohol is requested from open to close on each day.

The application quite rightly states that the venue is located within one of Brent's Cumulative Impact Zones (CIZ- Cricklewood Broadway Junction of Mora Road to Walm Lane).

Cumulative Impact Zones

Brent Council Licensing Policy introduced CIZ's on 7th January 2020 in order to combat a rise in crime, disorder, public nuisance, anti-social behaviour and street drinking all of which is fuelled by the sale and consumption of alcohol

There are many studies reflecting the relationship between alcohol consumption/abuse with increases in ASB and violent crimes, as highlighted by such organisations as the Institute of Alcohol Studies. There is also evidence that the most disadvantaged of socio-economic groups (as represented by some of the local populous) that they are disproportionately at risk of alcohol-related violence.

www.brent.gov.uk/business/licences-and-permits/alcohol-club-and-entertainment-licences/premises-licence#ciz

Police Representations

Conducting checks on or near Cricklewood Broadway NW2 where the venue is situated it shows the following figures:

- (a) Two Hundred and Thirteen (213) Recorded crimes. These are a wide variety of crimes including assaults, possession of drugs, racially aggravated public order offences, GBH, domestic assaults and numerous thefts.
- (b) Two Hundred and Fifty Eight (258) Calls to police.
- (c) Thirty seven (37) Stop and searches by police.
- (d) Forty six (46) Arrests.

These are a wide variety of crimes including racially aggravated public order offences, commercial burglary, antisocial behaviour, vehicle crime, violent and sexual offences and thefts from persons. Furthermore this would not include the crimes that have happened on the other side of this road as this would be on Camden Borough and none of the figures include the surrounding roads.

In addition to this area which is already suffering from very high crime figures, there are at present twenty three (23) other venues selling alcohol to the public on Cricklewood Broadway on Brent's side of the road, never mind Camden's side. This community does not require another venue selling alcohol which will only fuel the street crime, ASB and create price wars between rival venues.

I see no benefits in adding another venue that sells alcohol to Cricklewood Broadway with the existing crime rate.

Taking into account of Police concerns and guidance related to CIZ's given in the Brent Council guidance; the presumption is that the application will be refused unless the applicant can satisfactorily evidence that their application or variation will not negatively impact on the licensing objectives.

Due to all the points raised above, the Police licensing team oppose the granting of this premises licence.

Yours Sincerely,

PC Philip BRISTOW
NW BCU - Brent Licensing
Philip.Bristow@met.police.uk

Tony Goncalo
Xodo Brazil
29 Cricklewood Broadway
London
NW2 3JX

23 January 2024

Our Ref: 30493

Dear Tony Goncalo,

Licensing Representation to the Initial Application for the Premises Licence at Xodo Brazil, 29 Cricklewood Broadway, London, NW2 3JX

I certify that I have considered the application shown above and I wish to make a representation that the likely effect of the grant of the application is detrimental to the Licensing Objectives for the reasons indicated below.

An officer of the Licensing Authority, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The application has been made for a new premises licence under section 17 of the Act.

The Licensing Authority representations are primarily concerned with the four licensing objectives;

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

Cumulative Impact Zone (CIZ)

The Council has established twelve (12) Cumulative Impact Zones (CIZs) in Brent. The purpose of these CIZs is to address levels of crime and disorder, and anti-social behaviour, particular that associated with street drinking. Therefore, the CIZs will specifically relate to applications and variations for off-licences.

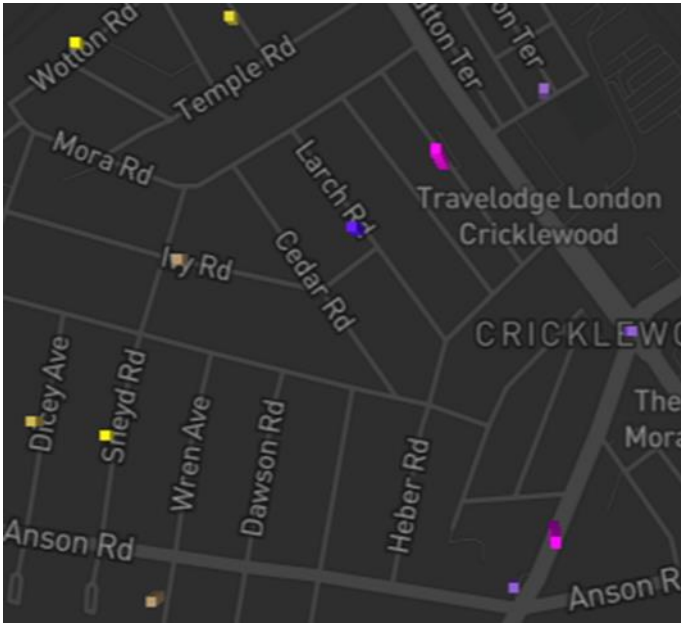
Cricklewood Broadway

Cricklewood Broadway is a busy High Street with a variety of shops on one side of the Broadway which is in Brent. The data shows that there is a high level of ASB.

This is a new CIZ for Brent.

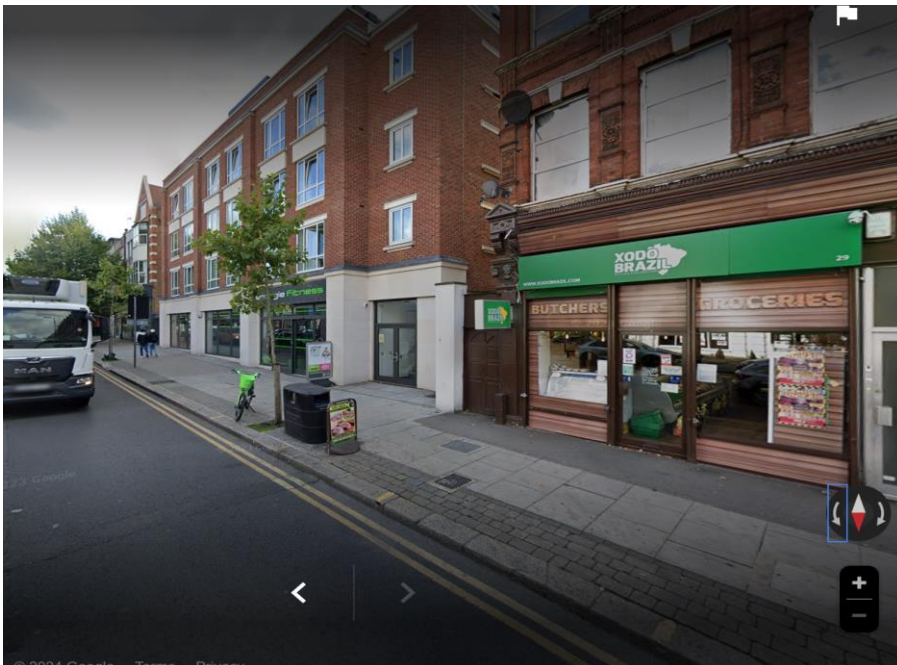
Between 1 July 2021 and 30 June 2022 there were 238 reports to the police, including 149 relating to anti-social behaviour, 2 relating to public order breaches and 81 reports relating to violence.

The below map shows violence with injury crimes.



The Premises

The premises, namely, Xodo Brazil, 29 Cricklewood Broadway, NW2 3JX falls within one of Brent's CIZs.



Public Space Protection Order (PSPO)

The entire Borough of Brent is subject to a Public Space Protection Order for street drinking and it is an offence for a person to fail to comply with a request to cease drinking alcohol by an authorised officer.

If a police officer reasonably believes that a person is, or has been, consuming intoxicating liquor within these areas, the officer may require the person concerned:

- a) not to consume in that place anything which is, or which the officer reasonably believes to be, intoxicating liquor
- b) to surrender anything in his/her possession which is, or which the officer reasonably believes to be, intoxicating liquor or a container for such liquor (other than a sealed container)
- c) An officer may dispose of anything surrendered to him/her as above.
- d) Issue fixed penalty notices on offenders
- e) Prosecute persistent offenders

However, in reality there are limited police officer resources, which in practice would prevent the above from being enforced. This therefore places a greater emphasis on the responsibility of those premises that are selling alcohol for consumption off the premises. It is clear that if off licences did not exist, the number of street drinkers would decline.

Therefore, simply selling alcohol to customers who once off the premises, are no longer the responsibility of the licence holder, the Designated Premises Supervisor (DPS) and/or members of staff is no longer a viable option.

Operational Plan & Conditions

History – Complaints

The Council received a complaint in December 2023, which triggered a licensing visit to the premises in response to allegations of noise disturbance in the form of loud music and the supply of alcohol. The applicant, Mr Goncalo was in charge of the premises at the time, when the investigation took place.

Mr Goncalo initially denied any licensable activities taking place but after further questioning by the Licensing Officer, he later admitted that he had gatherings with his friends and held parties with alcohol supplied at the premises. Mr Goncalo confirmed he was hosting a live concert for his daughter who is a gospel singer.

Following a warning letter issued by the Council, the Licensing Authority received a new application for the supply of alcohol and provision of regulated entertainment.

On 11 January 2024, a request for further information was sent to the applicant in respect of the new application. On 12 January 2024, the applicant responded to my questions and provided an amended plan eliminating the side external areas including the rear garden, see below details:

Business Information

1. Please confirm who is the business rate payer?

- *The business rate payer is under Lina Lai.*

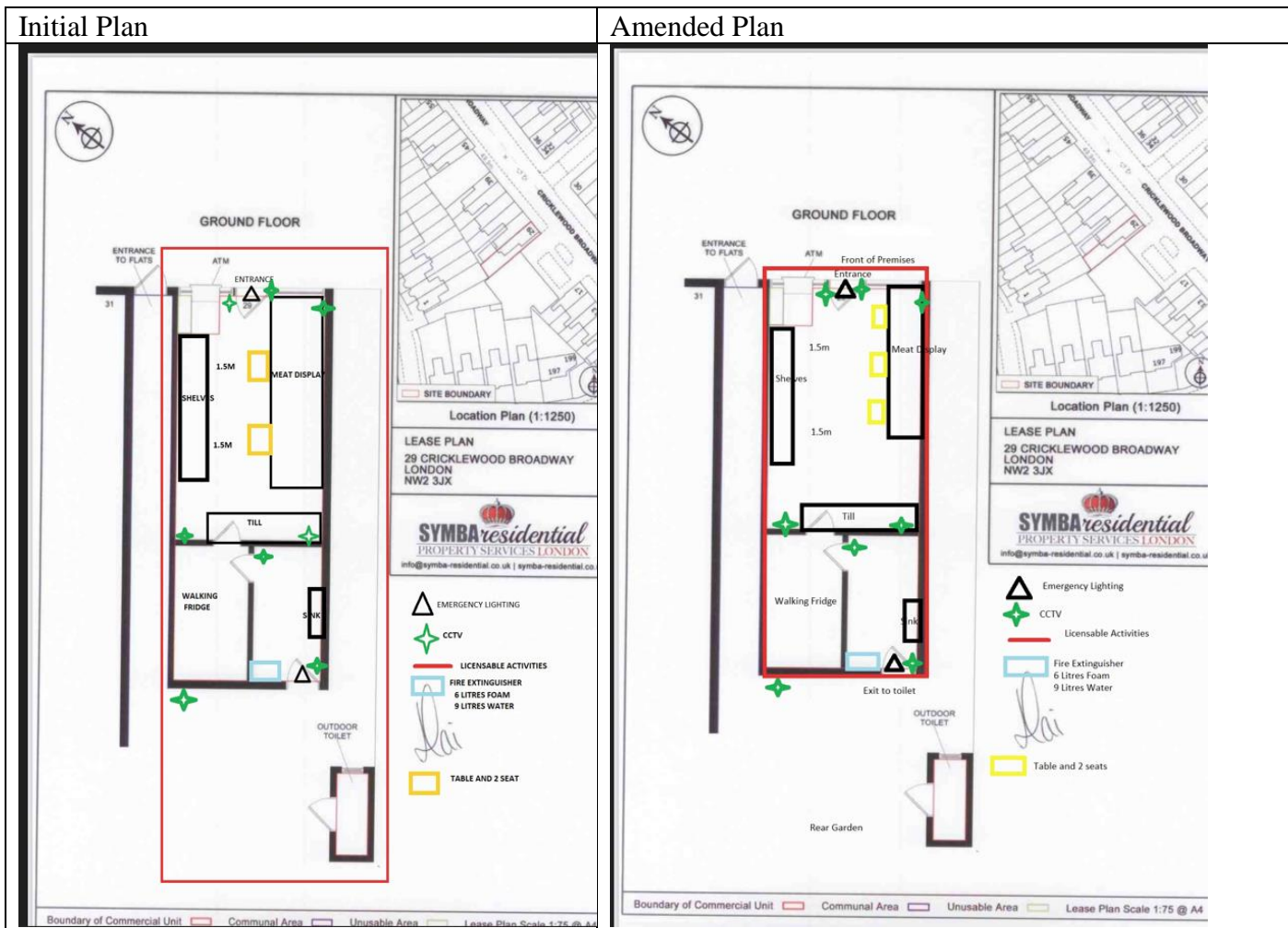
2. Please confirm if you are the leaseholder and how long you hold the lease for?
- *The leaseholder of the premises is under the name of Lina Lai and is for 15 years.*

Operating Schedule/Licensable Activities

3. What sort of alcoholic beverages will you supply?
- *Mainly Beers, but also Wine and Spirits.*
4. Do you intend to supply single can/bottle of alcohol beverages?
- Yes
5. Do you intend to supply beers, ciders and lagers over 6%abv?
- Yes
6. Will the 8 seated customers be located inside the premises?
- Yes
7. With regards to live music, are you intending to host events in the future or invite other musicians to provide entertainment?
- *No, the licence for live music is for the use of my daughter to record for her YouTube channel.*

Plan

8. It would appear that you have proposed licensable activities areas outside the property, please can you provide a plan labelling the areas *for example front external seating area, rear garden* as indicated with an arrow below:
- *The New plan will be attached on the e-mail.*
9. It would appear that the customer toilets are located in a separate building at the rear, how would your customers gain entry to the toilets?
- *Yes, the toilet is located on a separate building near the rear of the garden, however with restricted access. For the customers to gain entry to the toilets they must ask one of the staff to gain access.*
10. Are there residents living above or behind the premises?
- *Yes, there is resident living above the premises and gain access to their flats from the side of the shop which is a private and independent entrance.*



On 12 January 2024, a Licensing Officer visited the premises and took pictures of various areas within the premises (Appendix 1).

The Licensing Authority would expect to see information on how the business plans to ensure that their particular premises will go above and beyond in promoting the licensing objectives in a crime hot spot and in this case the applicant has not provided such information to support this.

Furthermore, it would appear that the applicant is not familiar with a CIZ. There are existing off licences within close proximity.

Trading Name	Address	Distance
Budgens	41 Cricklewood Broadway, London NW2 3JX (Borough of Brent)	1min walking distance (135 ft)
Co-Op	22-26 Cricklewood Broadway, London NW2 3HD (Borough of Camden)	2min walking distance (246ft)

In respect of the plan, there is concern with customer access to the rear toilet. All toilets in food business premises should be separated by a lobby from food eating or preparation areas. It

transpires that customers would need to enter the preparation area in order to access the toilet, which is unhygienic from a food safety point of view.

The size of the premises is of a compact nature and does not appear to be appropriate to run as an on licenced venue. Mr Goncalo holds the capacity of a manager, therefore it is questionable whether he is suitable to be a licence holder on the basis that he flouted the law.

Summary

The Statement of Licensing Policy states that any licence application in a CIZ area will need to demonstrate with evidence that its operation will not add to any cumulative impacts that the CIZ is seeking to address. Further, new applicants and those applying for variations would be required to demonstrate how their premises will not contribute to street drinking in those areas.

The effect of adopting a CIZ is to “create a rebuttable presumption” that applications for licences which are likely to add to the existing cumulative impact will normally be refused (or subject to certain limitations) unless the applicant can demonstrate that there will be no negative cumulative impact on the licensing objectives.

It is on this basis, that the Licensing Authority ask that the application for a new application of the premises licence is **refused** by the Licensing Sub-Committee.

Yours sincerely,



Esther Chan
Licensing Inspector

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Appendix 1 – Images of the premises taken on 12 January 2024



Front of 29 and 31. No 31 is a sublet from No 29. No 31 has no access to rear of Garden.



Entrance to Side Alley, No right of access.



View of Alley leading to Garden.



Rear of Premises/ Toilet Area.



Food Preparation Area



Food Preparation Area



Front Counter



Internal View of Premises.

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From: tonythiago
Sent: Tuesday, January 30, 2024 1:07 PM
To: Esther, Chan; Thays Cozzuolo
Cc: Business Licence; Legister, Linda
Subject: Re: Fwd: CONSULT: New Premises - Xodo Brazil, 29 Cricklewood Broadway, NW2 3JX - 30493

Dear Esther,

Thank you for your prompt response and for providing me with the necessary information regarding the next steps for my application for a new premises license.

I appreciate your understanding of my request for a meeting with the Council to discuss the application. I am prepared and eager to present my case and address any concerns that may have been raised. As I have mentioned before, I have been operating my shop for nine years without any issues with my neighbors, including other business owners in the area.

I want to assure you that I am fully committed to maintaining a positive and harmonious relationship with my neighbors and the local community. In fact, I have been proactive in gathering signatures from businesses within a one-mile radius of my shop, demonstrating their support for my application. These signatures serve as a testament to the positive impact my shop has had on the local economy.

It is disheartening to hear about the decrease in sales due to the challenges posed by the COVID-19 pandemic. However, I am determined to persevere and do everything in my power to prevent the closure of my shop. Obtaining the new premises license is a crucial step towards revitalizing my business and ensuring its long-term sustainability.

I appreciate your advice to report any issues of crime and disorder to the Police. Rest assured, if I encounter any such issues, I will not hesitate to take the appropriate action and involve the authorities.

Once again, I express my readiness and eagerness to attend the sub-committee hearing to present my case and address any concerns. I trust that the committee members will consider my application fairly and make a decision that takes into account the positive contribution my shop has made to the community and the local economy.

Thank you for your attention and support throughout this process. I look forward to receiving further details regarding the sub-committee hearing.

Yours sincerely,

Tony

On Monday, January 29, 2024, 3:29 pm, Esther, Chan wrote:

Dear Tony Goncalo,

I am in receipt of the attached and below emails with your comments in respect of your application for a new premises licence.

I understand that you have requested a meeting with the Council to discuss the application. As mentioned in my representation, this premises fall in a Cumulative Impact Zone, which creates a rebuttable presumption that any new application would be refused.

You will be invited to a sub-committee hearing to present your case and ultimately, the committee members will make a decision on the application.

In respect of your allegations regarding your neighbours, you must report issues of crime and disorder to the Police, see below link:

<https://www.met.police.uk/ro/report/ocr/af/how-to-report-a-crime/>

I hope this clarifies the Licensing Authority's position.

Kind Regards

Esther Chan

Licensing Inspector

Regulatory Services

From: tonythiag

Sent: Thursday, January 25, 2024 9:40 PM

To: Thays Cozzuolo; Esther, Chan

Subject: Re: Fwd: CONSULT: New Premises - Xodo Brazil, 29 Cricklewood Broadway, NW2 3JX - 30493

Subject: Concerns about neighboring establishment and clarification on customer toilet provision

Dear Esther

I hope this email finds you well. I am writing to bring to your attention a few concerns regarding the neighboring establishment and seek clarification on the provision of customer toilets in my coffee shop.

Firstly, I would like to raise the issue of the nearby establishment, which I believe is causing disturbances in the area. The establishment, known as the "zombie place," has been a source of concern due to reported incidents of fights and disturbances. As a responsible business owner, I want to emphasize that such issues fall under the jurisdiction of the police, and it is not within my control to manage or prevent such incidents. I kindly request that

appropriate measures be taken to address the situation and ensure the safety and tranquility of the area.

Regarding the provision of customer toilets in my coffee shop, I would like to clarify that currently, our toilet facilities are designated for staff use only. This decision was made based on various factors, including space limitations and operational considerations. However, I am open to discussions and guidance from the council regarding any requirements or regulations in this regard.

I understand that these matters may be complex and potentially challenging to address, especially considering the involvement of a neighbor who has been known to make unfounded claims and objections. I assure you that my primary goal is to contribute positively to the local community and provide a pleasant experience for my customers.

As we are currently navigating through a challenging economic climate and striving to improve sales to sustain the operation of my coffee shop, I kindly request your understanding and support in this matter. I am committed to adhering to all necessary regulations and guidelines while also seeking a fair and reasonable resolution.

I would appreciate any guidance or assistance you can provide in addressing the concerns raised and clarifying the requirements for customer toilet provision. Please feel free to contact me at your earliest convenience to discuss this matter further.

Thank you for your attention to this matter.

Kind regards,

Tony Goncalo

Xodo Brazil

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From: Lewis, Diane
Sent: Thursday, January 18, 2024 12:19 PM
To: Business Licence
Cc: Serdouk, Mohammed
Subject: RE: CONSULT: New Premises - Xodo Brazil, 29 Cricklewood Broadway, NW2 3JX - 30493

Dear Business Licence Team,

I would like to confirm that I have considered the above proposal with regard to the prevention of public nuisance. On behalf of the Environmental Health I would like to,

Make representations on the following grounds:

The noise caused by regulated entertainment (loud amplified music and in particular live music and vocals) is likely to be detrimental to the residential amenity.

The nearest noise sensitive properties are the flats above the commercial units along Cricklewood Broadway, therefore increasing the likelihood of residents suffering from loss of amenity should inadequate measures be taken to reduce the level of noise.

The Nuisance Control Team are currently investigating allegations of statutory nuisance caused by loud amplified music and amplified speech emanating from the premise. A number of reports have been submitted to us via the Noise App depicting loud amplified music that also portray heavy bass (Appendix 2). Upon assessment of these recordings, I am of the opinion that the noise is likely to be causing a statutory nuisance to local residents.

I am also of the opinion that the premise is unsuitable for the playing of live music as the building is uninsulated against the transmission of sound into adjoining properties, particularly low frequency noise.

No formal action has been taken against the license holders of the premise as recent intervention from the Business License Team is likely to have resulted in a reduction of nuisance level noise. Should the premises licence be granted however, the Nuisance Control Team would have concerns that noise from loud amplified music during the events detailed in the application would give rise to noise complaints from local residents once again.

I would therefore recommend the following condition:

There shall be no regulated entertainment permitted.

Kind regards,

Diane Lewis
Nuisance Control Officer
Resident Services

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the
noise
app

Case report

Case details

Status: Under investigation

Reference: IDXJDJ5A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Assigned officer(s): Diane Lewis

Case created: 22 Oct 2023 17:45

Reporter details

Name: [REDACTED]

Email: [REDACTED]

Telephone: [REDACTED]

Reporter address: [REDACTED]

Reports

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 15

Recorded: 8 Nov 2023 18:50

Uploaded: 8 Nov 2023 18:51

Source: Commercial music

Location: Bedroom

Duration: 1 hour

Intensity: 10

Additional evidence

Comments

Unlicensed music events held in butcher shop

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 14

Recorded: 8 Nov 2023 18:38

Uploaded: 8 Nov 2023 18:40

Source: Commercial music

Location: Bathroom

Duration: 1 hour

Intensity: 10

Additional evidence

Comments

Unlicensed music played in butcher shop gatherings & events. [REDACTED]. I'm sick in bed. When is this case being looked at?

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 13

Recorded: 8 Nov 2023 18:36

Uploaded: 8 Nov 2023 18:37

Source: Commercial music

Location: Bedroom

Duration: 1 hour

Intensity: 10

Additional evidence

Comments

[REDACTED]

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 12

Recorded: 6 Nov 2023 19:47

Uploaded: 6 Nov 2023 19:48

Source: Live music

Location: Living room

Duration: 1 hour

Intensity: 10

Additional evidence

Comments

Music being turned up & down [REDACTED]

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 11

Recorded: 6 Nov 2023 17:34

Uploaded: 6 Nov 2023 17:35

Source: Commercial music

Location: Bedroom

Duration: 1 hour

Intensity: 10

Additional evidence

Comments

[REDACTED]

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 10

Recorded: 28 Oct 2023 16:25

Uploaded: 28 Oct 2023 16:26

Source: Commercial music

Location: Living room

Duration: 7 hours

Intensity: 10

Additional evidence

Comments

Daily raves & gigs held in butcher shop [REDACTED]. Nightmare

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 9

Recorded: 28 Oct 2023 11:05

Uploaded: 28 Oct 2023 11:08

Source: Commercial music

Location: Living room

Duration: 1 hour

Intensity: 10

Additional evidence

Comments

Our home is unliveable. Constant. We wake up to loud music, vibrating [REDACTED] & have to fall asleep with loud music still going.

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 8

Recorded: 27 Oct 2023 21:19

Uploaded: 27 Oct 2023 21:20

Source: Commercial music

Location: Hallway

Duration: 5 hours

Intensity: 10

Additional evidence

Comments

A butcher shop has nightly raves [REDACTED] with crowds & alcohol

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 7

Recorded: 27 Oct 2023 20:37

Uploaded: 27 Oct 2023 20:38

Source: Commercial music

Location: Bedroom

Duration: 2 hours

Intensity: 10

Additional evidence

Comments

N/A

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 6

Recorded: 27 Oct 2023 19:52

Uploaded: 27 Oct 2023 19:53

Source: Commercial music

Location: Bedroom

Duration: 1 hour

Intensity: 10

Additional evidence

Comments

[REDACTED]. Crowds & loud amplified music.

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 5

Recorded: 27 Oct 2023 19:24

Uploaded: 27 Oct 2023 19:26

Source: Commercial music

Location: Bedroom

Duration: 1 hour

Intensity: 10

Additional evidence

Comments

Live music venue with crowds

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 4

Recorded: 25 Oct 2023 19:06

Uploaded: 25 Oct 2023 19:07

Source: Commercial music

Location: Hallway

Duration: 1 hour

Intensity: 10

Additional evidence

Comments

Live and recorded music played regularly at crazy volume vibrating [REDACTED]

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 3

Recorded: 22 Oct 2023 17:48

Uploaded: 22 Oct 2023 17:49

Source: Commercial music

Location: Bedroom

Duration: 7 hours

Intensity: 10

Additional evidence

Comments

[REDACTED]

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 2

Recorded: 22 Oct 2023 17:46

Uploaded: 22 Oct 2023 17:47

Source: Commercial music

Location: Bedroom

Duration: 7 hours

Intensity: 10

Additional evidence

Comments

Same gig

Photo and video

N/A

Internal report notes

N/A

Source address: Xodo Brazil, 29 Cricklewood Broadway, London, NW23JX

Reporter: [REDACTED]

Report 1

Recorded: 22 Oct 2023 17:42

Uploaded: 22 Oct 2023 17:45

Source: Commercial music

Location: Hallway

Duration: 7 hours

Intensity: 10

Additional evidence

Comments

Music gig happening [REDACTED] House vibrating

Photo and video

N/A

Internal report notes

N/A

Declaration

I [REDACTED] confirm that this report and the recording I am submitting through The Noise App is a true and accurate representation of the noise nuisance I have experienced.

This noise report has been reproduced from The Noise App website (<https://app.thenoiseapp.com>) and may contain personal information. This report is the property of the Licensee, that is the person(s) or organisation(s) licensed to use The Noise App and website. Data collected and distributed by and from The Noise App and website is subject to The Noise App Terms and Conditions of Service (see <https://app.thenoiseapp.com>) and the Licence terms. Please note that this report is subject to the Licensee's Data Protection and Privacy policies; it is also subject to the Data Protection and Privacy legislation applying to the locality within which The Noise App is being used. This report should not be distributed to any person(s) or third parties unless authorised to receive the information by the User or the Licensee. RH Environmental Limited as Licensor of The Noise App and website admits no liability and is not responsible for the User's or the Licensee's use of the data.



the
noise
app

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[REDACTED]

[REDACTED]

As one of the residents of [REDACTED] the property [REDACTED], I vehemently object to such a license being granted to the Xodo Brasil establishment. My objections are based on 1- Prevention of Crime & Disorder The tenants of the shop have been consuming and distributing alcohol for a long time without the pre-requisite licensing, which has resulted in antisocial and dangerous behaviour from the staff and patrons of the establishment to both our property and our person. We are in possession of well documented proof of both the unlicensed alcohol consumption and the antisocial behaviour. As a matter of fact, the proprietor of the business has been conducting a campaign of harassment and intimidation against the residents of [REDACTED] for years now. This campaign includes but is not limited to violent and criminal acts such as cutting of our service cables, destruction of our cctv cameras, verbal abuse, physical threat as well as tormenting the residents by playing loud and amplified music. As aforementioned, we have irrefutable and well documented proof of this campaign, we are happy to share with the council. Police have also been informed and are currently investigating. 2- Prevention of Public Nuisance & Public Safety The consumption of alcohol as well as the amplified loud music have already been a source of incredible nuisance and discomfort. It is in direct infringement of our right to peaceably enjoy our property. The shop is not adequately insulated to be playing loud music at any given time, as we have first-hand experienced the extreme nuisance their music causes to the residents of [REDACTED] We have reported the noise through the noise app to Environmental Control, and they did indeed side with us, and proceeded to warn the proprietor of Xodo Brasil that the noise levels generated by their live gigs and parties are unacceptable. When they play loud, or amplified music in their shop, it becomes the only thing we hear in our house. It makes the residence utterly unliveable, and it greatly impacts our ability to do our job as we work from home quite a fair amount. Additionally the consumption of alcohol in the premises creates a congregation of people outside [REDACTED] [REDACTED] (seeing as Xodo have right of easment and usage of an outhouse WC located in the garden) which is not only a nuisance to the residents but also poses significant threats to the security of our property and our person. I noticed on this license application, that very sneakily the licensed premises have been expanded to include the outdoor area at the back of the shop including the toilet. I emphasise and re-iterate, our [REDACTED] and one of [REDACTED] are located [REDACTED] the outhouse. I am happy to provide a detailed plan of the garden area which would very clearly highlight how licensing the premises would pose serious threat and security issues. It would be utterly unacceptable for such a license to be granted, considering also, that under planning application with ref. 03/3331, that toilet is not for use by the public. This was a stipulation set out by Brent Council itself, and I have proof of how it's been repeatedly infringed by the current tenants. 3- Prevention of Children from Harm As I have mentioned, Xodo Brasil have been distributing and consuming alcohol on the premises without a license for quite some time now, this is well documented. What is also well documented is the proof that such drunk patrons, have been allowed by the establishment into the back garden to urinate on [REDACTED] and indecently expose themselves, smash down our [REDACTED] with butcher knives and visit the outhouse in pairs at all hours of the day or night doing God knows what. We cannot allow our [REDACTED] to go [REDACTED] anymore since these incidents happen. Let alone our future children, [REDACTED] I must also add, that the establishment has failed to adequately advertise their license application, which I stumbled upon entirely by chance, with very little time left to make my objections. To summarise, since Xodo Brasil have been distributing and consuming alcohol, as well as holding live gigs with amplified music for some time now, we have documented proof of how these practices hugely impact our quality of life. Such a license being granted would put us in imminent danger, would greatly infringe on our right to a peaceful enjoyment of our home and it would just embolden the proprietor of Xodo Brasil to continue his bullying. As I mentioned on several occasions, we have proof, which we are happy to share with the council. Regards, [REDACTED]

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It should be noted that Xodo, whether as Xodo Brasil Butcher or Xodo Café, has been providing alcohol consumption & live/recorded amplified music events in & around its premise unlicensed for some time. Therefore, the objections which I raise are based on tangible, practical experience documented & evidenced. Available on request. Xodo Brasil have denied the public engagement in the process. They have not advertised the requisite licences application prominently on the premises for the required time. Neighbouring residents are unaware. The residents at [REDACTED] (the residential property consists of [REDACTED]), made up of [REDACTED], [REDACTED] & [REDACTED], are only aware of this application by chance. We are presently in the process of coordinating legal proceedings in relation to Xodo Brasil which led our counsel to stumble upon the application. Otherwise, no one would ever know. The excessive alcohol consumption of Xodo Brasil's staff & patrons has a detrimental effect on the health and wellbeing of the local populations. The quality of life for those who live and work in the vicinity of the premises is greatly compromised by drunken hostile congregations & the nuisance caused by both live & recorded amplified music. Moreover, the forecourts trading of street food via charcoal barbeque & rotisserie, the queues they serve, the outdoor seating, along with street signage cause an obstruction to pedestrians & nuisance to neighbouring residential occupiers. The limited internal floorspace for customers in the butcher shop itself means that noisy, drunken, hostile crowds congregate outside (front & back) & must be negotiated & navigated through in order to pass by. The forecourt prevents safe, easy and convenient access for all users of the building Residents are victims of abuse from drunken patrons & staff when entering exiting or even receiving deliveries. There are not efficient toilet spaces for a drinks licence. Patrons are directed to an outdoor staff toilet in the residential garden & are often witnessed urinating against the residential premise, its walls, its doors, its windows & even against property such as bikes, tools, furniture belonging to residents. Nuisance and safety issues associated with Xodo operating as a licensed premise, include, music noise, dispersal noise from patrons, intrusive odours and general safety. No sound control or mitigation measures have been considered. In fact, the opposite. Requests to reduce noise are ignored & followed by an increase in the frequency of music events & level of noise. Xodo Brasil's Tony Goncalo even exacerbates the noise harassment further by playing unplugged versions of Xodo gigs from their out building, directing the performance into our ground floor bedroom window. Under floor insulation installed for residents has been compromised with much of it removed during the installation of the fascia signage by the commercial premise. Consequentially both noise & odour permeate the resident's home. Particularly given the installation of an awning which now helps funnel street food odours & smoke into the residential building rendering the residence unliveable on an unreasonable number of occasions. This is on top of the fact that the commercial premise itself only has a suspended panel ceiling with basic fissured tiles as a barrier for noise & smell. It is not sufficient. The general safety of the building is massively compromised by drunken patrons in & around the property. CCTV was put in place to deter antisocial behaviours & criminality. The response of Mr Goncalo of Xodo Brasil was to personally destroy the CCTV with a combination of a heavy construction ladder (used as a projectile) & shutter pole, beginning with the rear camera in our residential garden before moving to the front camera. Mr Goncalo is fostering a crowd hostile to residents, from the patrons of his unlicensed events & his staff. Mr Goncalo has been witnessed & documented inviting friends, staff & patrons to become hostile to residents. Both in the front & back of the building, Xodo's patrons are invited to survey residents' windows, security cameras, & even the residents themselves. Residents have been followed by foot & car in a campaign of intimidation. All because they appose the commercial premise operating as if it were a licensed alcohol serving music venue. The residents have no option but to oppose this as the building has been rendered unliveable. I should note that, for the criminal aspects of what is outlined in this, Met Police are already involved. Met Police, as one of the responsible authorities, can be consulted with regard to our cases & also cases of neighbouring residents also. Neighbours who have been denied the opportunity to object because of Xodo's failure to adequately advertise the application. As we can evidence, staff themselves also partake in alcohol consumption on premise, during their work hours, in uniform, often during music events. It's a health & safety concern obviously, in terms of food preparation & service, but also a concern in terms of fire safety. Food staff who do shots in work all evening cannot be relied upon to follow proper safety protocols. It is a matter of when not if our property & its residents are irreparably harmed.

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From: tonythiago

Sent: Tuesday, February 6, 2024 3:57 PM

To: Business Licence <business.licence@brent.gov.uk>; [REDACTED]

Subject: Re: New Premises Licence - Xodo Brazil

Subject: Request to Consider Objection to Alcohol License by Neighbour

I hope this email finds you well. I am writing to bring to your attention the objection raised by my neighbour regarding my alcohol license application. I would like to provide some additional information and context for your consideration.

Firstly, I have taken the initiative to approach all my neighbours along Cricklewood Broadway to gather their opinions regarding my conduct, both within the community and towards my neighbours and customers. I have attached a file containing the responses I received, which reflect positively on my behavior and reputation. It is important to note that I have been a part of this community for a significant period of time, and my interactions with the neighbours, businesses, and customers have been amicable.

Unfortunately, I have been facing significant challenges with a particular neighbour who I believe [REDACTED] and also struggles [REDACTED]. This individual has made my life extremely difficult ever since I took over my shop nine years ago. Despite my best efforts to maintain a peaceful coexistence, this neighbour has consistently reported various issues to your department, starting with the installation of a walking fridge seven years ago, followed by noise complaints related to the air conditioning and later the shed at the back, and even objections to the canopy toldo. I feel that I have been subjected to persistent bullying throughout these years, and my business operations have been disrupted as a result of these complaints.

I have the support of three of my neighbours who have also signed a petition in favor of my alcohol license application. They too are business owners in Cricklewood, and they have expressed concerns about the [REDACTED] exhibited by this neighbour. Additionally, I have CCTV recordings that capture instances where this individual has attempted to physically harm me and my customers. If necessary, I can provide these recordings as evidence to support my case.

It is disheartening to think that the decision regarding my license application could be influenced by the testimony of a single individual who has consistently shown [REDACTED] towards me. I have no criminal records or convictions, and I maintain positive relationships with everyone in Cricklewood Broadway. My reputation extends beyond this local area, as I am well-known within the entire Brazilian community of North West London. I encourage you to reach out to any Brazilian shop, podcast, or radio station in London for further verification of my character and standing within the community. Moreover, I am more than willing to accompany you on the day of assessment and allow you to randomly select any shop in Cricklewood Broadway, regardless of nationality, to gather additional opinions.

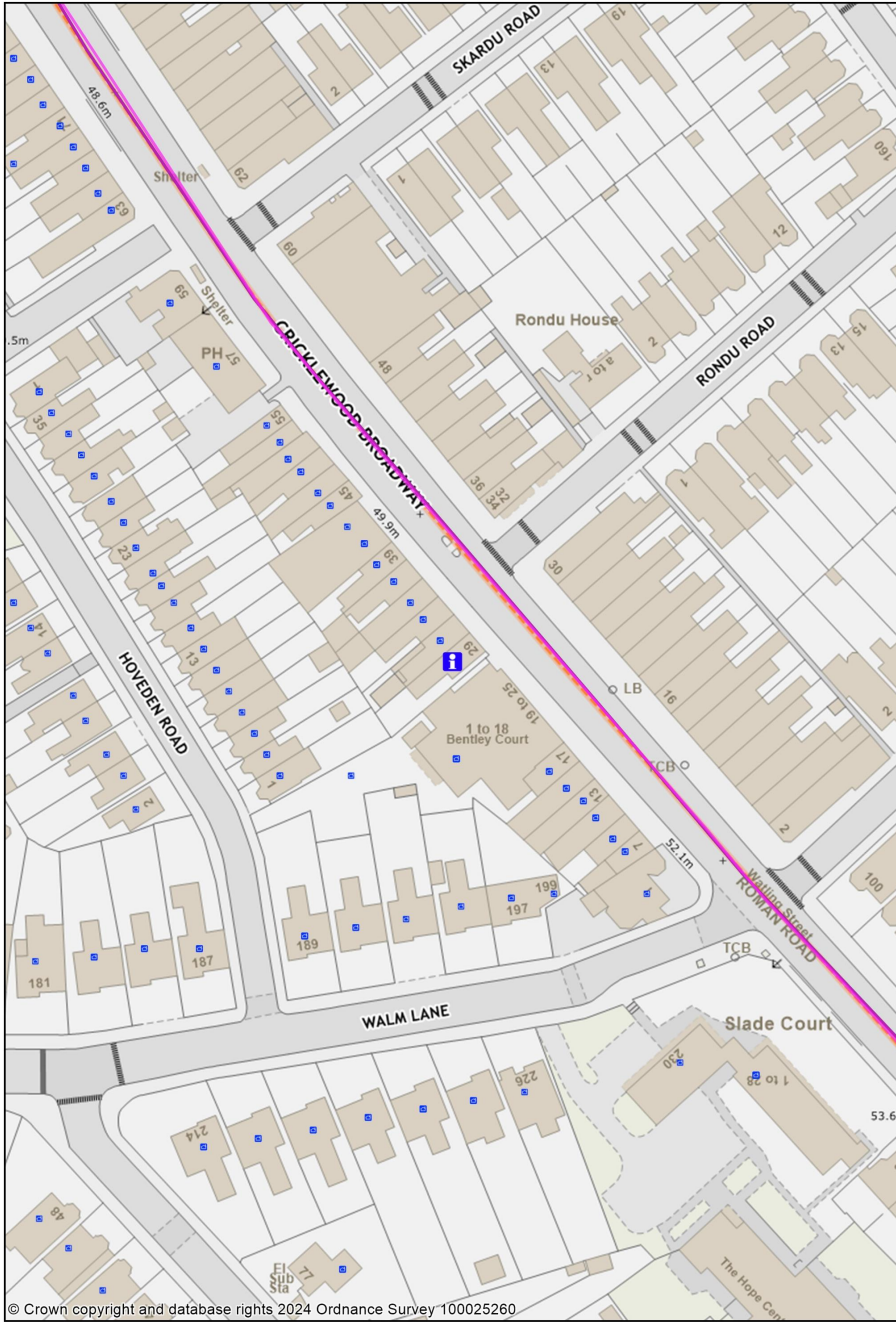
In conclusion, I kindly request that you take into account the overwhelming support I have received from more than 20 business owners and neighbours who can vouch for my character and the positive contribution I have made to the community. I sincerely hope that the objection raised by my neighbour does not hinder the progress of my business due to personal biases. I will continue to pray for this individual, despite the negative impact they have had on my life over the past nine years.

Thank you for your attention to this matter. I look forward to a fair and impartial evaluation of my alcohol license application.

Yours sincerely,

Tony Goncalo

Basemap Map



1:1250

0 0.02 0.04 kilometres

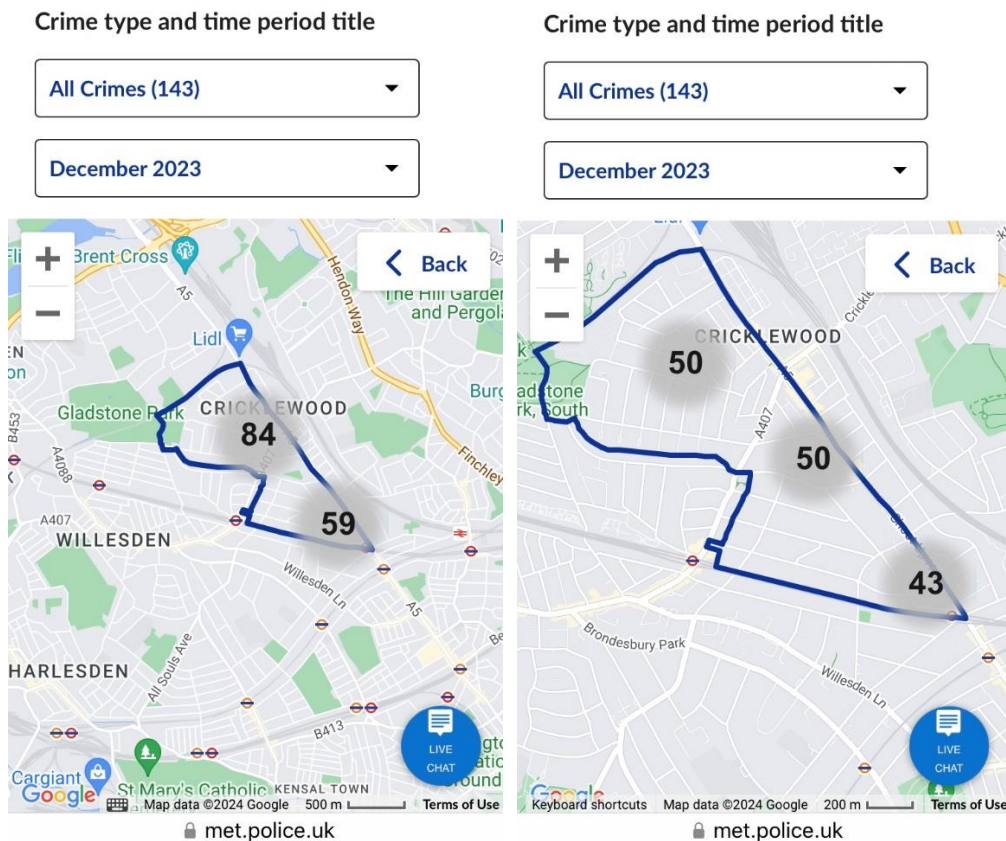


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Xodo Brazil – 29 Cricklewood Broadway NW2 3JX – 30493

Further supporting documents.

The map below (which is available to the public from the Met Police website) shows a crime map for the NW2 3JX postcode. As you can see this shows a total of 143 crimes recorded during December 2023. Zooming in on Cricklewood Broadway between Walm Lane and Keyes Road (second image) you can see this is where a majority of the crimes are located.



The other side of Cricklewood Broadway falls within the borough of Camden – NW2 3ET. Again the first image shows a crime map for the post code opposite 29 Cricklewood Broadway. This post code shows crimes recorded as 110 for the same period of December 2023.

Zooming in on the map shows the crime areas all along Cricklewood Broadway where the CIZ is in force. This is where the main bus routes and pedestrian travel exists.

This makes a total crime figure or **253** for the month of December last year for both sides of this small stretch of Cricklewood Broadway.

Crime type and time period title

All Crimes (110)

December 2023

Crime type and time period title

All Crimes (110)

December 2023

