



Alcohol and Entertainment Licensing Sub-Committee

Thursday 4 June 2020 at 10.00 am

This will be held as an online virtual meeting

Details on how to access the link in order to attend and view the meeting will be made available online [HERE](#)

Membership:

Members

Councillors:

Ahmed (Chair)
Long (Vice-Chair)
Kennelly

Substitute Members

Councillors:

Chohan, Hector, McLeish, W Mitchell Murray, Maurice,
RS Patel and Shahzad

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 6841; Email: devbai.bhanji@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit: www.brent.gov.uk/committees

The press and public are welcome to attend this as an online virtual meeting. The link to attend and view the meeting will be made available [HERE](#)

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item	Page
1 Apologies for absence and clarification of alternate members	
2 Declarations of Interests	
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.	
3 Application for New Premises Licence by Riteshkumar Chimanbhai Patel for the premises known as D & M Food & Wine, 3-4 Kilburn Bridge, Kilburn High Road, NW6 6HT, pursuant to the provisions of the Licensing Act 2003	1 - 38
4 Application for New Premises Licence by Mr Harshilkumar Patel for the premises known as Panav Food & Wine, 804 Harrow Road, Sudbury, HA0 3EL, pursuant to the provisions of the Licensing Act 2003	39 - 72

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LICENSING ACT 2003

Application for New Premises Licence

1. The Application

Name of Applicant:	Riteshkumar Chimanbhai Patel
Name & Address of Premises:	D & M Food & Wine, 3-4 Kilburn Bridge, Kilburn High Road, NW6 6HT
Applicants Agent:	Bonningtons Solicitors

The application is for a new premises licence:

- 1 For the sale and supply of alcohol and to remain open from 00:00hrs to 00:00hrs Monday to Sunday.

2. Background

The review of the Statement of Licensing Policy has introduced Cumulative Impact Zones for all new or variation applications for 'Off' licences in the borough.

Cumulative Impact Zones are a tool outlined in the Licensing Act 2003 to address alcohol related anti-social behaviour where authorising of further licences in a specific area may undermine the promotion of the licensing objectives.

This application falls within a Cumulative Impact Zone.

3. Promotion of the Licensing Objectives

See page 13 of the application form.

4. Relevant Representations

Representations have been received from the Police and Licensing Officers.

5. Interested Parties

None

6. Policy Considerations

Policy 1 – Process for Applications

Conditions on the licence, additional to those voluntarily sought/agreed by the applicant, may be considered. Conditions will focus on matters which are within the control of individual licensee and which relate to the premises or areas being used for licensable activities, the potential impact of the resulting activities in the vicinity. If situations arise where the licensing objectives may be undermined but cannot be dealt with by the use of appropriate conditions the Licensing Authority will consider whether it is appropriate for a licence to be granted or continue to operate.

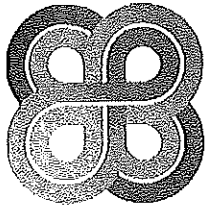
7. Determination of the Application

Members can take the following steps when determining a new premises licence application:

- grant the licence;
- exclude from the scope of the licence any of the licensable activities to which the application relates;
- refuse to specify a person in the licence as the premises supervisor;
- reject the application

8. Associated Papers

- A. Copy of Application Form & Plan
- B. Police Representation
- C. Licensing Representation
- D. OS Map



Brent

NEW PREMISES LICENCE APPLICATION FORM

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in **block capitals**. In all cases ensure that your answers are inside the boxes and written in **black ink**. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We RITESHKUMAR CHIMANBHAI PATEL

.....apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
3-4 KILBURN BRIDGE KILBURN HIGH ROAD	
Post town	Post code
LONDON	NW6 6HT

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ Yes

- a) An individual or individuals* please complete section (A)
- b) a person other than an individual*
 - i. as a limited company/limited liability partnership please complete section (B)
 - ii. as a partnership (other than limited liability) please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick ✓ Yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - o Statutory function or
 - o A function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

PATEL

RITECHKUMAR CHIMANBHAI

Date of Birth	[REDACTED]	I am 18 years old or over <input checked="" type="checkbox"/> (Please tick yes)
Nationality	[REDACTED]	

Current postal address if different from premises address

[REDACTED ADDRESS]

Post Town

[REDACTED TOWN]

Postcode

[REDACTED POSTCODE]

Daytime contact telephone number

[REDACTED TELEPHONE NUMBER]

E-mail address (optional)

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Date of Birth

I am 18 years old or over (Please tick yes)

Nationality

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name

Address

Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)

E-mail address (optional)

Part 3 Operating Schedule

Day Month Year

When do you want the premises licence to start?

0	5	0	2	2	0	2	0
---	---	---	---	---	---	---	---

If you wish the licence to be valid only for a limited period, when do you want it to end?

--	--	--	--	--	--	--	--

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

--

Please give a general description of the premises (please read guidance note 1)

CONVENIENCE STORE SITUATE AT 3-4 KILBURN BRIDGE ROAD,, KILBURN HIGH ROAD

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick [✓] (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the performance of films take place indoors or outdoors or both – please tick [✓] (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [✓] (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live Music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick [✓] (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick [✓] (please read guidance note 3)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 5)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick [✓] (please read guidance note 3).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [✓] (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon				<p><u>Please give further details here</u> (please read guidance note 4)</p> <p><u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)</p> <p><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)</p>	Both
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box ✓) (please read guidance note 8)	On the premises	
Day	Start	Finish		Off the premises	✓
Mon	00:00	00:00		<p><u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)</p> <p><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>	Both
Tue	00:00	00:00			
Wed	00:00	00:00			
Thur	00:00	00:00			
Fri	00:00	00:00			
Sat	00:00	00:00			
Sun	00:00	00:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name..... RITESHKUMAR CHIMANBHAI PATEL

Date of Birth..... [REDACTED]

Address..... [REDACTED]

..... [REDACTED]

Postcode..... [REDACTED]

Personal Licence number(if known) [REDACTED]

Issuing licensing authority (if known)..... [REDACTED]

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			
Wed			Non-standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name.....

Date of Birth.....

Address.....

Postcode.....

Personal Licence number(if known)

Issuing licensing authority (if known).....

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5)
Day	Start	Finish	
Mon	00:00	00:00	NONE
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	
			<p><u>Non-standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 6)</u></p> <p>NONE</p>

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 10)

THESE PREMISES HAVE BEEN A CONVENIENCE STORE WITH THE BENEFIT OF AN OFF LICENCE PREMISES FOR A CONSIDERABLE NUMBER OF YEARS. CCTV IS IN OPERATION AND NOTICE OF CCTV IN PLACE. STAFF ARE TRAINED IN RESPECT OF APPROPRIATE SAFETY & FIRE PROCEDURES AND ARE AWARE OF PROOF OF AGE POLICY.

b) The prevention of crime and disorder

THERE IS CCTV AT THE PREMISES AND DISPLAY OF NOTICE THAT CCTV IS IN OPERATION. AN INCIDENT BOOK IS KEPT. CUSTOMERS ARE NOT ALLOWED TO DRINK/EAT ON PREMISES. ALCOHOL MUST NOT BE SOLD TO INTOXICATED PERSONS.

c) Public safety

STAFF RECEIVE APPROPRIATE TRAINING ABOUT SAFETY PRECAUTIONS AND PROCEDURE. STAFF ARE MADE AWARE OF THEIR RESPONSIBILITIES REGARDING SALE OF ALCOHOL. STAFF ARE TRAINED AS TO FIRE SAFETY PROCEDURES AN INCIDENT BOOK IS KEPT

d) The prevention of public nuisance

SUITABLE SIGNAGE ON THE PREMISES
NOT SELLING TO INTOXICATED PERSONS

e) The protection of children from harm

- PROOF OF AGE POLICY - (PHOTO ID/PASSPORT/PHOTO DRIVING LICENCE)
- STAFF TRAINING
- CHALLENGE 21/25 POLICY

Checklist

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Declaration

- (Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership) I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
- The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)

Signature *R-C-Pose*

Date *10 FEBRUARY 2020*

Capacity *APPLICANT*

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) BONNINGTONS SOLICITORS 276 PRESTON ROAD	
Post town HARROW	Post code HA3 0QA
Telephone number 0208 908 6363	
E-mail address (optional)	

SUPERSAVE
PREMISES:3-4 KILBURN BRIDGE
KILBURN HIGH ROAD
LONDON
NW6 6HT



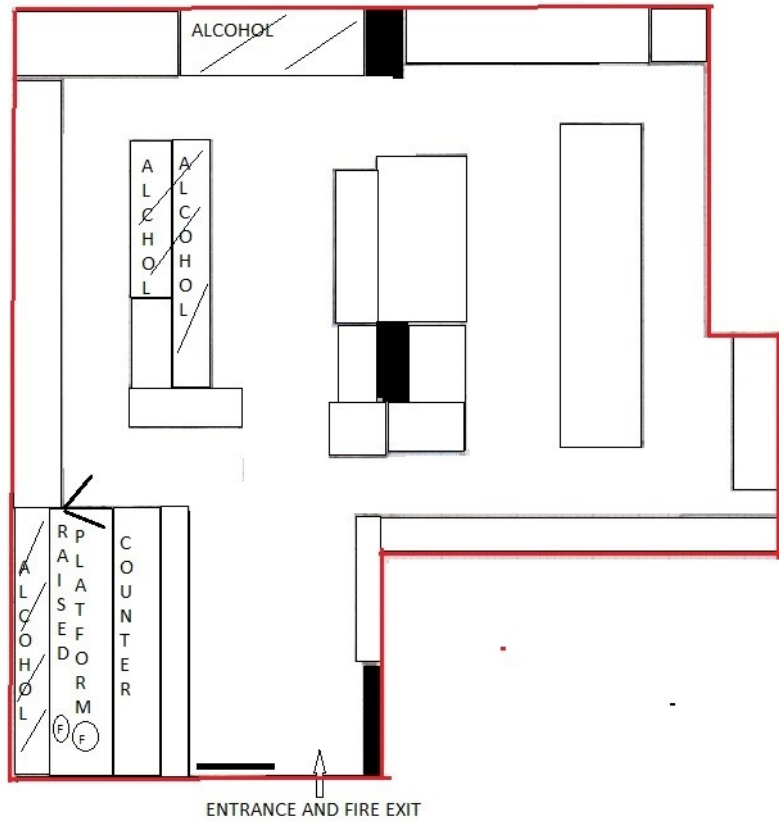
LICENSABLE AREA



ALCOHOL DISPLAY AREA



FIRE EXTINGUISHER 1 X 2KG CO2
1 X 6LTR FOAM OR EQUIVALENT



SCALE BAR



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**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

Brent Police Licensing Unit

Brent Civic Centre
Engineers Way
Wembley
Middlesex
HA9 0FJ

Brent Borough Licensing Department

Harrow Police Station
74 Northolt Road
Harrow
HA2 0DN
Tel: 020 8733 4530
Email: nwmailbox.licensingbrent@met.police.uk
Web: www.met.police.uk

Date: 19/03/2020

Your ref: 18676

Our ref: 01QK/122/2158NW/20

Police representation to the application for a new Premises Licence for D&M Food and Wine, 3-4 Kilburn Bridge, Kilburn High Road, NW6 6HT

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 Council's Licensing Objectives for the reasons indicated below.

I am of the opinion that the risk to the Council's licensing objectives can't be mitigated by simply requesting stringent conditions on the proposed licence. I request the application for a new premises licence be refused, for the reasons stated below.

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 premises licence under section 17 of the act.

The Police representations are primarily concerned with crime & disorder and public nuisance.

Officer: Ally Darwood
Licensing Officer 2158NW

Dear Sir/Madam,

On 3rd March 2020, an application was received from Mr Riteshkumar Patel for a Premises Licence under Section 17 of the Licensing Act 2003.

The application can be summarised as follows:-

D&M Food and Wine has applied to be a shop selling food and alcohol. Mr Patel has applied for a licence to sell alcohol (Off Premises) from 0000 hours until 0000 hours daily (24 hours a day) for all 7 days with the store to be open to the public during the same hours: 0000 hours – 0000 hours (24 hours a day) for all 7 days.

The application states that there will be a challenge “21/25” Policy. The application states that there will be CCTV and all staff will be trained in alcohol retail sales and an incident log kept.

Street Drinking is a serious and well documented problem in many areas of the borough of Brent. So much so that there have been a number of official measures put in place to restrict the supply and consumption of alcohol:

A Public Space Protection Order (PSPO) is in place for the Borough of Brent, which provides limited powers to the Police and Local authority to tackle a particular problem or nuisance that is detrimental to the local communities’ quality of life.

- Brent have implemented a PSPO to address anti-social behaviour in all their parks.
- Brent have introduced a borough wide PSPO to assist in dealing with street drinkers.
- Kilburn Bridge & Kilburn High Road is currently subject to a Cumulative Impact Zone (CIZ) relating to ‘Off Licences’.

The premises that this application refers to is situated on Kilburn High Road in the Kilburn ward. It is a terraced property with a number of other licensed venues in close proximity that can already sell alcohol and / or late night refreshments. It is directly opposite to Kilburn High Road Station, which has been subject to ASB and people caught drinking in and around.

It is known that Street drinkers adversely affect residents and businesses in this area. Local residents have complained about litter, drunk people urinating in the surrounding streets and behind the shops. Litter has been found in numerous places, gardens, parks and street corners, including broken glass beer/cider bottles.

The local Safer neighbourhood team (SNT) have been patrolling the ward and exploring legislation under the ASB act to issue Community protection warnings to people intent on causing ASB. If these warnings are ignored it will progress to a notice that if breached could result in arrest or fine. There are limitations to this legislations use and currently the SNT are exploring issuing warnings to the individuals on the street. With regards to addressing issues with licensed premises, the MPS have worked with the Local authority to provide regular updates of what happens in the area.

This has contributed to the implementation of a Cumulative Impact Zone (CIZ) in troubled areas, such as Kilburn ward. The use of anti-social legislation, such as CPW’s and CPN’s is time consuming for officers and cannot be solely relied upon to stop ASB, crime and disorder. It also impacts upon officer’s time, leaving them dealing with paperwork when they could be out in the area proactively patrolling their ward as a visible deterrent.

From a Police perspective, it is believed that any additional alcohol retailer within Kilburn Ward CIZ will add to the supply of alcohol to street drinkers and directly contribute towards the existing problem. The police see a reduction in the supply of

alcohol should be explored at every opportunity especially where it is thought the addition of a new premises would clearly exacerbate the problem(s) being experienced already.

The incidents listed below are taken from Police.uk. Using the crime map tool, I have highlighted an approximate 100m radius around the Premises (Less than one minute walk). The data below shows an overview of the crime in this area between February 2019 and January 2020.

Anti-Social Behaviour – 51 – 13.32%
Bicycle Theft – 5 – 1.31%
Burglary – 26 – 6.79%
Criminal damage and arson – 14 – 3.66%
Drugs – 9 – 2.35%
Other crime – 4 – 1.04%
Other theft – 57 – 14.88%
Possession of Weapons – 1 – 0.26%
Public Order – 31 – 8.09%
Robbery – 20 – 5.22%
Shoplifting – 36 – 9.40%
Theft from Person – 38 – 9.92%
Vehicle crime – 20 – 5.22%
Violence and Sexual Offences – 71 – 18.54%

As a snapshot I can confirm that each of the incidents listed below have been recorded as use of the 999 network and I have redacted characters from crime numbers that are available if so required by the committee. This is not an exhaustive list, but relevant to demonstrate that licensed premises are linked / associated with calls based on alcohol and the attraction to those intent on gambling or eating late night refreshments in the area;

19/01/2020 – 0218 – Criminal Damage / Bookmakers – 23018**/20
09/01/2020 – 0039 – Assault Crime – 19006**/20
08/09/2019 – 0211 – Alcohol / ASB
07/09/2019 – 0804 - Alcohol / ASB
03/09/2019 – 2120 - Alcohol / ASB
12/08/2019 – 2126 – ASB Nuisance
06/07/2019 – 0958 – Alcohol / Nuisance
11/06/2019 – 1150 - Alcohol / ASB
22/05/2019 – 1830 – Alcohol / Assault
22/03/2019 – 0656 - ASB Nuisance
06/06/2019 – 1656 – Alcohol / Suspicious Circumstances
13/01/2019 – 1125 - ASB Nuisance

***Each of the above entries is within 3-5 minutes' walk from 3-4 Kilburn Bridge, Kilburn High Road, NW6 6HT**

On Thursday the 19th March 2020 at 1100hrs, I contacted the applicant by telephone and asked if he was happy to answer a few questions about the application, to which he replied yes. I asked the following, and recorded his replies;

PC DARWOOD: Do you know what a CIZ is?
Mr PATEL: No I don't know.

PC DARWOOD: It's a Cumulative impact zone, do you know what that is?

Mr PATEL: No, but my solicitor should know

PC DARWOOD: Are you in regular contact with your solicitor?

Mr PATEL: Yes

PC DARWOOD: Who will work at the store?

Mr PATEL: Me and my wife.

PC DARWOOD: Are you a PLH?

Mr PATEL: Yes, we both are.

PC DARWOOD: How long have you been a PLH?

Mr PATEL: 5 Months

PC DARWOOD: Can you tell me the 4 licensing objectives?

Mr PATEL: Challenge 25?

PC DARWOOD: That relates to one of them but which one, what is the actual licencing objective that Challenge 25 applies to?

Mr PATEL: I can't remember.

PC DARWOOD: There are four of them, this knowledge is important for any PLH to know. Can you tell me any of them?

Mr PATEL: I don't know

PC DARWOOD: What opening hours are on your application?

Mr PATEL: 24 hours

PC DARWOOD: If these weren't granted what would you do?

Mr PATEL: I would ask for the previous licence hours. 0600-0200.

PC DARWOOD: What would you be selling?

Mr PATEL: Alcohol

PC DARWOOD: If you were unable to sell alcohol what would you sell, groceries, etc?

Mr PATEL: Sell the shop. I cannot afford the rent without alcohol sale.

PC DARWOOD: Your application says you live in Wembley, is this still the case?

Mr PATEL: Yes

PC DARWOOD: What do you know of Kilburn?

Mr PATEL: I know Kilburn very well

PC DARWOOD: Are you aware of the other stores that sell alcohol?

Mr PATEL: Yes

PC DARWOOD: What else can you tell me about Kilburn? Do you know the crime rates in the area?

Mr PATEL: Yes. Kilburn crime rate is high because of alcohol.

PC DARWOOD: Do you know of any schools in the area?

Mr PATEL: None of my shops are open near schools.

PC DARWOOD: Do you have any questions for me?

Mr PATEL: No, none.

I have strong concerns with the applicant's business plan for this premises. His sole purpose is to sell alcohol and by his own admission if this application were not granted he would sell the shop. He has stated that he is aware of the crime in the Kilburn area and knows that it is driven by alcohol. He has stated he is aware of the amount of licensed premises in existence already. He has also stated that there are no schools near any of his shops. A search on the internet shows several near the premises. Despite these admissions, Mr Patel did not have any knowledge of the four licencing objectives and has not given any indication as to how he will protect the public in any capacity other than the challenge 25 policy. It's inadvisable to open another store that's main purpose is to sell alcohol for 24 hours a day 7 days a week when the applicant appears to have little idea as to his responsibilities in relation to the licensing objectives. This, in an area subject to a CIZ, which is saturated with a number of similar competitors, and a community which is already suffering from an abundance of alcohol related ASB and crime.

This application, if granted, will directly contribute to the ongoing problems that the CIZ is in place to prevent.

Aside from my concerns, Kilburn Bridge and Kilburn High Road cannot cope with another off-licence. The area is already saturated with similar venues. There are 8 similar premises within a 300m radius. The temptation to provide lower cost alcohol in an attempt to undercut competition will be high. Police have seen an increase in similar types of premises obtaining alcohol from illicit sources (alcohol sourced from overseas but having not paid the duty, or handling stolen goods). This also damages the economy via criminal enterprise.

Even with the strictest of conditions attached ANY additional supplier of alcohol with the Cumulative impact zone will be a contributor to crime and disorder and anti-social behaviour.

I request that this application for a Premises licence at 3-4 Kilburn Bridge, Kilburn High Road, NW6 6HT – D&M Food and Wine be refused.

I do not believe there are any conditions that could be attached to the licence to negate the risk of the objectives being undermined. I accept the decision does not rest with me but with the committee. With that in mind, if the licence was granted I would ask for Licensable Activities and Opening Hours to be restricted from 24hrs and I would ask for the following conditions:

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and licensing officers immediately upon request. A member of staff fully conversant with the use and operation of the CCTV system and how to provide footage to police or local authority requests shall be present throughout the permitted hours for sale of alcohol.

2. A CCTV camera shall be installed to cover the entrance of the premises and capture clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises. Suitable signage re the use of CCTV must be displayed.

3. A sign stating "No proof of age - No sale" shall be displayed at the point of sale

4. A "Challenge 25" policy shall be adopted and adhered to.

5. An incident/refusal book shall be kept at the premises, and made available for Inspection on request to an authorised officer of Brent Council or the Police, which will record the details (including day, date, time, summary of incident)

of any of the following:

all crimes reported to the venue

all ejections of patrons

any complaints received

any faults in the CCTV system

any refusal of the sale of alcohol including 'Off Deliveries/sales of alcohol'

any visit by a relevant authority or emergency service.

6. A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the

premises.

7. Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo regular training of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.
8. "Robbery awareness" crime prevention measures shall be installed and all staff given suitable training.
9. A safe shall be installed by the till area with a deposit slot and delay mechanism and anti-fishing mechanism to assist staff.
10. Promotions that encourage irresponsible drinking shall not be permitted.
11. A clear and unobstructed view into the premises shall be maintained at all times.
12. A suitable intruder alarm complete with panic button shall be fitted and maintained.
13. No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked with the exception of premium beers.
14. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol
15. A minimum of two members of staff shall be present throughout the permitted hours for the sale of alcohol.
16. No single cans of beer, lager or cider shall be sold
17. No miniatures to be sold – (5cl or 50ml)
18. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.
19. All alcoholic drinks shall be clearly labelled or marked with the name of the premise.
20. A notice asking Customers to leave quietly from the premises shall be displayed by the exit/entrance.
21. Invoices are to be produced to Police, or a member of an appropriate authority, upon request to evidence payment of duty on goods.

Yours sincerely

Ally Darwood 2158NW

Brent Licensing Police Team

Bonningtons Solicitors
276 Preston Road
Harrow
HA3 0QA

24rd April 2020

Our Ref: 18676

Dear Sir/Madam,

Licensing Representation to the Initial Application for the Premises Licence at D&M Food and Wine, 3-4 Kilburn Bridge, Kilburn High Road, NW6 6HT

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

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 for a new premises licence under section 17 of the Act.

The Licensing Authority representations are primarily concerned with the four licensing objectives;

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

Cumulative Impact Zone (CIZ)

The Council’s current Licensing Policy came into effect 7th January 2016. Crime and complaints assessments in 2015, did not identify any requirement for a CIZs. However, since 2016 there has been a significant and notable increase in alcohol related crime and anti-social behaviour which is having an adverse impact in some areas and neighbourhoods generating complaints from residents, councillors and the Police. This is undermining the licensing objectives and also has potential to undermine the vitality of Brent’s town centres.

Data captured from various sources including alcohol related police and ambulance call outs have been mapped and have shown suitable evidence to implement CIZs in the specified areas. In particular crime data and evidence shows a correlation between concentrations of off-licences and alcohol related anti-social behaviour, particularly that associated with street drinking.

Kilburn High Road has been identified as one of ten Cumulative Impact Zones (CIZs) in Brent, where the authorising of further licences may undermine the promotion of the licensing objectives.

The Statement of Licensing Policy states: -

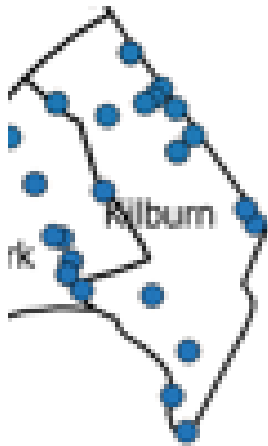
Kilburn High Road

This area is a hot spot for alcohol flagged Police call outs and high levels of alcohol related crime. Therefore, it is proposed a CIZ for off-licences be introduced along Kilburn High Road & Cricklewood Broadway from the junction of Temple Road to the junction of Cambridge Avenue.

Data captured from various sources including alcohol related police and ambulance call outs have been mapped and have shown suitable evidence to implement CIZs in the specified areas. In particular crime data and evidence shows a correlation between concentrations of off-licences and alcohol related anti-social behaviour, particularly that associated with street drinking.

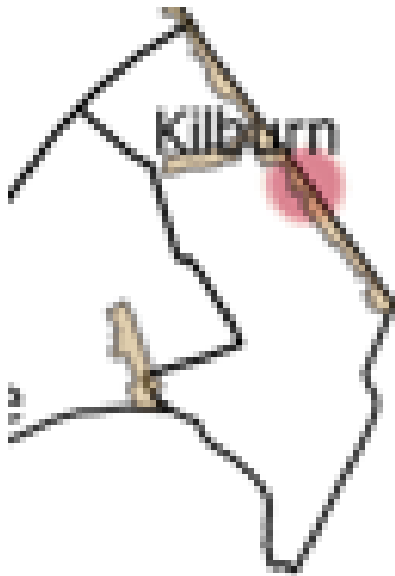
Street Drinking Hotspots

There are relatively few calls to police specifically about street drinking. This may be because they are recorded as other ASB types such as littering or noise. Between 01/06/2017 and 31/05/2018, there were only 53 calls to police. The following year, there were 142. This represents an increase of 168%. Part of this increase may be attributed to callers being aware of the borough wide PSPO on drinking in public which came into effect in October 2017.



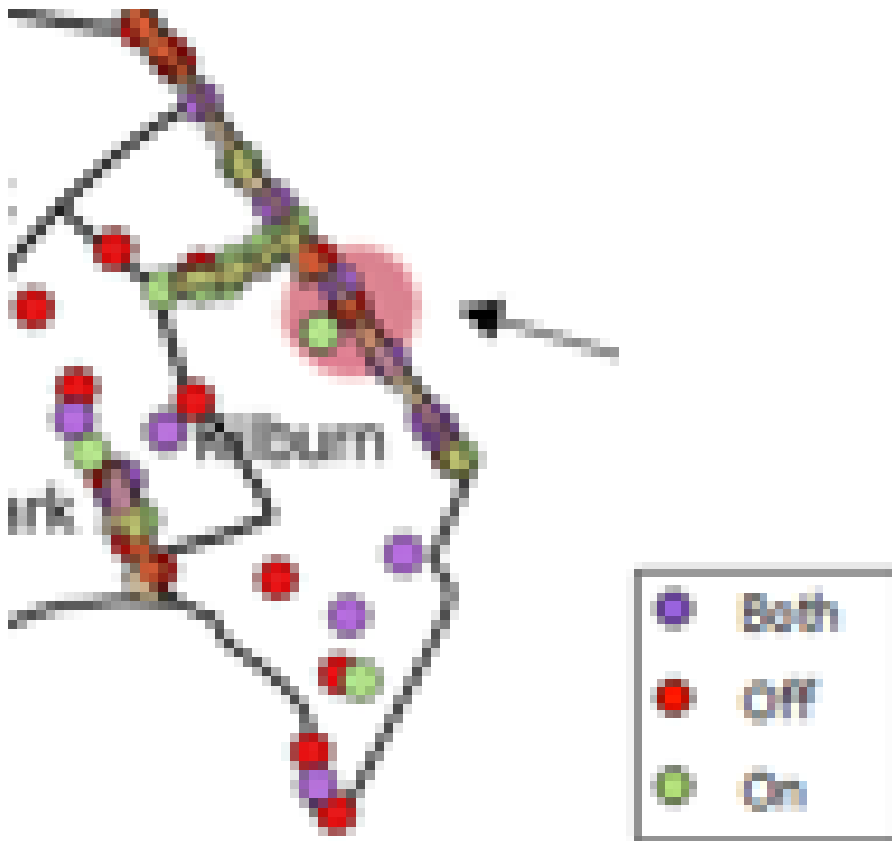
Calls to police specifically related to street drinking between 01/06/2017 and 31/05/2019

Hotspots in Brent in Ambulance and Police alcohol flagged call out data



Alcohol-related ambulance and Police calls between 01/06/2017 to 31/05/2019

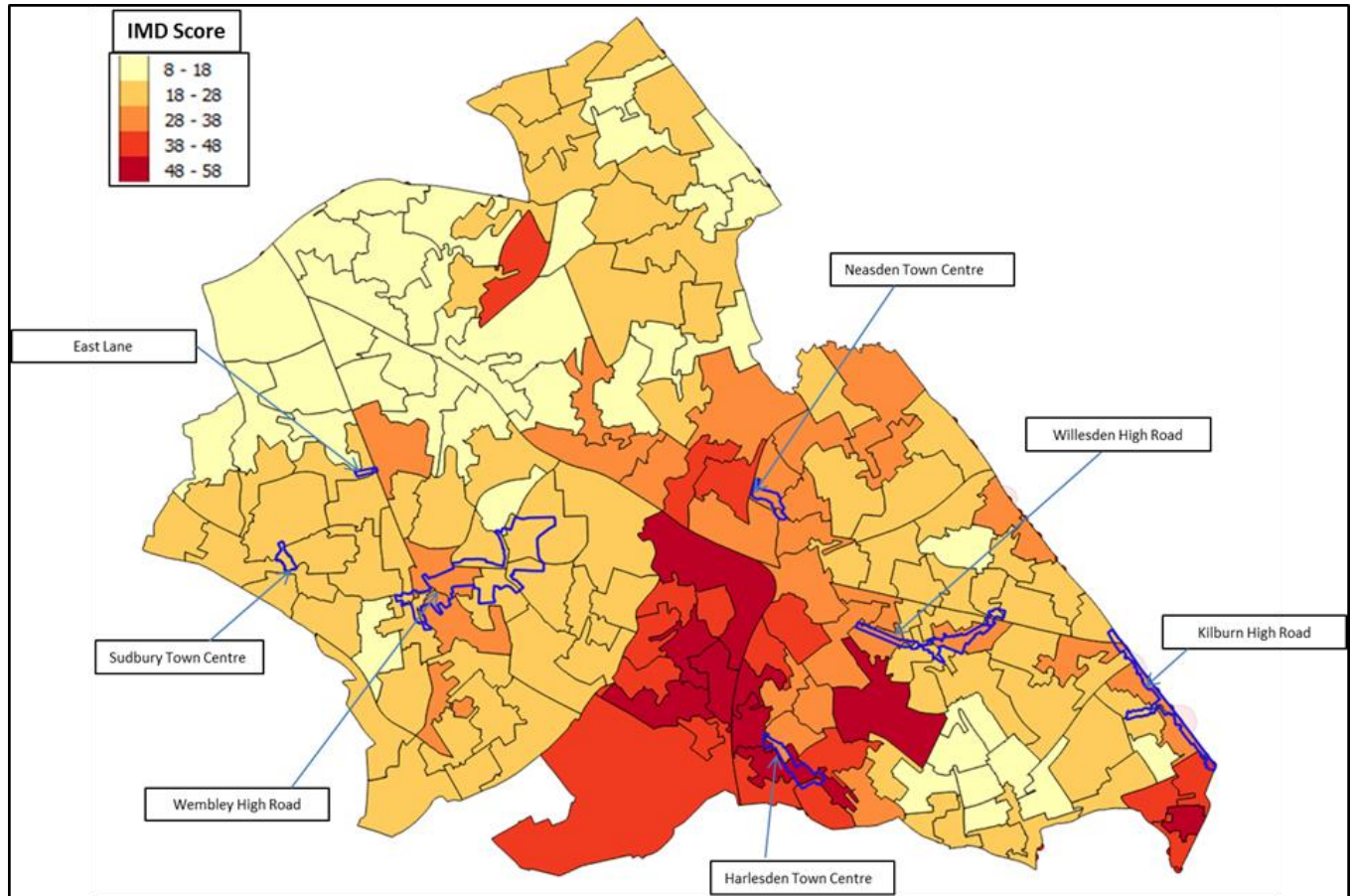
Hotspot of Violence with Injury Crimes



All violence with injury crimes between 01/06/2017 and 31/05/2019

Brent Index of Multiple Deprivation (IMD) score 2015 by Lower Super Output Areas

The Index of Multiple is made up of income deprivation, employment deprivation, education, skills and training deprivation, health deprivation and disability, crime, barriers to housing services and living environment.



Brent Index of Multiple Deprivation (IMD) score 2015 by Lower Super Output Areas

The purpose of the CIZ in Kilburn High Road is to address the issues mentioned above.

The Premises

The premises, namely D&M Food and Wine (formally known as Supersave), 3-4 Kilburn Bridge, Kilburn High Road, NW6 6HT falls within one of Brent's ten CIZs.



D&M Food and Wine, 3-4 Kilburn Bridge, Kilburn High Road, NW6 6HT

Kilburn High Road is a busy road that has a large shopping parade, which runs along the border of Brent and Camden. There are a number of licensed premises within a few minutes walk of each other. Kilburn High Road Station is located opposite the premise.



Off licence in red above is on Cambridge Avenue (Approx 257ft from the premise applying for the premise licence)



Public Space Protection Order (PSPO)

The entire Borough of Brent is subject to a Public Space Protection Order for street drinking and therefore it is an offence to drink alcohol in any public place.

If a police officer reasonably believes that a person is, or has been, consuming intoxicating liquor within these areas, the officer may require the person concerned:

- a) not to consume in that place anything which is, or which the officer reasonably believes to be, intoxicating liquor
- b) to surrender anything in his/her possession which is, or which the officer reasonably believes to be, intoxicating liquor or a container for such liquor (other than a sealed container)
- c) An officer may dispose of anything surrendered to him/her as above.
- d) Issue fixed penalty notices on offenders
- e) Prosecute persistent offenders

However, in reality there are limited police officer resources, which in practice would prevent the above from being enforced. This therefore places a greater emphasis on the responsibility of those premises that are selling alcohol for consumption off the premises. It is clear that if off licences did not exist, the number of street drinkers would decline.

Therefore simply selling alcohol to customers who once off the premises, are no longer the responsibility of the licence holder, the Designated Premises Supervisor (DPS) and/or members of staff is no longer a viable option.

Premises Licence Application

Operational Plan, Training Manual & Conditions

According to Section M of the application form, the steps described to promote the licensing objectives are general. The applicant mentions that the premises was an off licence for a number of years as a reason to grant this application.

The Licensing Authority would expect to see information on how the business plans to ensure that their particular premises will go above and beyond in promoting the licensing objectives in a crime hot spot.

Safeguarding the Local Area

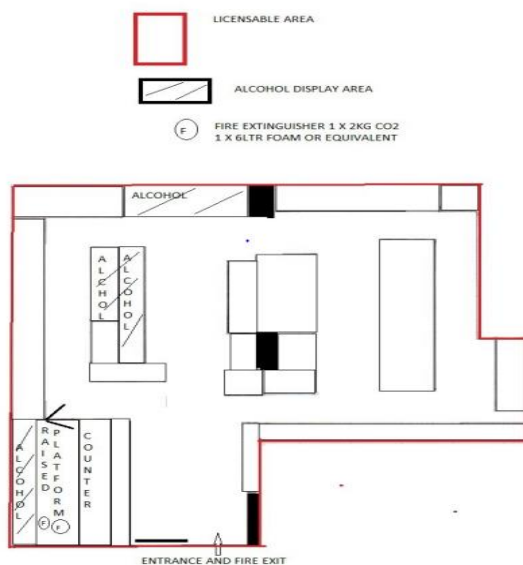
The Statement of Licensing Policy lists considerations to be made when applying for a new premises licence, particularly those considerations relating to street drinking.

However, there are no specific conditions that are mentioned in the application to address the likes of such things outside of the premises that could be directly linked back to the premises. This includes items such as the clearing up of litter which may be left outside the premises by customers, the labelling of alcohol with the premises name in order to link street drinkers back to the premises or measures to discourage street drinkers from loitering outside the premises.

As per Brent Council's Statement of Licensing Policy, a voluntary offering of a ban on high strength alcohol sales does not necessarily address the requirements under a Cumulative Impact Zone.

The Plan

Other considerations mentioned are the appropriate location of alcohol in relation to the sales counter so as to be directly supervised by staff. In the case of this application, the plan indicates that a vast amount of alcohol will be displayed around the premises. Relying on CCTV camera screens to watch customers would be difficult when there are other customers being served simultaneously.



On the 24th April 2020, I contacted the applicant Mr Patel via telephone to obtain further information in respect of his application. The following aspects were discussed:

Supply of Alcohol and Opening Hours

The applicant has proposed to open 24 hours for 7 days, which will include the sale of alcohol:

- Mr Patel said it is better for him to open 24 hours
- Mr Patel does not want to supply high strength beers, ciders and lagers as he is aware of the current issues with street drinking in the area.
- He believes 20% to 30% of his business will be generated from alcohol sales.

History & Previous Knowledge

A visit to the premise was conducted on 5th February 2020 and alcohol was exposed for sale in the premise. The previous premise licence was surrendered in December 2019, therefore the premise was not authorised to expose and supply alcohol. The applicant was made aware of the situation on the day of my visit, however he advised me that his solicitors had submitted the paperwork to transfer the premise licence, which was not case.

This indicates that the applicant had been supplying alcohol unlawfully for a period of time, when Mr Patel took over the premises on 29th November 2019.

- Mr Patel stated that he has experience running an off licence in Brent.
- In terms of the application form, he has not physically seen the paperwork but has spoken with his solicitor about it.
- Mr Patel said he will run the premises with his wife and two members of staff and train them.
- I asked him to explain the four licensing objectives, he directed me to speak to his solicitor as he has already explained it to another officer.

Summary

The Statement of Licensing Policy states that any licence application in a CIZ area will need to demonstrate with evidence that its operation will not add to any cumulative impacts that the CIZ is seeking to address. Further, new applicants and those applying for variations would be required to demonstrate how their premises will not contribute to street drinking in those areas.

The effect of adopting a CIZ is to “create a rebuttable presumption” that applications for licences which are likely to add to the existing cumulative impact will normally be refused (or subject to certain limitations) unless the applicant can demonstrate that there will be no negative cumulative impact on the licensing objectives.

Although the applicant mentions he has experience in running a similar premises in the past, the operating schedule fails to demonstrate that a grant will not lead to a negative cumulative impact on one or more of the licensing objectives and to the contrary add to the issues of an existing saturated area.

It is on this basis, that the Licensing Authority ask that the application for a new premises licence is refused by the Licensing Sub-Committee. Adding conditions to a premises licence, in the Licensing Authority’s opinion is not adequate when the application does not demonstrate what is being put in place in order to avoid further cumulative impact. Adding an additional off licence to the eight that already exist in the immediate area, will no doubt be detrimental to the local area.

If the committee however decide that there is sufficient evidence to the contrary, the Licensing Authority would ask that the following conditions be added to the operating schedule:-

The Licensing Authority require the following points to be included in the operating schedule or added as conditions on the premises licence:

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council.

2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
 3. A CCTV camera shall be installed to cover the entrance to the premises and further cameras to cover the entire servery area and till.
 4. A member of staff shall always be present on the premises whilst they are open who is capable operating the CCTV system and able to facilitate immediate viewing of CCTV footage upon the request of the Police and Authorised Officer of the Licensing Authority.
 5. Promotions that encourage irresponsible drinking shall not be permitted.
 6. A "Challenge 25" policy shall be adopted and adhered to at all times.
 7. A sign stating "No proof of age – No sale" shall be displayed at the point of sale.
 8. A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.
 9. Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo regular training (every 12 months) of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.
 10. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.
 11. All alcoholic drinks shall be clearly labelled or marked with the name of the premises.
 12. A notice asking Customers to leave quietly from the premises shall be displayed by the exit/entrance.
 13. A single incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
 14. No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked or sold at the premises.
 15. No single cans of beer, lager or cider be sold.
 16. No miniatures (5cl or 50ml) to be sold.
-

17. A clear and unobstructed view into the premises shall be maintained at all times.
18. Invoices are to be produced to Police, a member of an appropriate authority or council officers upon request to evidence payment of duty on goods.
19. All deliveries shall take place during the normal working day (i.e. 09:00 to 18:00 daily).
20. A lockable safe with deposit slot and anti-fishing mechanisms must be used at the counter till area in order to prevent crime.
21. A suitable intruder alarm and panic button shall be fitted and maintained.
22. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
23. All alcoholic drinks shall be clearly labelled or marked with the name of the premises.
24. An electronic till prompt should be used for all alcohol sales.

Reduction of Hours

Supply of Alcohol

Monday to Sunday – 09:00hrs – 22:00hours

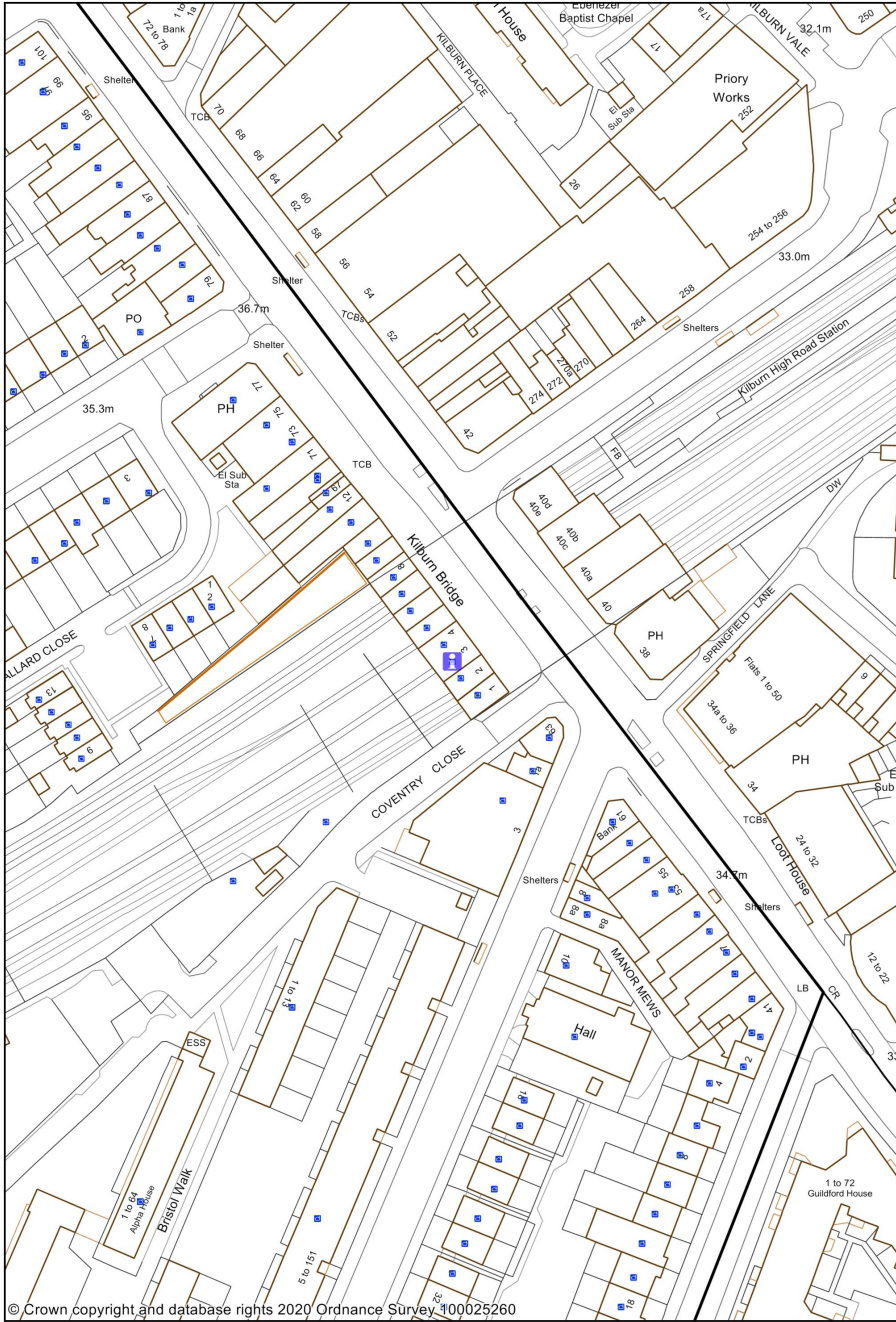
***No change to opening hours.**

Yours faithfully



Esther Chan
Licensing Inspector
Regulatory Services

D & M Food & Wine



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LICENSING ACT 2003

Application for New Premises Licence

1. The Application

Name of Applicant:	Mr Harshilkumar Patel
Name & Address of Premises:	Panav Food & Wine, 804 Harrow Road, Sudbury, HA0 3EL
Applicants Agent:	Mr Kapoor - Personal Licence Courses UK Ltd

The application is for a new premises licence:

- 1 For the sale and supply of alcohol from 10:00hrs to 23:00hrs and to remain open from 08:00hrs to 23:00hrs Monday to Sunday.

2. Background

The review of the Statement of Licensing Policy has introduced Cumulative Impact Zones for all new or variation applications for 'Off' licences in the borough.

Cumulative Impact Zones are a tool outlined in the Licensing Act 2003 to address alcohol related anti-social behaviour where authorising of further licences in a specific area may undermine the promotion of the licensing objectives.

This application falls within a Cumulative Impact Zone.

3. Promotion of the Licensing Objectives

See page 16 & 17 of the application form.

4. Relevant Representations

Representations have been received from the Police and Licensing Officers.

5. Interested Parties

None

6. Policy Considerations

Policy 1 – Process for Applications

Conditions on the licence, additional to those voluntarily sought/agreed by the applicant, may be considered. Conditions will focus on matters which are within the control of individual licensee and which relate to the premises or areas being used for licensable activities, the potential impact of the resulting activities in the vicinity. If situations arise where the licensing objectives may be undermined but cannot be dealt with by the use of appropriate conditions the Licensing Authority will consider whether it is appropriate for a licence to be granted or continue to operate.

7. Determination of the Application

Members can take the following steps when determining a new premises licence application:

- grant the licence;
- exclude from the scope of the licence any of the licensable activities to which the application relates;
- refuse to specify a person in the licence as the premises supervisor;
- reject the application

8. Associated Papers

- A. Copy of Application Form & Plan
- B. Police Representation
- C. Licensing Representation
- D. OS Map

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We MR HARSHILKUMAR PATEL

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description PANAV FOOD & WINE 804 HARROW ROAD SUDBURY			
Post town	WEMBLEY	Postcode	HA0 3EL
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£11,000.00	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname PATEL			First names HARSHILKUMAR		
Date of birth [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality [REDACTED]					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		[REDACTED]			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					

Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

OFF LICENCE AND CONVENIENCE STORE

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name MR HARSHILKUMAR PATEL	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) BRENT COUNCIL	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	23:00	
Tue	08:00	23:00	
Wed	08:00	23:00	
Thur	08:00	23:00	
Fri	08:00	23:00	
Sat	08:00	23:00	
Sun	08:00	23:00	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

1. Strict implementation of challenge 25 policy
2. CCTV to be installed and 31 days recording system
3. All staff to be trained in responsible alcohol retailing
4. Training manual will be available at the premises

b) The prevention of crime and disorder

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days. The recordings shall be made available to Police and authorised officers from Brent Council upon request.
2. CCTV cameras shall be installed to cover the entrance of the premises.
3. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders images of every person entering or leaving the premises.
4. A member of staff trained in the use of the CCTV system shall be available at the premise at all times that the premises are open to the public.
5. A copy of the premises licence summary including the hours which licensable activities are permitted, shall be visible from the outside of each entrance to the premises.
6. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
7. A clear and unobstructed view into the premises shall be maintained at all times.
8. Regular documented staff training on licensing legislation and operating procedures shall be given. The training shall be signed and dated and a copy of these training records available for inspection by Police and local authority enforcement officers.
9. No single cans of beer, lager or cider shall be sold.
10. No high strength beers, lagers and ciders above 6.0% shall be stocked or sold.
11. No miniatures to be sold (5cl or 50ml)
12. An incident log shall be kept at the premises and made available for inspection on request to an authorised officer of Brent Council or the Police. The incident log will record the following:
 - *All crimes reported to the venue*
 - *Any complaints received*
 - *Any faults in the CCTV system*
 - *Any incidents of disorder*
 - *Any refusal of the sale of alcohol*
 - *Any visit by a relevant authority or emergency service.*
13. All staff will have right to work in uk documents checked before being offered employment.

c) Public safety

1. Installation of appropriate safety equipment
2. Fire exit signs displayed
3. To comply with all current, fire, health and safety laws
4. CCTV working at all times

d) The prevention of public nuisance

1. Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighbourhood
2. Strict policy in place to tell all staff not to serve alcohol to drunks at all
3. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV

e) The protection of children from harm

1. A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.
2. The only acceptable ID will be those with photographic identification documents; including passport, photo-card, driving license or proof of age card bearing the PASS hologram.
3. An refusal book shall be kept at the premises and updated as and when required, and made available for inspection on request to an Licensing Officer, Police or other responsible authority.
4. The licensee will ensure that staff are trained regularly as appropriate in respect to the Licensing Act 2003 legislation, staff to be trained regularly in underage sales prevention.
5. All staff authorised to sell alcohol will be trained in the Challenge 25 scheme and this training will be documented to include the date the training was given, the name of the person who gave the training, the person who received the training and signatures by both trainer and trainee.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	M S KAPOOR
Date	04 – 03 – 2020
Capacity	DULY AUTHORISED AGENT

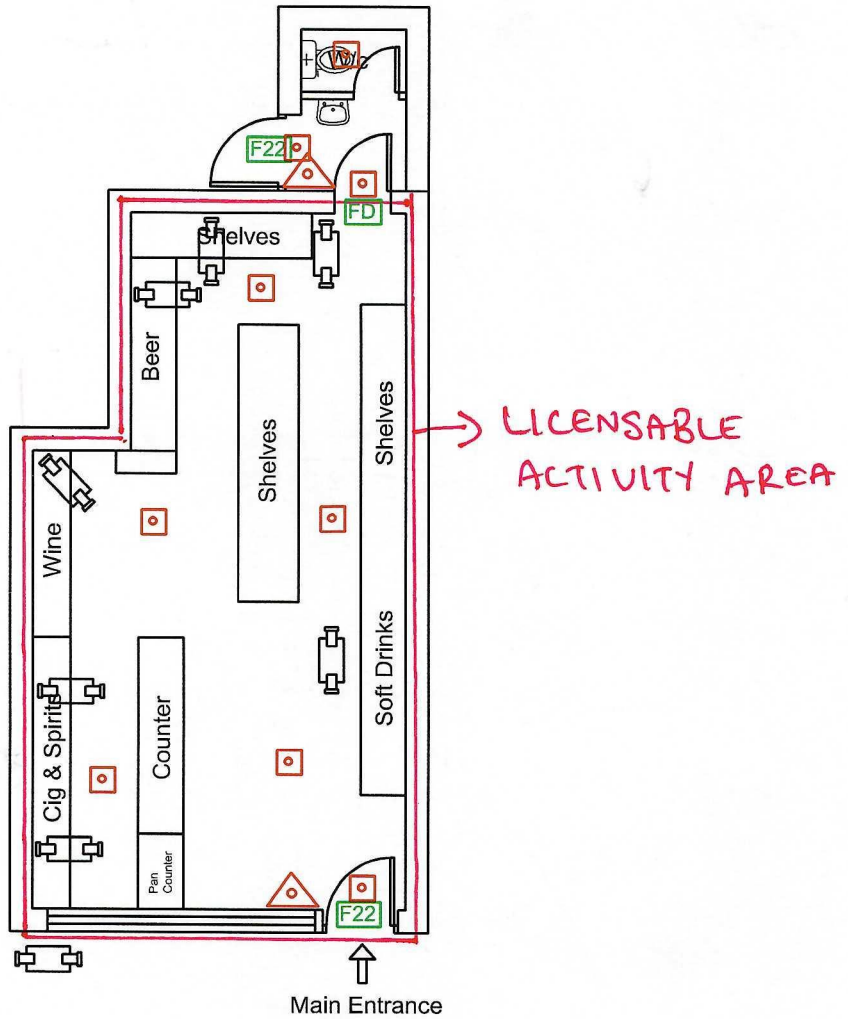
For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) M S KAPOOR PERSONAL LICENCE COURSES UK LTD 145 STATION ROAD			
Post town	WEST DRAYTON	Postcode	UB7 7ND
Telephone number (if any)	020 8606 0558		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) info@personalllicencecourses.com			

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PROPOSED LICENSING PLAN



Property Address:
804 Harrow Road
Sudbury
HA0 3EL

Drawing no: P/HBS/212		Date: 11th Feb 2020
Key	Scale: 1:100	Paper: A4
	FIRE EXTINGUISHER	
	FIRE EXIT SIGNS	
	EMERGENCY LIGHTING	
	Fire Check Door	
	CCTV CAMERAS	
CCTV RECORDING 31 DAYS		
SHUTTERS PROVIDED		
ALARM SYSTEM TO AOISPEC OR SIMILAR FITTED		

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**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

Brent Police Licensing Unit

Brent Civic Centre
Engineers Way
Wembley
Middlesex
HA9 0FJ

Brent Borough Licensing Department

Harrow Police Station
74 Northolt Road
Harrow
HA2 0DN

Tel: 020 8733 4530

Email: nwmailbox.licensingbrent@met.police.uk

Web: www.met.police.uk

Date: 17/3/20

Your ref: 18686

Our ref: 01QK/136/253NW/20

**Police representation to the application for a new Premises Licence for PANAV
FOOD & WINE, 804 Harrow Road HA0 3EL**

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 Council's Licensing Objectives for the reasons indicated below.

I am of the opinion that the risk to the Council's objectives can't be mitigated and request the application for a new premises licence within an area subject to a CIZ, be refused.

Officer: Damien Smith
Licensing Sergeant 253NW

Dear Sir/Madam,

On 4th March 2020 an application was received from Mr Harshilkumar Patel for a Premises Licence under Section 17 of the Licensing Act 2003.

The application can be summarised as follows:-

Panav Food & Wine has applied to be a shop selling food and alcohol. 'It would have the facilities to conduct licensable activity of sale of alcohol for consumption off the premises.' Mr Patel has applied for a licence to sell alcohol (Off Premises) from 1000 hours until 2300 hours daily for all 7 days with the store to open at 0800 hours and close at 2300 hours daily.

The application states that a challenge 25 Policy will be strictly implemented, CCTV that records for 31 days will be installed, all staff will be trained in alcohol retail sales and a training manual will be available at the premises.

Police wish to make representations to this application on all four of the licensing objectives with the following grounds:

Street Drinking is a serious and well documented problem in the Borough of Brent. So much so that there have been a number of official measures put in place to restrict the supply and consumption of alcohol:

A Public Space Protection Order (PSPO) is in place for the Borough of Brent which provides limited powers to the Police and Local authority to tackle a particular problem or nuisance that is detrimental to the local communities' quality of life.

- Brent have implemented a PSPO to address anti-social behaviour in all their parks.
- Brent have introduced a borough wide PSPO to assist in dealing with street drinkers.
- Harrow Road is currently subject to a Cumulative Impact Zone (CIZ) relating to 'Off Licences'.

The premises that this application refers to, is situated on the Harrow Road in Sudbury Town, Sudbury ward. It is a terraced property with a number of other licensed venues in close proximity that can already sell alcohol, or late night refreshments and has residential premises above. It is approximately 3 minutes' walk to Butlers Green Park, which has been subject to ASB and people caught drinking in the park. There is another larger park named Barham Park that is approximately 5 minutes' walk. Both of these parks have children play areas and drinkers have left half empty cans and bottles of alcohol in the park presenting risk to the public and has attracted adults seeking half empty cans in order to consume the contents. This also presents risk to children.

It is known that Street drinkers adversely affect residents and businesses in Sudbury Town. Local residents have complained about litter, drunk people urinating in the street and parks and behind the shops. Litter has been found in gardens, parks including broken glass bottles. One resident has repeatedly complained about the sale of alcohol to her son despite him being an alcoholic and has visited the venues along the parade in which this application has been made. There have been complaints of drinkers loitering in the area.

The local Safer neighbourhood team (SNT) have been patrolling the ward and exploring the legislation under the ASB act to issue Community protection warnings to people intent on causing ASB which if ignored will progress to a notice that if breached could result in arrest or fine. There are limitations to this legislations use and currently the SNT are exploring issuing warnings to the individuals on the street. With regards to addressing issues with premises the MPS have worked with the Local authority to provide regular updates of what happens in the area, which has contributed to the implementation of the CIZ for this ward/location. The use of CPW and CPN is time consuming for officers and would impact on the time in which they could be out of the work place patrolling their ward.

Attached to this application is a statement signed by the ward team sergeant responsible for the ward in which this premises is situated.

From a Police perspective it is believed that any additional alcohol retailer within Sudbury Ward (This CIZ) will add to the supply of alcohol to street drinkers and directly contribute towards the existing problem. The police see a reduction in the supply of alcohol should be explored at every opportunity especially where it is thought the addition of a new premises would clearly exacerbate the problem(s) being experienced already.

As a snapshot, I can confirm that each of these incidents listed have been recorded as use of the 999 network and I have redacted characters from crime numbers that are available if so required by the committee. This is not an exhaustive list but relevant to demonstrate that licensed premises are linked / associated with calls based on alcohol and the attraction to those intent on gambling or eating late night refreshments in the area;

29/4/19 1744 Hours Public order
1/7/19 2055 Hours ASB /Alcohol
6/7/19 0242 Hours ASB / Alcohol
16/7/19 1504 Hours ASB / Alcohol
2/8/19 1240 Hours Assault Crime 19**790/19
13/9/19 2358 Hours Assault Crime 19**587/19
3/11/19 0342 Hours Assault Crime 19**356/19
7/11/19 1947 Hours Assault Crime 19**810/19
18/1/20 1100 Hours ASB / Alcohol
18/1/20 2024 Hours GBH Assault Crime 19**516/20
20/2/20 1022 Hours ASB /Alcohol

***Each of the above entries is within 3-5 minutes' walk form 804 Harrow Road HA0 3EL.**

On Monday the 9th March 2020 I contacted the applicant by telephone to try and arrange a meeting at the new proposed premises. I have seen the premises and it is in the process of being fitted out and renovated. The applicant has displayed a blue notice detailing the hours applied for. I spoke to Mr Patel. He does not possess the keys yet as they are with the landlord. I asked if he could see if he can get the keys and I would call him back in twenty minutes. I called back and Mr Patel said he couldn't get the keys this week but aims to get them one day next week. I asked if he was happy to answer a few questions about the application to which he replied yes. I asked the following, and recorded his replies;

Do you know what a CIZ is? No. A what? – Cumulative impact zone. NO
Are you in regular contact with your agent? Yes.
Who will work at the store? Me and my wife.
Are you a PLH? Yes, me and my wife both are.
How long have you held your PLH? me 2 years, my wife 6 months.
What are the 4 Licensing objectives? – answered in own words but all 4 addressed by applicant
What will be your opening hours for the store? Applicant paused – maybe 1000 hours
What does YOUR application state? I don't know maybe 1000 hours, the agent did this for me
What will you be selling? Alcohol
What else? Take away Indian food, I want to run 2 business from the shop but first alcohol as off licence.
If you open before 1000 what will you sell at the shop? Nothing
If you aren't successful with application what will you sell? A pause, cigarettes and groceries, but if not successful this will be a big problem.
Have you run a licensed premises before? I used to work at 'Corals'.
Your wife? No this is a new venture for us both we will run and work there.
Do you live locally? Yes, we used to live by Ealing Road, we have moved but still live near the shop.

Are you aware of how many licensed venues are already near your proposed premises? Yes, but we want to try and see how it goes.
With you selling groceries, are you aware there are at least 3 other larger shops selling groceries, one being TESCO EXPRESS? Yes.
When will the shop be ready to open? We are hoping maybe April
Tell me more about the Indian takeaway please.....We want to do two business. First the off licence and then introduce Indian food in the evenings and provide alcohol with the take away food.
Will you use a third party for this? Yes maybe 'Just eat' or another company.
What can you tell me about the local area such as crime or any issues? I don't believe there are any.
I can provide you with internet links to check on crime in the area. Do you have internet access? No.
What else do you know about the area? There are schools we will use the challenge 25 process.

Do you have any questions for me / police?

I have my concerns with the applicant's business plan and ideas for the store, still seem uncertain. He resides locally and is aware of the amount of licensed premises in existence already. Going through some of the application it was soon apparent the applicant has entrusted the completion of the application to his appointed agent. At no stage did the applicant tell me that he was looking to open the store from 0800 hours and on a couple of occasions referred to alcohol sales 'maybe' starting at 1000 hours. I had to ask him twice about what else he would be selling while open. One answer was 'nothing' this heightens my concern that the applicant has concentrated on the sale of alcohol as being the highest yield for his investment into a new business. Mr Patel has indicated he at some point wants to sell take away Indian food, as with the licensed premises in the area there are several fast food premises in close proximity and two further take away shops selling similar food. It does not make business sense to me to open a store that might sell alcohol and might sell food in an area subject to a CIZ and in effect full of competition that is already creating issues upon the local community that the premises are meant to be there to serve.

Aside from my concerns, Sudbury Town cannot cope with another off-licence. The area is already saturated with similar venues. There are already similar premises within a 150m radius. The temptation to provide lower cost alcohol in an attempt to undercut competition will be high. Police have seen an increase in similar types of premises obtaining alcohol from illicit sources (alcohol sourced from overseas but having not paid the duty, or handling stolen goods).
Even with the strictest of conditions attached ANY additional supplier of alcohol with the Cumulative impact zone will be a contributor to crime and disorder and anti-social behaviour.

In the interests of upholding all four licensing objectives;

1. The prevention of Crime & Disorder
2. Public Safety
3. The prevention of public nuisance
4. The protection of children from harm

I most strongly request that this application for a Premises licence at 804 Harrow Road HA0 3EL – Panav Food & Wine be refused.

I do not believe there are any conditions that could be attached to the licence to negate the risk of the objectives being undermined. I accept the decision

does not rest with me but with the committee. With that in mind, if the licence was granted I would ask for the following conditions:

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and licensing officers immediately upon request. A member of staff fully conversant with the use and operation of the CCTV system and how to provide footage to police or local authority requests shall be present throughout the permitted hours for sale of alcohol.

2. A CCTV camera shall be installed to cover the entrance of the premises and capture clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises. Suitable signage re the use of CCTV must be displayed.

3. A sign stating "No proof of age - No sale" shall be displayed at the point of sale

4. A "Challenge 25" policy shall be adopted and adhered to.

5. An incident/refusal book shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the details (including day, date, time, summary of incident)

of any of the following:

all crimes reported to the venue

all ejections of patrons

any complaints received

any faults in the CCTV system

any refusal of the sale of alcohol including 'Off Deliveries/sales of alcohol'

any visit by a relevant authority or emergency service.

6. A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.

7. Any staff directly involved in selling alcohol for retail to consumers, staff who provide

training and all managers will undergo regular training of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.

8. "Robbery awareness" crime prevention measures shall be installed and all staff given suitable training.

9. A safe shall be installed by the till area with a deposit slot and delay mechanism and anti-fishing mechanism to assist staff.

10. Promotions that encourage irresponsible drinking shall not be permitted.

11. A clear and unobstructed view into the premises shall be maintained at all times.

12. A suitable intruder alarm complete with panic button shall be fitted and maintained.

13. No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked with the exception of premium beers.

14. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol

15. A minimum of two members of staff shall be present throughout the permitted hours for the sale of alcohol.

16. No single cans of beer, lager or cider shall be sold

17. No miniatures to be sold – (5cl or 50ml)

18. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.

19. All alcoholic drinks shall be clearly labelled or marked with the name of the premise.

20. A notice asking Customers to leave quietly from the premises shall be displayed by the exit/entrance.

21. Invoices are to be produced to Police, or a member of an appropriate authority, upon request to evidence payment of duty on goods.

***Should the applicant introduce the take away food:**

22. All 'OFF Sales' must accompany a meal order and an age verification policy must be in place at the point of order and at the point of delivery/supply. Delivery drivers must be instructed to verify the identification by means of photo ID if it appears the person being delivered alcohol appears to be aged under 25 (Refusals log – as above)

Yours sincerely

Damien Smith 253NW

Brent Licensing Police Team

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Yu Zhang

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: *Yu Zhang* *Z Zhang* Date: 09/03/2020

This statement is written in regards to the new licensing application for Panav Food & Wine. I am currently the SNT ward sergeant for Sudbury Ward. I have been in this position now for over 2 years. I am aware of this new application based on the applicant displaying a notice on the premises and via the Police licensing team who notified me that the area is subject to a Cumulative Impact Zone (CIZ) As the ward sergeant I am confident I can explain what the ASB and drinking problems are like in the area where this premises is situated.

The location of this new license is at 804 Harrow Road, this is a parade of shops between Rugby Avenue and Elton Avenue. This location already has numerous off licenses and other shops which sell alcohol. There is a Tesco very close by as well. I feel there is little need to add another shop which sell alcohol in the area. This would only serve to drive down the price and cheap alcohol. Cheap and readily accessible alcohol would in turn increase ASB such as street drinking, drunk and disorderly behaviour and other associated crimes.

Sudbury SNT Ward holds a Ward Panel meeting every 3 month. The purpose of this meeting is for the local police officers to meet with representatives of the local community. These representatives can raise their local concerns and task ward Promises. These promises are issues that the local community would like police to deal with. Every single meeting the issue of street drinking and related ASB is raised and it has been one of the 3 Ward Promises on numerous occasions. This means that even when compared to other much more serious crime such as robberies, the local residents would rather we concentrate on street drinking. Their reasoning behind is that whilst robberies is very impactful when it happens, the changes of it happening is slim. On the contrary, street drinking and ASB happens on a very regular basis and over time could have a significant effect on one's wellbeing. While I appreciate I don't know how the new owner (s) would operate their business I am conscious that we are struggling to tackle those already in existence hence why the Council implemented the CIZ.

The location of the license is very near to Rugby Avenue. The junction of Rugby Ave and Harrow Road is one of the hotspot of Street drinking and ASB. On an almost daily basis there are groups of up to 10-15 males loitering at this street corner. They stay there well into the early hours of the morning. They live a large amount of litter on private premises and the level of noise they made greatly affects the residential houses they are congregating next to. They also block access to the alleyway and garages. This street drinking and ASB is one of the reasons why the local residents and shop keepers have gated that alleyway.

Witness Signature: *Yu Zhang* *Z Zhang* *Z Zhang*

Signature Witnessed by Signature:

Continuation of Statement of:

Just next to Rugby Avenue there is a Betting Shop. The combination of the off licenses and Betting Shop already attracts a lot of ASB to the area. Even though the Betting Shop have a strict no alcohol rules this simply means the drinkers often gather right outside the Betting Shop. The combination of being drunk and losing money often provide the catalyst for other offences such as drunk and disorderly, criminal damage of the betting shop and other property nearby as well as assaults.

Sudbury Park Mansions is a small private residential block near the junction with Elton Avenue. We've received numerous complaints regarding ASB in that location. Groups of youth of force their way into the block, breaking the front door in the process. I'd had to request that front door to be fixed every few months. As well as drink these youth would also smoke cannabis. I know this because I've seen the rubbish left behind, there are cans and bottles of alcohol often left for the residents to clean up. Last week I also a very large pile of vomit left on the stairwell. Again these groups of youth make a lot of noise, intimidate the local residents and have even assaulted them. The stairwell is narrow and it is very unpleasant for the local residents to have to walk past these youth to get back to their own homes.

Sudbury and Harrow Road Train station suffer from much of the same issues as Sudbury Park Mansions. Groups of youth would sit at the platform, drinking and smoking cannabis. The way the station is designed means that all the commuters have to walk past this group as they use the station. This means that a large proportion of local residents are affected by the ASB and street drinking at this location.

Butlers Green is a green space (Park) just up the road, about 100 metres away. In the summer month there are groups of up to 20 people gathering at the location consuming alcohol. This spot again is one of the locations that comes up again and again at resident meetings for being a hot spot for ASB. Adding another off license to the area would fuel the ASB at this location even more. Brent Council introduced Public space protection orders for parks (PSPO). The orders do offer an enforcement aspect but this has limitations and requires resourcing to be available when the ASB or drinking is taking place at all hours.

These small off licenses are often also focal points for other crime such as theft and fraud. I've personally dealt 2 fraud offences where the suspect have taken stolen bank cards and gone around the off licences to commit fraud. Just a few months ago my team reported a linked series of 3 theft from motor vehicles where they have broken into cars at Vale Farm sports centre (5 mins walk of this premises). One of the victims who had his contactless card stolen reported that his card was used within very quick succession in 3 or 4 shops on the Harrow Road near 804 (This premises). Having gone to check CCTV and asked for the receipts it was found that alcohol was the preferred choice and purchased for a lot of these transactions.

I am all for new business opportunities and have nothing against the applicant but I am mindful that this area is saturated with licensed premises that sell alcohol, hot food and offer betting/gambling facilities. As I refer to above the Police are already tackling issues in the area and the introduction of a new shop selling alcohol simply put, will not help the community who are experiencing regular poor behaviour with individuals intent on drinking, causing ASB.

Witness Signature: *Yv. [Signature]*

Signature Witnessed by Signature:



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Engineers Way
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MR HARSHILKUMAR PATEL
Panav Food & Wine
804 Harrow Road
Sudbury
HA0 3EL

16 March 2020

Dear Sir/Madam,

Licensing Representation to the Initial Application for the Premises Licence at Panav Food & Wine, 804 Harrow Road, Sudbury, HA0 3EL

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

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 for a new premises licence under section 17 of the Act.

The Licensing Authority representations are primarily concerned with the four licensing objectives;

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

Cumulative Impact Zone (CIZ)

The Council's current Licensing Policy came into effect 7th January 2016. Crime and complaints assessments in 2015, did not identify any requirement for a CIZs. However, since 2016 there has been a significant and notable increase in alcohol related crime and anti-social behaviour which is having an adverse impact in some areas and neighbourhoods generating complaints from residents, councillors and the Police. This is undermining the licensing objectives and also has potential to undermine the vitality of Brent's town centres.

Sudbury Town has been identified as one of ten Cumulative Impact Zones (CIZs) in Brent, where the authorising of further licences may undermine the promotion of the licensing objectives.

The Statement of Licensing Policy states: -

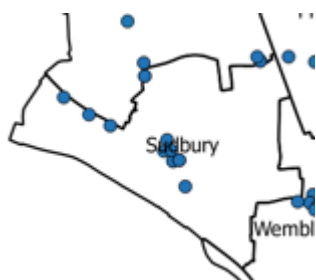
'Sudbury Town – Harrow Road and Watford Road

This relatively small town centre has a relatively high number of alcohol related ambulance call outs and anti-social behaviour. The Licensing service also receives high volumes of calls regarding street drinking. It is proposed that a CIZ be introduced for off-licences on Harrow Road from the junction of Sudbury Roundabout (adjacent to District Road) up to the junction of Chestnut Avenue, along Watford Road up to the junction of Homefield Avenue'.

Data captured from various sources including alcohol related police and ambulance call outs has been mapped and shown sufficient evidence to implement CIZs in the specified area. In particular crime data and evidence shows a correlation between concentrations of off-licences and alcohol related anti-social behaviour, particularly that associated with street drinking.

Street Drinking Hotspots

There are relatively few calls to police specifically about street drinking. This may be because they are recorded as other ASB types such as littering or noise. Between 01/06/2017 and 31/05/2018, there were only 53 calls to police. The following year, there were 142. This represents an increase of 168%. Part of this increase may be attributed to callers being aware of the borough wide PSPO on drinking in public which came into effect in October 2017.



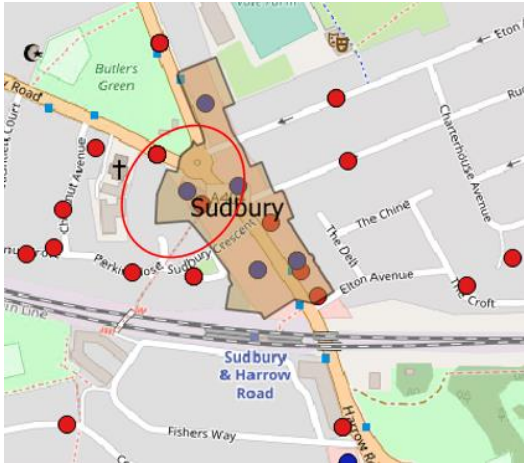
Calls to police specifically related to street drinking between 01/06/2017 and 31/05/2019

Hotspots in Brent in Ambulance and Police alcohol flagged call out data



Alcohol-related ambulance and Police calls between 01/06/2017 to 31/05/2019

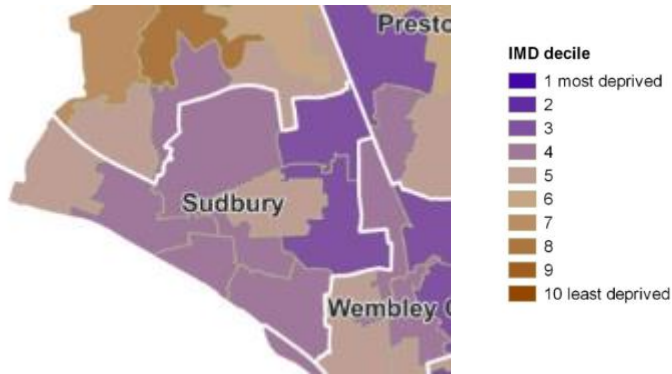
Hotspot of Violence with Injury Crimes



All violence with injury crimes between 01/06/2017 and 31/05/2019

Brent Index of Multiple Deprivation (IMD) score 2015 by Lower Super Output Areas

The Index of Multiple is made up of income deprivation, employment deprivation, education, skills and training deprivation, health deprivation and disability, crime, barriers to housing services and living environment.

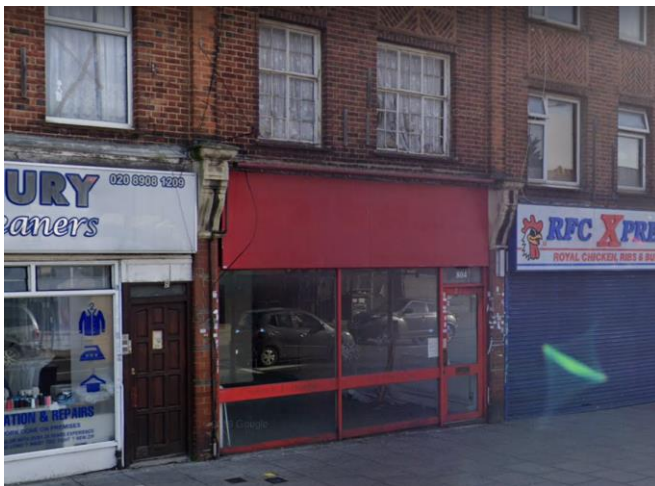


Brent Index of Multiple Deprivation (IMD) score 2015 by Lower Super Output Areas

The purpose of the CIZ in Sudbury, is to address the issues mentioned above.

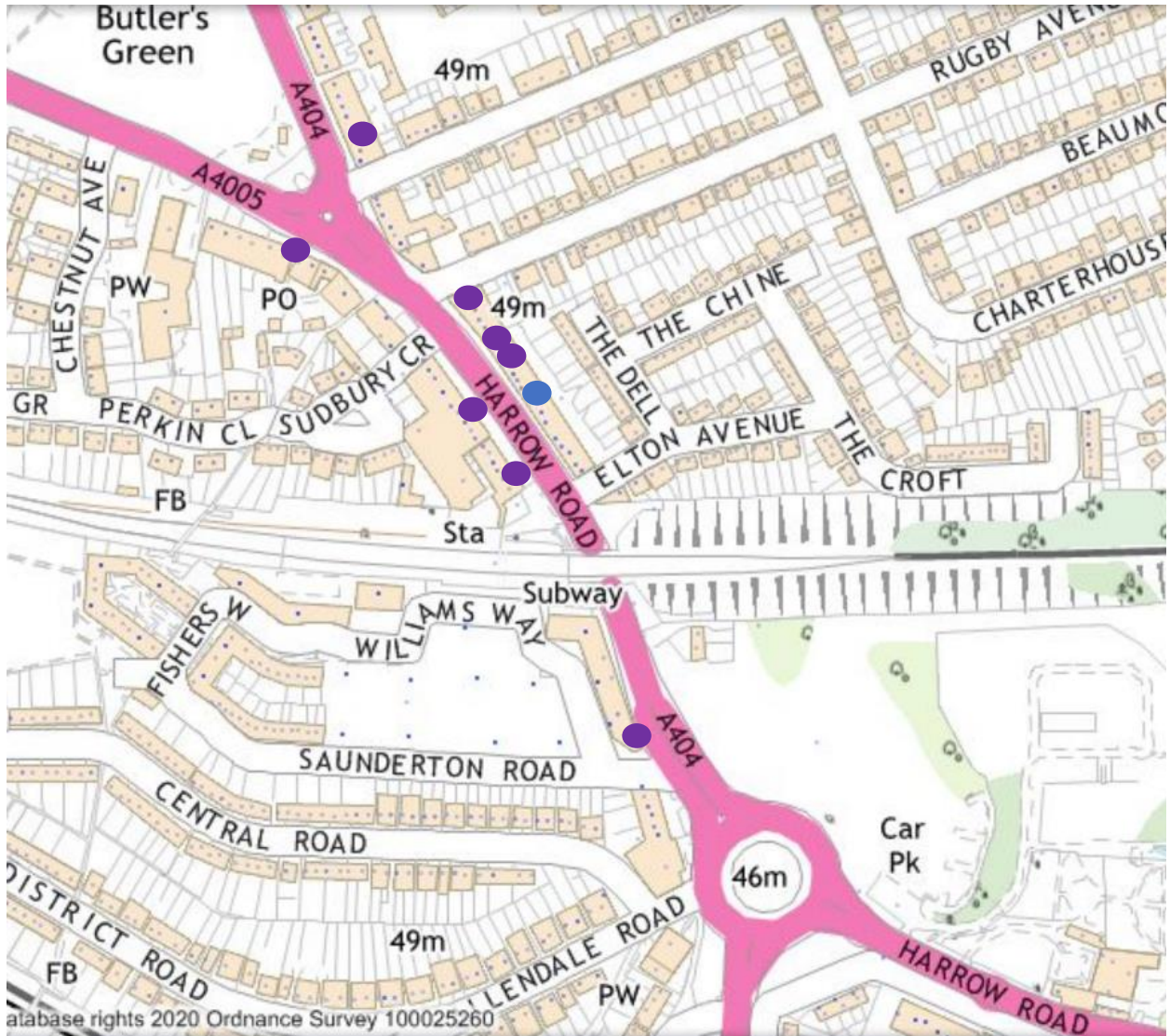
The Premises

The premises, namely Panav Food & Wine of 804 Harrow Road, Sudbury, HA0 3EL falls within one of Brent’s ten CIZs.



Panav Food & Wine, 804 Harrow Road, HA0 3EL

The premises itself is located along the main High Street in the heart of the town centre, where there are a number of businesses. In relation to the supply of alcohol for off sales, there are eight existing off licences that have premises licences, all within a few minutes walk of each other.



Key:
 Existing off licences ●
 Proposed off licence ●

In addition to this, the proposed premise is located opposite an existing off licence -



Key:
 Existing off licences ●
 Proposed off licence ●

and two directly to the left (if facing the premises), only five and seven shop fronts apart -



Key:

Existing off licences



Proposed off licence



Public Space Protection Order (PSPO)

The entire Borough of Brent is subject to a Public Space Protection Order for street drinking and therefore it is an offence to drink alcohol in any public place.

If a police officer reasonably believes that a person is, or has been, consuming intoxicating liquor within these areas, the officer may require the person concerned:

- a) not to consume in that place anything which is, or which the officer reasonably believes to be, intoxicating liquor
- b) to surrender anything in his/her possession which is, or which the officer reasonably believes to be, intoxicating liquor or a container for such liquor (other than a sealed container)
- c) An officer may dispose of anything surrendered to him/her as above.
- d) Issue fixed penalty notices on offenders
- e) Prosecute persistent offenders

However, in reality there are limited police officer resources, which in practice would prevent the above from being enforced. This therefore places a greater emphasis on the responsibility of those premises that are selling alcohol for consumption off the premises. It is clear that if off licences did not exist, the number of street drinkers would decline.

Therefore simply selling alcohol to customers who once off the premises, are no longer the responsibility of the licence holder, the Designated Premises Supervisor (DPS) and/or members of staff is no longer a viable option.

Premises Licence Application

Operational Plan, Training Manual & Conditions

The application which proposes a number of conditions, does not appear to consider customers once they leave the premises.

Simply listing a number of conditions from Brent's pool of model conditions without any type of substantive operational plan for example, appears inadequate. The Licensing Authority would expect to see information on how the business plans to ensure that their particular premises will go above and beyond in promoting the licensing objectives in an already saturated area. This could also include the 'training manual' mentioned in the application form which should give detailed information on the training that is covered. This would go some way in reassuring the Licensing Authority that the business has taken the impact on the local area of adding another off licences to the eight that already exist.

Safeguarding the Local Area

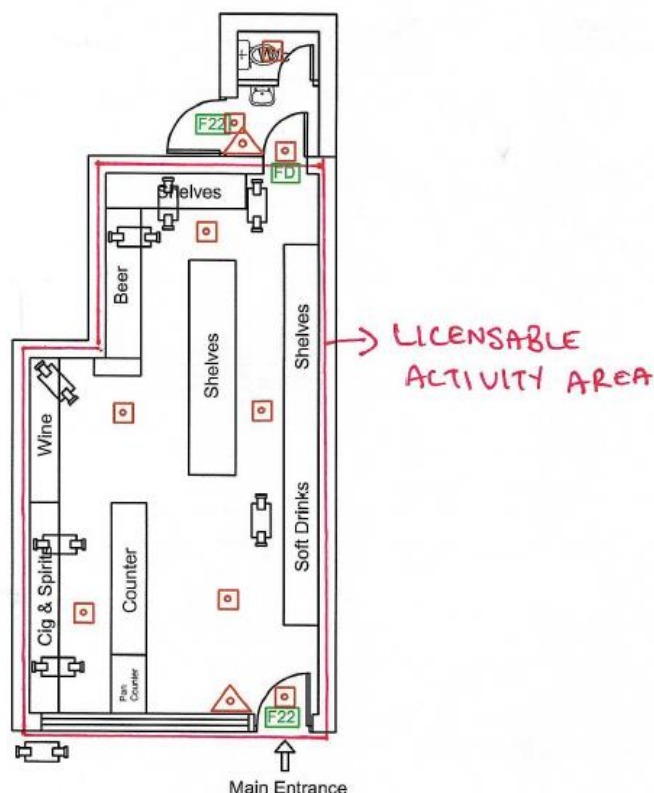
The Statement of Licensing Policy lists considerations to be made when applying for a new premises licence, particularly those considerations relating to street drinking.

However, the conditions that are mentioned in the application fail to address the likes of such things outside of the premises that could be directly linked back to the premises. This includes items such as the clearing up of litter which may be left outside the premises by customers, the labelling of alcohol with the premises name in order to link street drinkers back to the premises or measures to discourage street drinkers from loitering outside the premises.

As per Brent Council's Statement of Licensing Policy, a voluntary offering of a ban on high strength alcohol sales does not necessarily address the requirements under a Cumulative Impact Zone.

The Plan

Other considerations mentioned are the appropriate location of alcohol in relation to the sales counter so as to be directly supervised by staff. In the case of this application, the plan supplied shows that the beer fridge cannot be properly supervised by staff at the counter. Relying on CCTV camera screens to watch customers would be difficult when there are other customers being served simultaneously.



Supply of Alcohol and Opening Hours

The application does not address how alcohol will be displayed during the hours when licensable activities are not permitted but the premises are still open to members of the public.

In this case it includes when the premises are not permitted to supply alcohol from Monday to Sunday daily from 8am until 10am.

History & Previous Knowledge

The application does not mention the licence holders history of any previously run premises or background knowledge of how a premises supplying alcohol would be run. The assumption then, is that the licence holder does not have any previous experience which may in turn undermine the licensing objectives.

Summary

The Statement of Licensing Policy states that any licence application in a CIZ area will need to demonstrate with evidence that its operation will not add to any cumulative impacts that the CIZ is seeking to address. Further, new applicants and those applying for variations would be required to demonstrate how their premises will not contribute to street drinking in those areas.

The effect of adopting a CIZ is to “create a rebuttable presumption” that applications for licences which are likely to add to the existing cumulative impact will normally be refused (or subject to certain limitations) unless the applicant can demonstrate that there will be no negative cumulative impact on the licensing objectives.

Other than the list of proposed conditions, the application and operating schedule fails to demonstrate that a grant will not lead to a negative cumulative impact on one or more of the licensing objectives and to the contrary add to the issues of an existing saturated area.

The application also fails to describe any previous experience the licence holder has in operating a premises that supplies alcohol.

It is on this basis, that the Licensing Authority ask that the application for a new premises licence is refused by the Licensing Sub-Committee. Adding conditions to a premises licence, in the Licensing Authority’s opinion is not adequate when the application does not demonstrate what is being put in place in order to avoid further cumulative impact. Adding an additional off licence to the eight that already exist in the immediate area, will no doubt be detrimental to the local area.

If the committee however decide that there is sufficient evidence to the contrary, the Licensing Authority would ask that the following conditions be added to the operating schedule:-

The Licensing Authority require the following points to be included in the operating schedule or added as conditions on the premises licence:

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council.
2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
3. A CCTV camera shall be installed to cover the entrance to the premises and further cameras to cover the entire servery area and till.
4. A member of staff shall always be present on the premises whilst they are open who is capable operating the CCTV system and able to facilitate immediate viewing of CCTV footage upon the request of the Police and Authorised Officer of the Licensing Authority.

5. Promotions that encourage irresponsible drinking shall not be permitted.
6. A "Challenge 25" policy shall be adopted and adhered to at all times.
7. A sign stating "No proof of age – No sale" shall be displayed at the point of sale.
8. A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.
9. Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo regular training (every 12 months) of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.
10. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.
11. All alcoholic drinks shall be clearly labelled or marked with the name of the premises.
12. A notice asking Customers to leave quietly from the premises shall be displayed by the exit/entrance.
13. A single incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
14. No high strength beers, lagers, and ciders above 6.0% ABV shall be stocked or sold at the premises.
15. A clear and unobstructed view into the premises shall be maintained at all times.
16. Invoices are to be produced to Police, a member of an appropriate authority or council officers upon request to evidence payment of duty on goods.
17. All deliveries shall take place during the normal working day (i.e. 09:00 to 18:00 daily).
18. A lockable safe with deposit slot and anti-fishing mechanisms must be used at the counter till area in order to prevent crime.
19. A suitable intruder alarm and panic button shall be fitted and maintained.
20. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
21. All alcoholic drinks shall be clearly labelled or marked with the name of the premises.

22. All alcoholic drinks must be bagged into a different coloured or labelled bag to that of other items. Where alcohol is to be mixed with other groceries, the bag should be the same coloured one that is used for sales of alcohol.

23. An electronic till prompt should be used for all alcohol sales.

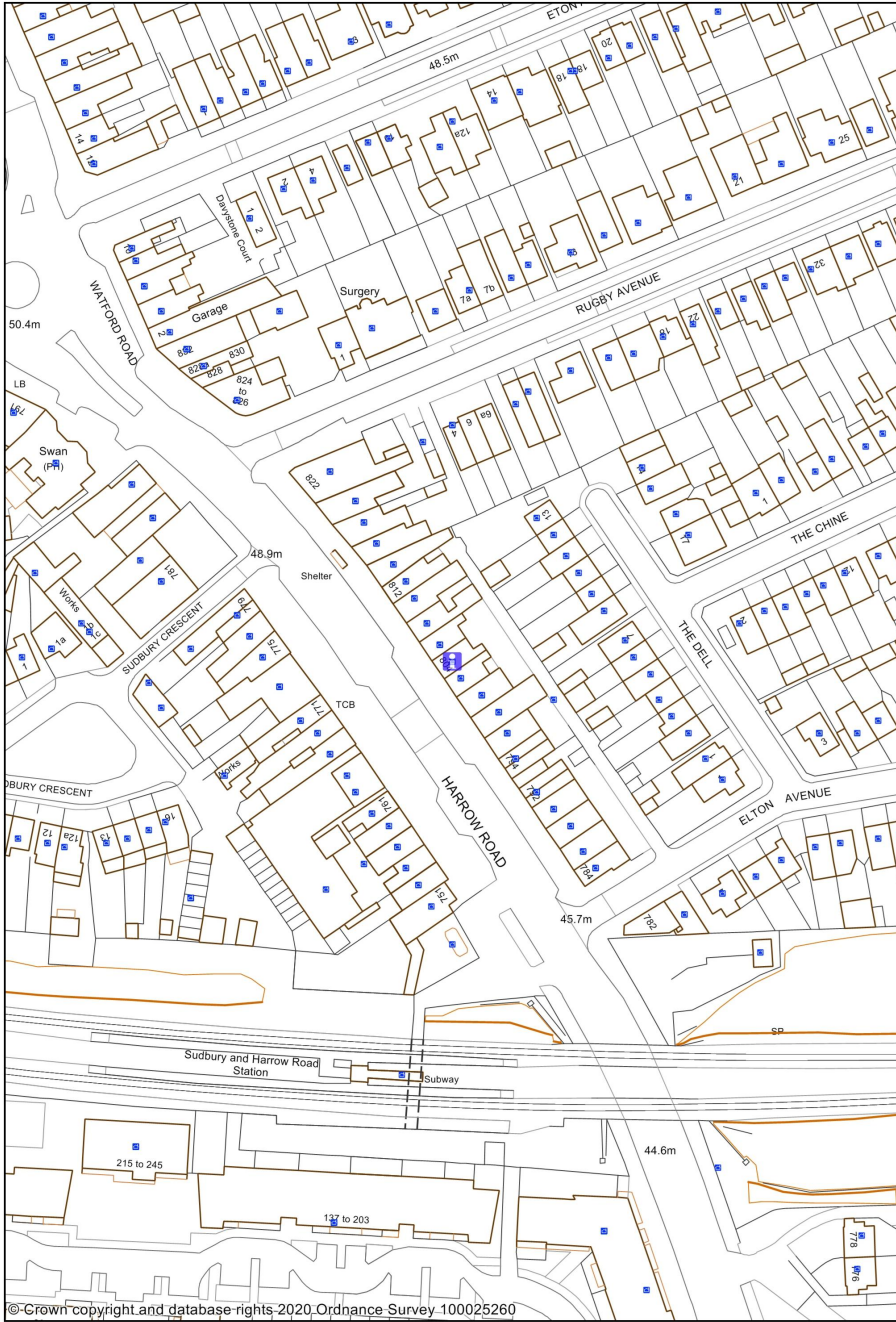
Yours faithfully

A small, square box containing a handwritten signature in black ink. The signature appears to be 'S. Figueiredo'.

Susana Figueiredo
Licensing Inspector
Regulatory Services

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Panav Food & Wine



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