



The Licensing Officer  
Health Safety and Licensing  
London Borough of Brent  
Brent Civic Centre  
Engineers Way  
Wembley  
HA9 7FJ

11/12/2018  
Ref: 14388  
LA Ref: 01/QK/600/18/2157NW

***Police Representations to the Temporary Event Notices for***

**Lezziz Charcoal Grill, 13-15 Walm Lane, London, NW2 5SJ**

*I certify that I have considered the notices shown above and I wish to make representations that the use of the premises for the temporary event would undermine the crime prevention initiative, for the reasons indicated below.*

<i>Officer:</i>	<i>Nicola McDonald PC 2157NW</i>
<i>NW CU</i>	<i>Brent Licensing</i>

*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.*

*A Temporary Event Notices have been given under section 100 Licensing Act 2003 by*

***Mr Nihat ALGUL for the provision of late night refreshment on 31st December – 1<sup>st</sup> January 2019 from 0000 to 0500hrs.***

*Police are formally making representations to the notice under section 104 Licensing Act 2003. The Police objection is primarily concerned with the prevention of crime and disorder and public nuisance licensing objectives.*

The restaurant is situated in a parade of shops in a densely populated residential area and had operated as a smaller premises for a number of years on Walm Lane. Due to its increasing popularity and the owners desire to make more of the economic opportunities, he purchased the premises next door and gained planning permission to knock through and completely redesign the old and new



premises into a brand new one. They applied for a New Premises Licence whilst the building work was nearing completion, as the old was no longer valid. The Police received this on 3<sup>rd</sup> August 2018. This had two notable changes to the old licence. An application for an even later time to offer late night refreshments and the addition of the sale by retail of alcohol.

This would have the effect of increasing late night refreshments and closing times from 0300hrs to 0400hrs from Sunday to Thursday and from 0400hrs to 0500hrs on Friday and Saturday. The sale by retail of alcohol was requested until 0200hrs.

*As a Police Licensing officer, PC Norton had concerns over the extended hours as well as the introduction of alcohol sales, an obvious potentially aggravating factor to licensing concerns. I made representations on 16<sup>th</sup> August 2018 stating his concerns under the licensing objectives.*

*Part of the representations read:*

*“The applicant for the Lezziz Charcoal Grill has experience in running a similar business in the immediate area, but this was without supply of alcohol and with an earlier closing time.*

Willesden Green/Mapesbury wards have prevalent Anti-Social Behaviour (ASB) problems, drug dealing/user issues and other crime related problems. Due to these ongoing issues, it was necessary for the Metropolitan Police Service to authorise a temporary dispersal zone in an attempt to prevent and disrupt ASB and criminal activity in early 2018.

The combination of closing times at very late times and the extensive supply of alcohol often lead to a detrimental impact on licensing objectives, especially in areas already suffering issues. Extending alcohol supply into the early hours of the morning will add to crime, disorder and public nuisance and would likely exacerbate these existing problems in the area. Customers who drink alcohol over longer periods are likely to become more inebriated and less inhibited, leading to irrational and violent behaviour i.e. increased drunken disorder, crime and noise. Even if the premises patrons have no intention to commit crime, or cause ASB, they may find themselves a vulnerable victim of criminality, robbed, assaulted or involved in an affray in a hot spot area already known for such issues. Criminals often target prey upon the vulnerable, such as the heavily intoxicated out late at night. If the premises were open until 0500hrs, it would increase the possibility of disturbing the peace. Customers coming and going from the restaurant after finishing a meal or collecting a takeaway; inebriated patrons coming out to smoke; car doors banging and engines revving will all increase public nuisance issues. Therefore, Police would wish to have the opening times for the premises to match the applicant's previous establishment. We would also wish to reduce the licensable supply of alcohol hours as well for reason stated above. The plan is not clear as to whether or not there is a bar area, further clarification is needed. However, the conditions below assume a bar area of some kind is present in the application plans.”



Police requested the sale of alcohol to cease at 2300hrs rather than 0200hrs. The applicant and Police could not come to an agreement and the matter went to a hearing on 25<sup>TH</sup> September 2018. Prior to this date, it became apparent that as the premises was already open and continued to provide similar late night refreshments to the old premises, despite having no license. Therefore, I visited the premises on 24<sup>th</sup> August 2018 in the interests of transparency and fairness to avoid any misunderstandings.

PC Norton recorded the meeting via Body Worn Video with the applicant's son, and clearly explained that no alcohol could be sold or displayed and that late night refreshments should cease at 2300hrs. He was clearly taken aback, but Police offered him a possible solution in that they could consider Temporary Event Notices (TEN) to tide them over. Police also sent this information to his father, the applicant, on the 24/08/2018. Again, PC Norton stipulated the need to apply for TEN's whilst we awaited the outcome of the hearing.

Despite Police efforts to cooperate and offer this permissive assistance in the spirit of good relations, the premises continued to operate without a license, both in staying open until 0300/400hrs and by selling alcohol. This was borne out by a large number of residential complaints that I was made aware of by Brent Council. In fact, it highlighted a ground swell of complaints by residents who essentially were sick of years of ASB, noise, strong smells and as a result of the premises being open as late as 0300 & 0400hrs.

Police asked the Hearing Committee members to consider the residents on the closure time of the premises, rather than just PC Norton's initial representations (which had allowed them a similar time to before). Police reasons for this was we hadn't been aware of the level of discord amongst residents until the hearing approached, after Police representations were submitted.

The hearing led to the Committee granting a New Premises licence, but after weighing up the various sides of the argument, the times for late night refreshments and sale of alcohol were reduced- not extended.

The New Premises Licence timings were granted as:

Opening times

Sun-Thu 1100-0000hrs

Fri-Sat 1100-0100hrs

Sale of alcohol

Sun-Thu 1100-2330hrs

Fri-Sat 1100-0030hrs

Late Night Refreshments

Sun-Thu 2300-0000hrs



Fri-Sat 2300-0100hrs

Since the hearing, the Lezziz has repeatedly continued to breach their new license and had numerous written warnings from the council for doing so. Police also have body worn evidence of such a breach on Saturday 27<sup>th</sup> October 2018 at 0140hrs. Not only this, but when Sgt Volrath spoke to a member of staff (believed to be the applicants son), he was shown a copy of the old invalid license on the Council website via a mobile phone. This isn't simply a misunderstanding, it is blatant attempt to contravene licensing laws.

The applicant has lodged an appeal against the committee decision and this is due to be heard by Magistrates on 7<sup>th</sup> February 2019. In the intrim the applicant has submitted TEN's for 1<sup>st</sup> and 2<sup>nd</sup> December 2018 from 0100 – 0400 hours that were rejected and Christmas Eve which Police have also objected to.

Clearly driven by economic motives, the applicant is now attempting to use this notification to circumvent the findings of the Committee from the 25<sup>th</sup> September 2018 and extend the licensing hours for the lucrative night trade. All this at the expense of local residents who thought they might avoid further nuisance and have some quality of life late at night.

Based on these existing issues and considerations, Police request this TEN be rejected.

Yours sincerely,

PC Nicola McDonald 2157NW

Licensing Constable

Brent Licensing Team