

Mr Stewart Gibson
4 Brecon Close
Grantham
Lincolnshire
NG31 8FX

27 September 2023

Our Ref: 29399

Dear Mr Gibson,

Licensing Representation to the Initial Application for the Premises Licence at Costcutters 494-496 Neasden Lane North, NW10 0EA

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 variation to the premises licence under section 34 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.

The application seeks to extend the licensable hours to supply off sales of alcohol from Monday to Saturday 08:00 hrs – 23:00 hrs and Sunday 10:00 hrs to 22.30 hrs to supplying off sales of alcohol from Monday to Sunday for 24 hrs (00:00 hrs – 24:00 hrs).

Cumulative Impact Zone (CIZ)

The Council's has in 2022 reviewed its Cumulative Impact Policy and after assessing crime data from a variety of sources it showed sufficient evidence to implement CIZs in specified areas in Brent. This update has been included in the Brent Council Statement of Licensing Policy. In particular crime data and evidence shows a correlation between concentrations of off licences

and anti-social behaviour where alcohol is often a significant issue. Cumulative impact has been used as a term to describe the stress that a large number of licensed premises can have on crime and disorder, nuisance and the demand on local services.

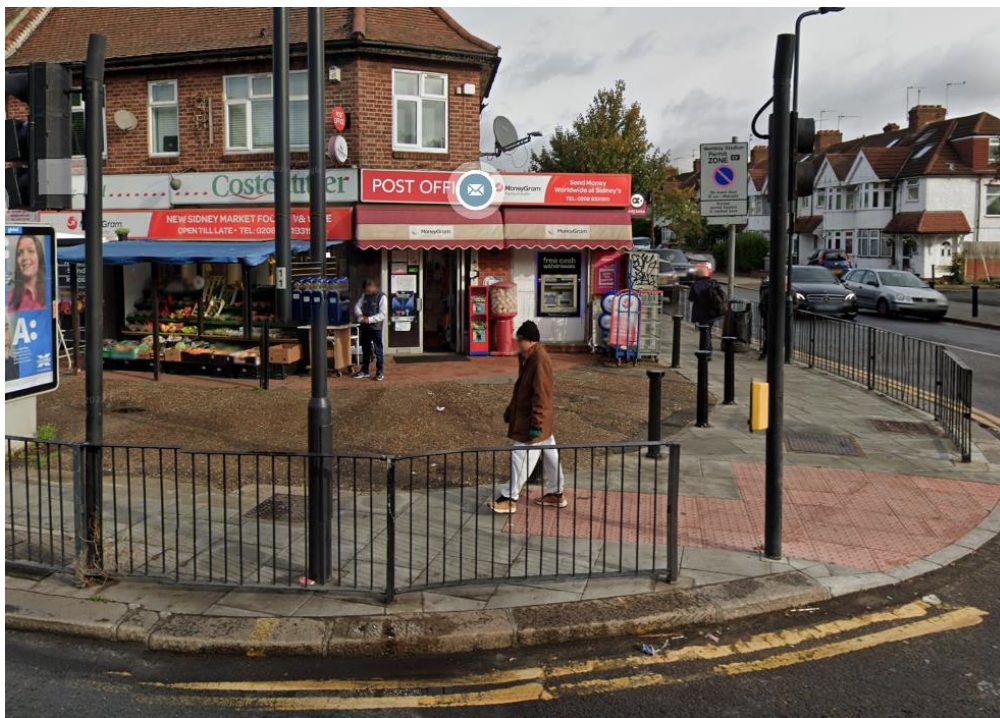
Neasden Town Centre

Neasden Town Centre have been identified as one of twelve Cumulative Impact Zones (CIZs) in Brent, where the authorising of further licences may undermine the promotion of the licensing objectives.

The Neasden Town Centre and surrounding locations are areas with high amounts of crime and anti-social behaviour. The Neasden Town Centre CIZ consists of the following areas; Neasden Lane, Neasden Lane North, Blackbird Hill, Birse Crescent, Forty Lane and Shoot Up Hill.

The Premises

The premises, namely 494-496 Neasden Lane North, NW10 0EA falls within one of Brent's CIZs.



Neasden town centre consists of a medium sized parade of shops that run along Neasden Lane to Neasden Lane North which is just off the North Circular Road. The premises is located on a road with heavy traffic and surrounded by residential dwellings. Neasden Lane North merges into Blackbird Hill. The town centre is primarily in Dudden Hill ward and in an area of medium to high levels of deprivation.

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 if a person to fails 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

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.

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.

I have assessed this application and feel that the applicant has failed to demonstrate how the extension of hours will not lead to a negative cumulative impact on one or more of the licensing objectives. The hours sought for the supply of alcohol will be at times when alcohol is likely to have a negative impact on crime/disorder, ASB and young people coming to harm.

It is on this basis, that the Licensing Authority ask that the application to vary the premises licence is **refused** by the Licensing Sub-Committee.

If the committee however decided that there is sufficient evidence to the contrary, the Licensing Authority would ask that the following conditions be added to the operating schedule:-

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 authorised Officers from Brent Council.
2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
3. A CCTV camera shall be installed to cover the entrance to the premises and further cameras to cover the entire inside of the shop including the till area.
4. A member of staff shall always be present on the premises whilst they are open who is capable operating the CCTV system and able to facilitate immediate viewing of CCTV footage upon the request of the Police and Authorised Officer of the Licensing Authority.
5. There shall be a minimum of 3 members of staff working between the hours of 23:00 hrs and 08:00 hrs.
6. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
7. There shall be a minimum of 1 SIA security guard on Fridays and Saturdays nights from 23:00 to 08:00 to control the entrance to the premise and to control order within the premises.
8. SIA Security shall wear clothing that can be clearly and easily identified on CCTV.
9. A register/log containing the names, badge number, dates & times of duty security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.
10. A "Challenge 25" policy shall be adopted and adhered to at all times.
11. A sign stating "No proof of age – No sale" shall be displayed at the point of sale.
12. A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.
13. Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo regular training (every 6 months) of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.
14. All alcoholic drinks shall be clearly labelled or marked with the trading name of the premises.

15. A notice asking Customers to leave quietly from the premises shall be displayed by the exit/entrance.
16. A single 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
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
17. No high strength beers, lagers, and ciders above 6% ABV shall be stocked or sold at the premises.
18. No single cans of beer, lager or cider be sold.
19. No miniatures (5cl or 50ml) to be sold.
20. All deliveries shall take place during the normal working day (i.e. 09:00 to 18:00 daily).
21. A lockable safe with deposit slot and anti-fishing mechanisms must be used at the counter till area in order to prevent crime.
22. A suitable intruder alarm and panic button shall be fitted and maintained.
23. An electronic till prompt should be used for all alcohol sales.
24. No 'Off Sale' deliveries permitted at any time.

Yours sincerely,



Christine White
Licensing Enforcement Officer

