



**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: Thursday 2nd November 2017

Police representation to the application for a new Premises Licence for NKS Express Ltd, 154 Ealing Road, Wembley Middlesex HA0 4PY.

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.

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 application is a 24 hour licence for off sales of alcohol and for the provision of late night refreshment from 11.00pm to 5.00am Sunday to Sunday for consumption both on and off the premises.

Prior to this application, the applicant's agent, Mr. Jordan contacted police for a pre-consultation and advised us of this application. I made him aware of some of the issues in and around Ealing Road, particularly with alcohol related ASB.

On Friday 27th October 2017, PC Sullivan and I met with the Mr. Shah at his premises. The premises itself appears to have been split into two parts. On the left is the current newsagents and on the right a food business, which is not subject to this application. There is a large private forecourt at the front of the premises. At the rear

is a private garden which is for use of residents who live above the shop. Mr. Shah has use of a secured metal shed at the very rear of the garden which is used for storage of excess stock, but I am told that it will not be used for the storage of alcohol. Mr. Shah told me that he plans to extend the shop in future once the lease on the unit next door expires.

I explained to Mr. Shah that I have serious concerns around the operation of a 24 off licence on Ealing Road, where we already have issues with alcohol related ASB, street drinking in and around the area, including nearby One Tree Hill Park. The shop is also situated within an area subject to a 'public space protection order' (PSPO) aimed at tackling street drinking.

Mr. Shah stated that he felt that his new licence would benefit the area. When answering as to why he wanted a 24 hour licence, he made reference to (and to use his words) 'builders' who would come in at 5.00am. It remains unclear to me what he means by this. However, my concerns are that alcohol will be sold to those either finishing a night shift or starting an early shift and then street drinking. There are numerous factories in and around the local area, including Northfields Industrial Estate on Mount Pleasant, so this is a high possibility.

Late Night Refreshment (LNR)

In relation to late night refreshment I asked Mr. Shah why he wanted to supply late night refreshment to be consumed both on and off the premises, as the shop is very narrow and compact, I can't see where customers eating food could be comfortably accommodated other than out on the front private forecourt. Mr. Shah told me that this was a mistake on the application and he only wanted consumption to be 'off' the premises. In relation to the late night refreshment it remains unclear where the food/drink will be heated. There does not appear to be any facility for this and the plan shed's no further light on the issue. The operating schedule is vague in relation to how the LNR element will work and what measures will be taken to uphold the licence objectives. In particular, how will customers who are consuming food on the premises be prevented from also consuming alcohol on the premises?

Forecourt

I explained my concerns with the forecourt at the front of the premises and the fact that it had been included in the licensing plan. Although it is not shown within the licensable area, I am concerned as to how the licence holder plans to control this area. Particularly, as to how they plan to prevent loitering and street drinking within the forecourt. It is highly likely that customers will purchase alcohol from the shop and then consume it within the forecourt area. Mr. Shah appeared surprised when I pointed out that the forecourt had been included in his plan. He told me that the forecourt should not have been included on the plan at all.

In Conclusion

Mr. Shah admitted that he had not read the application submitted by his agent and knew very little about what had been written in the operating schedule. Other than staffing levels, Mr. Shah was vague on detail in terms of how he plans to run this 24 hour licensed operation, whilst fully upholding the licensing objectives. He had some knowledge of the licensing objectives, but was unable to name all four when asked, despite recently passing his personal licence test. In relation to questions around refusing late night sales to those already drunk, Mr. Shah stated that he would

'refuse the sale and tell them to go home'. In relation to a question about what he would do if someone appeared to be under the age of 25 (in relation to Challenge 25 policy and alcohol) Mr. Shah stated that he would, 'ask for I.D'. Although reasonable answers, I would have liked more from Mr. Shah. For example in relation to staff training, age verification policy signage, refusals log completed for those intoxicated ect. I would expect this level of knowledge from an applicant with a planned 24 hour operation. Again, this highlighted Mr. Shah's lack of understanding of what was written in his own operating schedule and this seriously concerns me.

During the meeting, Mr. Shah disclosed that the main reason from changing his current business model from a newsagent to an off licence was because of the huge financial pressure which he is under, particularly with the increase in rental price of the unit from which he operates. Although I sympathise with the applicant's financial position, I am concerned that staff may be under huge pressure to make sales whenever they can with little or no regard given to the likely consequences of such pressurised sale.

Finally, I would like make reference to paragraph 25.1 from Brent's statement of licensing policy in relation to Ealing Road;

Ealing Road

25.1

This area contains few off-licence and on-licence shops. It experiences heavy footfall due to the presence of Shri Sanatan Hindu Mandir Temple. However, **prevalent anti-social behaviour, loitering and public drinking occurs in residential alleys off Ealing Road. These alleys are often shielded from public view. Evidence of public drinking and loitering including littering is common.** This type of activity poses **unique challenges** to managing alcohol consumption.

I believe that a 24 hour off licence on Ealing Road will be detrimental to the licensing objectives, will likely further worsen alcohol fuelled ASB in an area where authorities are already struggling to deal with the current problems. The applicant has pointed out discrepancies in the application. I also feel there is a lack of thought around how this operation will work.

For reasons already pointed out above police request that this application is refused.

Paul Whitcomb PC 782QK

Licensing Constable for
Brent Borough Police