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Your ref: licence application 11111
Our ref: 01QK/86/18/965

**Brent Borough
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Date 13th March 2018

Police representation to the application for a new Premises Licence for 'Shurgard, Alperton Park Royal, North Circular Road, NW10 7QS (unit number 5407)'

I certify that I have considered the application 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.

Officer: Gary Norton
Licensing Constable PC 965QK

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 crime and disorder, public safety and protect children from harm.

These representations follow a meeting on Monday 12th March 2018 with Mr Verma in which we discussed his premises licence application. Also present at this informal meeting was PC Darren Cowley. We discussed several areas of concern, these points are summarised below.

Prevention of crime and Disorder

Mr Verma addressed how the use of CCTV would support the licensing objective of crime prevention. The text used in his **operating schedule** appeared to be stock phrases of reassurance more akin to shops, bars and pubs rather than the specific circumstances of Mr Verma's use of the storage unit. The access, maintenance and use of the CCTV is not Mr Verma's, but Shurgard's. Mr Verma stated in our meeting that Shurgard would "allow him access for £10 each time". There is no written confirmation from Shurgard that this is the case, or how CCTV requests would be dealt with efficiently to meet this licensing objective.

Mr Verma also stated in his submission that "alcohol can only be delivered to a residential or business address and not a public place." And "Drivers will not deliver to any person anywhere other than at the residential/business address given when the order was place." However, when we spoke in person, I

mentioned concerns over delivery drivers being assaulted and robbed when making deliveries. Mr Verma stated “the delivery guy won’t get out of the car, he will call the customer to come down to collect.”

Mr Verma stated his intent to have an incident book, which related to crime and disorder and incidents of fire at the premises/warehouse. However, there is no suggestion that he would record and maintain details of declined/rejected custom due to licensing legislation, such incidents as insufficient/fake i.d. or under aged persons attempting to purchase alcohol.

A more pressing concern is that Shurgard have not given permission to Mr Verma to use the unit for commercial purposes. He showed me the terms and conditions of Shurgard and my attention was drawn to the following:

2.8 The following are not permitted by the Customer:

- ▯ the Storage Unit may not be used as a workplace,
- ▯ no commercial activity may be exercised from the Storage Unit,

2.9 Customer is strictly forbidden from storing the following goods in the Storage Unit (this list is not exhaustive): combustible or flammable materials or liquids

2.10 If the Customer acts in violation of articles 2.8 and/or 2.9, Customer shall indemnify Shurgard for any damage Shurgard may suffer as a result and the Customer may be exposed to criminal prosecution.

Clearly, the unit is being used for commercial activity, as this is Mr Verma’s intended place of business. Mr Verma has tried to obtain written permission from a suitable representative of Shurgard to allow commercial activity, but to no avail. Nor has he acquired their written permission to accept the storage of bottles of spirits, which are flammable liquids. As stated in point 2.9 storing of flammable liquids is strictly forbidden. I doubt that Shurgard would offer written confirmation to accept Mr Verma that he could store such items in direct contravention of their own health and safety guidelines and fire regulations.

Point 2.10 of Shurgard’s policy suggests that if Mr Verma broke the terms and conditions in 2.8 and 2.9, **he may be criminally prosecuted**. I cannot condone or support such a business venture on this basis.

Protection of Children from Harm

Mr Verma stated in his efforts to support licensing objectives that he will adopt a challenge 21 policy. However, he then contradicts that commitment in points 4 and 7, stating if the person looked under 18yrs he would not allow the sale/delivery. Delivering alcohol generates a grey area in licensing and is hard to monitor. I asked Mr Verma what his deliveryman might do if he drives several miles at night and is confronted by someone who he has suspicions of being under age, but is offered a tip for his trouble. Mr Verma said he would be “trained and definitely wouldn’t do that, I would make sure of it.”

We discussed the training Mr Verma would provide his delivery driver with regards to responsibilities of carrying out the licensing objectives and this seemed to be “word of mouth” advice, rather than any formal training. There is an expectation on the delivery driver to confirm validity of the identification provided by the customer, as well as checking the persons age. When I asked Mr Verma if he knew how to use the UK driving licence number to confirm the date of birth of the licence holder, which would assist in checking whether the licence was genuine, he didn’t know. A lot of these identification checks would likely be taking place at night as Mr Verma stated this was when most delivery requests would be expected. Mr Verma has given no consideration to using any identification or age verification devices, which could greatly assist and support his commitment to the protection of children from harm objective.

UPDATED 26th MARCH 2018:

Following contact from Shurgard’s Area Manager, Mr Adam Merison, he explained that the company would not knowingly allow commercial activity to take place, nor allow the storage of alcoholic spirits due to fire regulations and health and safety concerns. He went on to say that if it came to light a client

was found to be operating commercial activities from a storage unit, they would be sent a 15 day notice to terminate arrangements and have to vacate the unit. Therefore, the facilities do not support Mr Verma's business objectives.

If this application were allowed to go ahead, I believe it would undermine the licensing objectives regarding public safety, crime prevention and protection of children from harm.

Yours Sincerely

Gary Norton 965QK
Licensing Constable
Brent Police