

Mr Jarvid Iqbal
34 Station Parade
London
NW2 4NX

27th May 2016

Your Ref 223602318

Dear Mr Jarvid Iqbal,

Licensing Representation for the Premises Licence Review for Just Deals 34 Station Parade NW2 4NX

I certify that I 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 Licensing Objectives for the reasons indicated below.

Officer: [REDACTED]

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 to review the premises licence under section 51 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.

Inspection History

Previous to my visit, my colleague Esther inspected the premises on 28th April 2016 following a complaint that was received from a local resident. During Esther's visit, she identified some breaches of the licensing conditions. This was set out in a letter that was posted to both Mr Iqbal's premises and home address. Mr Iqbal claimed receipt of this letter. This letter has been included in the pack **Exhibit LMJ001**.

As a result of the review application made by the local resident, I conducted a visit on 24th May 2016. At the time of the visit there was no clear evidence of public nuisance and Anti-social behaviour that appears to relate to this premise.

During my visit, breaches of the licensing conditions that should have been rectified following Esther letters dated 11th May 2016 were still present.

Breaches of licensing conditions

On entering the premises I introduced myself to a member of staff who identified himself as Daniyal Choudhury. When asked, Mr Choudhury stated that he did not work at the premises full time and would not be able to answer any of my questions. He said that he only works part time when Mr Iqbal needed to be away from the premise. Mr Choudhury called Mr Iqbal on the telephone and advised him that I was present on site. I spoke with Mr Iqbal on the telephone and advised him that any member of staff who is left on the premises in his absence, must have some knowledge and understanding of the business and the licensing Act 2003.

I advised that I would proceed with my inspection of the premises. The following breaches were found:

Condition 3 on your Premise Licence :-

- **A sign stating 'No proof of age ' No sale' shall be displayed at the point of sale.**

No signs stating the above was identified at the counter area or any other location on the premises.

Condition 4 on you Premise Licence:

- **A 'Challenge 21' policy shall be adopted and adhered to.**

When I asked Mr Choudhury what age verification policy was adopted he was unable to clearly demonstrate the 'Challenge 21' age verification policy. There was no suitable signage advertising the 'Challenge 21' policy.

Condition 7 on your Premise Licence:

- No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked with the exception of premium beers and ciders.

On inspection of the chiller the following high strength beers, larger and ciders were found:

Skol Super 8% ABV, Tennents Super 8% ABV, Super Kestrel Super Premium Larger 9% ABV, Scrumpy Jack 6% ABV, Desperados 5.9% ABV.

This has been illustrated in the images attached Exhibit LMJ002.

Condition 12 on the Premise Licence:

A personal licence holder fluent in English shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.

At the time of my visit Mr Choudhury was the only person present on site. He did not hold a personal licence. Mr Choudhury was advised to close the shop or cover up the alcohol. He said that he would need to speak with Mr Iqbal before doing so. When Mr Iqbal was present on the telephone I advised him to instruct Mr Choudhury to cover the alcohol with black plastic bags. This request was carried out immediately.

Summary

Mr Iqbal does not have control over what happens outside of his premise but preventative measures can be put in place to ensure that his business does not contribute to any occurring issues that the residents endure.

As a result of the breaches identified at the time of my visit, the Licensing Authority would request the following conditions to be added to the Premise Licence:

Condition 7 to be amended from :-

No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked with the exception of premium beers and ciders

Condition 7 to be changed to :- *No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked.*

1. The Designated Premise Supervisor shall attend a formal training course on avoiding underage sales/responsible alcohol sales such as the National Certificate for Designated Premise Supervisors or the BIIAB Award Responsibilities Retailing, and provide evidence of attendance if requested.
2. All staff employed for the sale of alcohol must be trained in:
 - Relevant age restrictions in respect of products
 - Recognising signs of drunkenness
 - How to refuse sale
 - The premises duty of care
 - The conditions embedded under the premise licence.

Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed at no greater than 4 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Brent Council.

Recommendations

A daily diary was seen although it had no entries relating to refusals or incidents. This particular book contained information of daily expenses. I accept the fact they there may not have been any refusals or incidents but I would advise to have a separate book for recording refusals and incidents so that it is set out clearly and legible.

In order for the Licensing Team to withdraw this representation, it will be necessary for you to confirm in writing that you are willing to accept the above conditions and carry out any necessary works.

Yours faithfully

[Redacted]

[Redacted]

Licensing Officer



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Mr Javid Iqbal
LONODN GROCERS & WINE MERCHANTS
34 Station Parade
London
NW2 4NX

11th May 2016

Our Ref 603588
Your Ref

Dear Mr Iqbal,

Licensing Act 2003 – Premises Licence

Re: LONDON GROCERS & WINE MERCHANTS, 34 Station Parade, London, NW2 4NX

I am writing in connection with my inspection to the above premises on Thursday 28th April 2016 at 11:40hrs conducted in your presence. During my inspection it became apparent that the following conditions attached to the current premises licence were not being complied with:

Mandatory Condition on your premise licence:

A copy of the premises licence summary (Part B) including the hours which licensable activities are permitted shall be displayed in a prominent position for the public to see at all times.

Action for Mandatory Condition:

You must display the summary of the licence (Part B) on the premises in a place that is visible to members of the public and have the full licence (Part A) available for inspection by authorised officers. The licence will include the following details:

The name and address of the holder;

- A plan of the premises;
- The licensable activities authorised by the licence;
- If the licence authorises the sale or supply of alcohol, the name and address of the Designated Premises Supervisor;
- The conditions of the licence.

If you require a copy of the premise licence, you must complete and return an application for copy of Premises Licence or Summary with an enclosed fee of £10.50.

Mandatory Condition on your Premise Licence:

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Action for Mandatory Condition:

This means a written statement must be issued to all staff before they undertake sale of alcohol. The statement should clearly set out which activity is being authorised, namely the sale of alcohol. Authorisation can be given individually or collectively, but must be given by a personal licence holder. Under normal circumstances, it is recommended that this will be the DPS as it is part of their role and responsibility to supervise sales and therefore authorisation can be monitored.

Conditions 1 on your Premise Licence:

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.

Action for Conditions 1:

You stated that the CCTV recordings are kept for 7 days. You must ensure that your CCTV is in a working condition and all CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.

Condition 3 on your Premise Licence:

3. A sign stating 'No proof of age ' No sale' shall be displayed at the point of sale.

Action for Condition 3:

It has been noted that a sign stating 'No proof of age - No sale' was displayed on the side of the fridge chiller; however the sign was obscured and damaged. You must replace the sign to ensure it is clear and legible for customers to see in a convenient position (normally by the pay point) at all times.

Condition 4 on you Premise Licence:

4. A 'Challenge 21' policy shall be adopted and adhered to.

Action for Condition 4:

You were unable to demonstrate that an age verification policy has been adopted. Staff training records were not available for me to see upon request. You must adopt a 'Challenge 21' age verification policy. You are required to ensure that training is provided to all staff that are authorised to sell alcohol.

Please take this opportunity to remind your staff regarding the Licensing Act 2003 and in particular the sale of alcohol to underage persons, proxy purchases and selling to drunken people. You must ensure all staff training documents are kept and maintained.

Suitable signage's advertising the 'Challenge 21' policy shall be displayed in a prominent position for customers to see at all times.

Condition 5 on your Premise Licence:

A refusal book shall be kept and maintained.

Action for Condition 5:

It was confirmed that you do not keep and maintain a refusal book on the premises.

You should monitor the refusals book to:

- Ensure that all staff are using it
- See if there are any patterns

The following information should be captured in your refusal book.



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Date and time	Product	Person refused	Asked for ID?	Comments	Refused by
___/___/___ @ ___:___ am/pm	<input type="checkbox"/> Alcohol <input type="checkbox"/> Tobacco <input type="checkbox"/> Other	<input type="checkbox"/> Male <input type="checkbox"/> Female Desc. _____ Approx. Age _____ Height _____ Build _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____

Condition 7 on your Premise Licence:

No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked with the exception of premium beers and ciders.

Action for Condition 7:

It was noted that high strength beers, lagers and ciders over 5.5% abv were displayed in the chiller cabinet including cans of Desperados 5.9% abv, Zubr 6% abv and Debowe 7% abv. You must check and ensure that all high strength beers, lagers and ciders above 5.5% abv are removed from display and you must not supply these drinks.

The Licensing Police and Licensing Authority would suggest that you cease the sale of bottles of Desperados 5.9%, Dragon Stout 7.5% abv and Kestral Super Premium Lager 9% abv to avoid the premise attracting street drinkers in light of complaints connected to street drinkers causing a nuisance in the vicinity.

Condition 9 on the Premise Licence:

The licensee shall keep an incident book which shall be made available to the Police and Licensing Authority.

Action for Condition 9:

It was noted that the incident log was not made available for inspection on request. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

Condition 12 on the Premise Licence:

A personal licence holder fluent in English shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.

Action for Condition 12:

You stated that you employ one staff member who does not hold a personal licence and it was concluded there are times where you may not be present on the premise at all times during the opening hours. Please be aware that you must not expose or supply alcohol if a personal licence holder fluent in English is not present on the premises to supervise the sale of alcohol.

Other Matters

Opening Hours:

You informed me that the premise is open from 7am until 2am/3am. Please be aware of the below hours stipulated on your premise licence.

Licensable activities and the times authorised by this licence

Supply of Alcohol:

|

Day	Start Time	End Time
Monday	06:00	01:00
Tuesday	06:00	01:00
Wednesday	06:00	01:00
Thursday	06:00	01:00
Friday	06:00	01:00
Saturday	06:00	01:00
Sunday	06:00	01:00

Whether alcohol is authorised to be supplied on or off the premises: **Off**

The Opening Hours of the Premises:

Day	Start Time	End Time
Monday	06:00	01:00
Tuesday	06:00	01:00
Wednesday	06:00	01:00
Thursday	06:00	01:00
Friday	06:00	01:00
Saturday	06:00	01:00
Sunday	06:00	01:00

□

If you wish to extend your hours to supply alcohol or extend the opening hours, you must submit a variation application.

Complaint:

During my inspection, you were advised that the Council have received a complaint alleging that your customers are causing a nuisance and anti behaviour in the vicinity. As discussed, please ensure you take reasonable steps to control these matters. It is a legal duty that you ensure you adhere to the licence conditions at all times to meet the objectives of the above Act including:

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

Failure to comply with the above matters may result in the review of your premise licence.



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Please do not hesitate to contact me quoting the above reference should you require any further advice or information.

Yours faithfully,



Esther Chan
Licensing Inspector
Planning, Transportation & Licensing

Enc. Application for copy of Premises Licence or Summary



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High strength beer/larger found in the chiller



