



**METROPOLITAN  
POLICE**

**TOTAL POLICING**

The Licensing Officer  
Health, Safety and Licensing  
Brent Civic Centre  
Engineers Way  
Wembley  
HA9 7FJ

**Your ref: N/A**

**Our ref:**

**Brent Borough Licensing Unit  
Brent Civic Centre  
Fifth Floor  
Engineers Way  
Wembley  
HA9 7FJ**

**Tel:** 020 8733 3206

**Mob:** 07500 993899

**Email:** paul.whitcomb@met.police.uk

**Web:** www.met.police.uk

**Date: Monday 16th January 2017**

**Police representation to the application for a new Premises Licence at Aryubi Express, 225 Kilburn High Road, Kilburn London NW6 7JG.**

**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 licensing objectives for the reasons indicated below.**

Police Officer: **Paul Whitcomb PC 782QK**  
Brent Borough Police Licensing Constable

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. The Police representations are primarily concerned with the prevention of crime and disorder.

This is the second application made for a new 24 hour premises licence for this venue. The first was refused by Brent licensing committee back in November 2015 due to numerous issues, including the finding of illegal cigarettes on the premises. The applicant is the same as the original application, Mr. Mohammad Hashim Aryubi.

The application submitted is extremely poor. Although there is an operating schedule, it tells me little about how the applicant plans to operate a 24 hour off licence operation. The measures mentioned such as, '*Cigarettes and alcohol shall be covered at all times*' and '*No shouting allowed notice*' are just not workable in my opinion. I am concerned that very little thought has been put into the completion of the application in terms of measures that support the licensing objectives. As previously, Mr. Aryubi has stated that the shop is '*financially struggling*' and that

*'having alcohol is our only hope of surviving'*. Although I sympathise with the applicant's financial position, I believe that staff will be under huge pressure to make sales whenever they can with little or no thought given to the likely consequences of such pressured sale, such as selling to those already intoxicated, proxy sales and sales to those under the age of 18.

I attended the premise on Monday 16th January 2017 in order to speak with the applicant and/or his prospective DPS, Mr. Fazal Oryakhel. Neither was present, however, staff member, Mr. Abdul Aziz gave me a tour of the premises.

Of a particular concern I noticed that in the basement, which as been labelled, 'Store' on the plan, there was an inflatable bed on the floor with a pillow and bedding on top. It appears that this area is being used as a sleeping quarter. Although no explanation was given, I have seen this type of arrangement in other off licence stores in Brent before and generally, they are used to ensure staff sleep at the shop and then come back on duty for a quick rotation of staff. I am usually told that these areas are staff 'rest areas'. This is poor management in my opinion. The public safety licensing objective extends to those who work at the premises. I would suggest that a 'store room' should not be used as a staff rest or sleeping area either during or after a shift. I believe that the area will continue to be used should this application be granted.

I later spoke to the applicant on telephone. In relation to the bedding in the store room he told me that he would have these items removed immediately. Mr. Aryubi was unable to provide me with much more information as to how he planned to run the 24 hour operation. I asked Mr. Aryubi to tell me what the licensing objectives were. He was unable to name any of them. The lack of very basic licensing knowledge concerns me and this was an issue I encountered with Mr. Aryubi during his first application. I would have hoped that he had carried out some research this time around, sadly it appears not.

I also have general concerns about the shop. In April 2016, the shop was searched by police after a Court issued a search warrant under s.23 Misuse of Drugs Act 1971. Although no drugs were found during the search, officers found a hockey stick behind the till and a hammer. Further, officers discovered two boxes of self seal bags stored in the rear ground floor stock room. Although it is not an offence to possess these, such bags are usually used to place cannabis and other such controlled substances inside.

In summary, there does not appear to be any change from the first application submitted and then refused by Brent. I do not believe that the premises or the applicant are suitable for issue of a premises licence, for reasons already mentioned above, police respectfully ask that this application be refused.

Yours Sincerely,

**Paul Whitcomb PC 782QK**

Licensing Constable for  
Brent Borough Police