



**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

The Licensing Authority

*Brent Civic Centre
Engineers Way
Wembley
Middlesex
HA9 0FJ*

Your ref: 19949

Our ref: 20/2965NW

Brent Borough Licensing Department

*Harrow Police Station
74, Northolt Road
Harrow
Middlesex
HA2 0DN*

E-mail: Gary.L.R.Norton@met.police.uk

Web: www.met.police.uk

Date: 05/11/2020

Police representations to a New Premises Licence application for "Westfield Food & Wine, 248-250 High Street, Harlesden, London, NW10 4TD".

I certify that I have considered the application shown above and I 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.

**Police Officer: Gary Norton
Licensing Constable PC 2965NW**

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 act, in accordance with section 12 of the Licensing Act 2003. The Police representations are primarily concerned with crime and disorder, public nuisance and public safety and protecting children from harm.

The premises sits on a parade of shops on a busy high street in Harlesden London. The area has a heavy traffic and footfall of pedestrian custom, all within a densely populated residential area. Some parts of Harlesden have become badly affected by crime, disorder and anti-social behaviour (ASB). This has resulted in the London Borough of Brent designating Cumulative Impact Zones under the Statement of Licensing Policy 2020-2025. A **Cumulative Impact** Area is a designated **zone** where evidence has indicated that the number, type or density of licensed premises is impacting adversely on the licensing objectives, namely, crime and disorder, public safety, public nuisance and the protection of children from harm.

Harlesden has a large number of on/off licenses in close proximity and this has facilitated the bad habits of street drinkers, giving them easy access to alcohol, often compounded by irresponsible sales. This in turn has had a negative effect in the area leading to more crime, disorder and public nuisance and even children having access to alcohol.

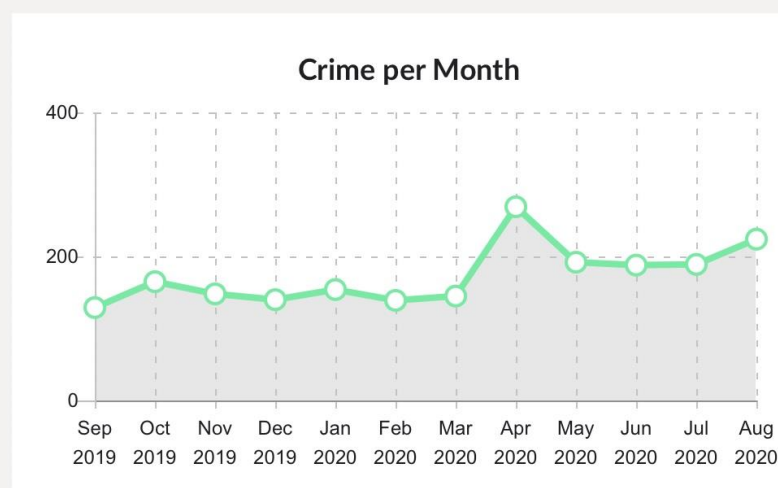
Crime, disorder and Anti-Social Behaviour (ASB) has been rising during the course of the past year in the NW10 4TD area, as shown in the police.uk website figures. The applicant's premises also sits in

one of the three main hotspot areas within the CIZ itself. To add yet another off licence to the area will no doubt adversely affect the existing situations.

The following graph shows the overall increase in crime levels as shown on www.police.uk including Anti-Social behaviour, violence and sexual offence and drugs. The impact of prolonged drinking or binge drinking significantly increases the risk of committing violent offences. This fact is recognised by many pieces of medical and socio-economic studies. The Harlesden area does suffer from street drinker issues and a high crime rate shown to be on the rise.

Crime levels overview

Crime for last year



Given the Harlesden area is already saturated by off-licence premises, the need for another seems somewhat pointless, aside for the potential financial reward for the supplier. Whilst I have no issue with a legitimate business making a profit, allowing another off-licence to open would only compound existing serious problems.

The application was written by an agent experienced in licensing issues & terminology, which puts forward clearly proposed alcohol sales practices and licensing conditions for the business. However, none of these demonstrate how the premises would any better at coping with the existing issues in the CIZ, as they are quite standard in nature. In actuality, these proposed conditions merely show how far off track the supposed responsible applicant is.

The applicant's actual performance at upholding the licensing objectives and their sub-standard practices for alcohol sales are already known.

I state this as fact given we have already been found to be displaying and selling alcohol without a licence and continuing to do so despite a previous warning by Brent Council.

In early October 2020, I was sent a photo via e-mail that claimed to show alcoholic beer products were already on display for sale at the "Westfield Food & Wine" venue. Given the premise's licence application was only in the consultation stage, nor were there any Temporary Event Notice's granted to facilitate such sales, I was very concerned by the e-mail claim. I conducted a visit to the premises on Friday 23rd October 2020 at 2110hrs, along with Sergeant Mike Sullivan. The visit was recorded on Body Worn Video (BWV). Towards the left-side aisle at the rear of the shop, I found a working chilled open vertical refrigerator containing a number of beers and ciders in bottles and cans. These included Fosters, Kronenberg 1664, Strongbow, Desperado, Holsten Pils, Budweiser and more worryingly "K", which is 8% ABV. It was also noted that some of the beers had been taken out of their vacuum wrapped plastic seal "four packs" and there was a presence of odd numbers of similarly branded alcohol. This suggested single unit sales were taking place.

I introduced myself to a gentlemen who stated he was the manager of the shop. I asked if there was anyone to discuss details about the alcohol licence and he said "We don't have a licence..."

PC NORTON: "Why are you selling it?"

MANAGER: "We don't sell it."

PC NORTON: "Why is it on display to sell?"

MANAGER: "Because today we had an inspector from the council, they give me notice I can't sell anything. Then she has gone."

PC NORTON: "Why have you been selling it then?"

MANAGER: "I haven't been selling."

PC NORTON: "Well I've got a report that you have, that's what someone told me..."

MANAGER: "No, no, no."

PC NORTON: "So why have you still got it on display?"

MANAGER: "Look, what is here-." (He is indicating towards an under counter space behind the till area.)

PC NORTON: "There is alcohol on the shelves now."

MANAGER: "Because she asked me 'Where you want to put it?', I told her I don't have a stores and I have to take it out. But tomorrow morning I will take it out."

SGT SULLIVAN: "You have it on display and that is an offence."

MANAGER: "It's okay."

SGT SULLIVAN: "It's not okay."

PC NORTON: "You're not allowed to have it on display at all. There isn't that much there so I don't see why you can't store it somewhere else..... Are you the DPS? The designated Premises Supervisor?"

MANAGER: "Yes..... I had apply."

PC NORTON: "I'm asking you. Are you the designated premises supervisor?"

MANAGER: "I don't understand?"

PC NORTON: "So you haven't got a licence?"

MANAGER: "Yeah, yeah, I have."

SGT SULLIVAN: "A personal licence, for you, like a drivers licence" (He indicates a small rectangle shape with his hand.)

MANAGER: "Yes I have a licence here, not for me, for someone else."

PC NORTON: "Yeah, where is he?"

MANAGER: "He is outside, not here."

PC NORTON: "Yeah, well you haven't got a license to serve it anyway?"

MANAGER: "He has a licence."

PC NORTON: "Yeah, but he's not here. Let me explain something to you, I'm not stupid and I wasn't born yesterday. You wouldn't have this stuff here if it wasn't being sold. I wouldn't have been told two weeks ago that you were selling alcohol, if someone hadn't seen it and told me okay? You don't need to lie to me."

MANAGER: "Yes."

PC NORTON: "I'm just doing my job, so that I'm trying to find out exactly why this stuff is still on display after you have been told by the council today that you shouldn't have it on display. There is not thousands of bottles here. You've got a big shop. You should be able to move that and put it somewhere else, or at least lock it away. The fact you have a shutter (I pull the shutter blind down to cover the alcohol) which works, but you don't have it shut is because I believe you're are selling it. Now I haven't proved the offence, but that's not the point. This is an offence (indicating the alcohol on display)."

MANAGER: "Yes, you are right. 100%."

PC NORTON: "I know I am. Also, even if you were thinking you could do it, because you think you are mistaken enough to have a licence, part of your regulations for this shop, (I pick up a tin of K 8%ABV and show him), that's not right. Do you know why?"

MANAGER: "You are right."

PC NORTON: "No, do you know why this particular drink isn't right?"

MANAGER: "Sorry my English is not very well."

PC NORTON: "Its been perfectly good up until now. 8 percent. What has the shop applied for? Maximum 6 percent. That's what your boss, or whoever is running the place, has asked for on their application. But there: 8 percent. This area is a major problem for street drinkers, people who like street drinking, like high strength beer. They get one tin of that and they get off their heads okay?"

MANAGER:" Yes."

That's the reason why this place is a cumulative impact zone. This whole area has a problem. So your application for an alcohol licence has to be approved by the council and the police.

MANAGER:"Yes."

PC NORTON:" I won't be approving it okay? I will argue it that you shouldn't have a licence to serve alcohol. Because clearly straight away, your application is just paying lip service to what we want to hear. You're not actually practicing what you preach. The fact you've got this stuff on display and had it here for weeks tells me everything I need to know. So whoever is in charge of it, you need to tell them the police are aware of it. This should be removed until you get a licence, which won't be at least until the 6th or 9th of November, when it goes to a hearing, which will be happen sometime after that. So I know you can't be having the alcohol here, because no one has applied for any kind of temporary notice either, okay?"

MANAGER:" Yes, You know something, because my English is not very good."

SGT SULLIVAN:" It's good enough."

MANAGER:" They sent already one paper, I have the picture..." (He opened a photo of the blue notice).

SGT SULLIVAN:" If your English is not good enough, maybe you should not be running the shop in charge of licensing issues."

PC NORTON:" What is your name?"

MANAGER : " Omid." They send this to my shop, you see this one. I think this is a licence."

PC NORTON:" No it's not a licence. It can't be a licence. It says here, this is a blue notice. A notice of application. It's what you put on the front of the shop so everyone knows you are having a shop with alcohol. That's what its for"

MANAGER:" Yes. I didn't know, trust me."

PC NORTON:" You're not the person who filled in the form are you? You're not the designated premises supervisor?

MANAGER: "For here? Yeah, before I did."

SGT SULLIVAN:" This needs to be removed." (Indicating the alcohol)

MANAGER: "Yes I do."

SGT SULLIVAN:" Let's be honest, three grown men, yeah, treat us with dignity and respect and we will treat you the same. You have CCTV?

MANAGER: "Yes."

SGT SULLIVAN:" Have you been selling the alcohol?

MANAGER:"Yes."

SGT SULLIVAN:"You have been selling the alcohol? I'll have a look at your hard drive, I will seize the hard drive and we will go through it and see if anyone takes it and goes to the counter. You want us to work with you, you need to be honest with us. Have you been selling the alcohol?"

MANAGER:" (Unintelligible comment)"

SGT SULLIVAN:" Have you sold any alcohol?"

MANAGER:" Before? Yes."

SGT SULLIVAN:"Today?"

MANAGER: "Today? (pause) Yes."



Two photos taken from Body Worn Video of PC NORTON showing the offence of displaying alcohol for sale without a licence. (Date and time stamped in top right hand corner).

Even if you believe the explanation given by Omid, that the premises licence was granted, they were breaching their proposed conditions:

STAFF TRAINING REGARDING THE FOUR LICENSE OBJECTIVES. Omid didn't even know if they had a licence or not. Even after being told this by the Council earlier the same day, he still suggested he had a premises licence when he spoke to police, nor did he have a personal licence.

BEER/CIDER ON SALE WILL NOT EXCEED 6%AVB. Tins of 8%ABV "K" on sale.

BEER/CIDER WILL BE SOLD IN PACKS OF 4 X MINIMUM. Clear evidence of separated beers for sale.

PREMISES WILL HAVE ALWAYS A PERSONAL LICENSE HOLDER ON DUTY. No personal licence holder present to sell alcohol.

Given the principle reason the CIZ's were put in place, this business provides clear evidence it is not fit to hold a premises licence for the purpose of alcohol sales. It seems very likely it that this premises, if the licence were granted, would merely add to the existing issues: more focused on its revenue stream than its responsibilities towards the licensing act.

For this reason, I oppose the license application.

Yours Sincerely,

Gary Norton 2965NW
Licensing Constable – Brent Police