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Case Reference: 16803

Licensing Representation to the Application to Review the Premises Licence at Food & Wine, 246-248 Neasden Lane, NW10 0AA

I certify that I have considered the application shown above and I wish to make representations that the likely effect of the review of the application is detrimental to the Licensing Objectives for the reasons indicated below.

Licensing Inspector: Esther Chan

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 to review the premises licence under section 51 of the Act.

Licensing Inspector's Comments:

The Licensing Authority is making this representation in support of the above review.

We believe that this review is necessary given the way the premise is being managed and would invite the Licensing Committee to take the steps it deems appropriate and proportionate to promote the licensing objectives.

History

On Thursday 11th July 2019, I conducted a visit with Licensing Inspector Susana Figueiredo and Sergeant Vollrath at Food & Wine, 246-248 Neasden Lane, NW10 0AA.

Prior to the visit, Ms Figueiredo met Sergeant Vollrath to discuss matters related to the CCTV recordings of the premises. The premise was being investigated due reported complaints of street drinkers in the area and information related to drug dealers using the premises to undertake illegal activity.

Ms Figueiredo advised Sergeant Vollrath that Mr Maiwand who is the nephew/son in law of the licenece holder told her that the police had stopped the CCTV footage when they visited on 6th July 2019, therefore the requested CCTV footage for 7th July 2019 was no longer available to view. Sergeant Vollrath confirmed that police officers never pressed any buttons when the visit took place.

Ms Figueiredo then met Mr Maiwand at the premises. She asked him why he stated that the Police had stopped the CCTV footage when the police visited the premise on 6th July 2019. Mr Maiwand replied by stating that he wasn't sure how the system had stopped recording but that as of 6th July 2019, there was no footage available. As a result, Ms Figueiredo was unable to check whether street drinkers had visited the premises on 7th July 2019.

Mr Maiwand led us to the store room / office to show us the CCTV recordings. On checking the CCTV recordings, it became apparent that the CCTV cameras do not cover the specific areas such as the beer fridge and the rear aisle where alleged drug dealings are undertaken. It was noted that there is limited visibility into the premise from the street which is an ideal space to facilitate drug dealing inside the premises.

Whilst we were in the store room, we observed various boxes containing paraphernalia used for drugs such as cannabis grinders, self-seal bags, aluminium cream whippers and blunt wraps. These goods were also stored behind the counter but not visibly exposed in public view. This would suggest that customers know these items are available upon request. More importantly, it would appear that the licence holder is aware of drug dealing happening in the area and inside the premises, which clearly undermines crime and disorder objective.

Summary

To summarise, the Licensing Authority support this application as we are not confident that the Licence Holder and DPS have a full understanding of the requirements under the Licensing Act in order to uphold the licensing objectives.

The licence holder has demonstrated a lack of responsibility and has not been transparent with officers. Moreover, he is encouraging and facilitating drug dealing.

It is evident that the Police and Licensing Authority have taken time and exhausted every avenue to help the licence holder uphold the licensing objectives.

The Licensing Authority believe that revoking the premise licence is the only option.

Yours faithfully,

Esther Chan
Licensing Inspector
Planning, Transportation & Licensing