



Alcohol and Entertainment Licensing Sub-Committee

Thursday 20 October 2022 at 2.00 pm

This will be held as an online virtual Meeting

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

Membership:

Members

Councillors:

Ahmed (Chair)

Collymore

Rubin

Substitute Members

Councillors:

Bajwa, Chappell, Chohan, Ethapemi, Georgiou, Long,
Mahmood

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 meeting as an online virtual meeting. The link to view the meeting will be made available via the following link: [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 a Variation to a Premises Licence by West Supermarket Ltd for the premises known as Westfield Food & Wine, 248-250 High Street, NW10 4TD, pursuant to the provisions of the Licensing Act 2003	1 - 76

Date of the next meeting: Date Not Specified



Please remember to **SWITCH OFF** your mobile phone during the meeting.

This page is intentionally left blank

LICENSING ACT 2003

Application for a Variation to a Premises Licence

1. The Application

Name of Applicant:	West Supermarket Ltd
Name & Address of Premises:	Westfield Food & Wine, 248-250 High Street, NW10 4TD
Applicants Agent:	Manuel Rocha

1. Application

The application is to vary the licence as follows:

Remove Condition 7 of the premises licence – No Beers, lagers and ciders shall be stocked or sold

2. Background

The premises are currently licensed for the sale and supply of alcohol from 10am to 11pm Monday to Sunday and remain open from 7am to Midnight Monday to Sunday.

3. Promotion of the Licensing Objectives

See page 16 of the application

4. Relevant Representations

Representations have been received from the Police, Licensing Officers and Ward Councillors.

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. Associated Papers

- A. Application Form
- B. Licensing Representation
- C. Police Representation
- D. Councillors Representation
- E. Copy of Current Licence
- F. OS Map

Application to vary a premises licence 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.

We, **WEST SUPERMARKET LTD**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 20852

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
WESTFIELD FOOD AND WINE 248 -250 High Street London			
Post town	London	Postcode	NW10 4TD

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£35250

Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The reason of this Premises License Variation is to:

Remove the Condition 7 Of Annex 2 of our current License – No Beers, lagers and ciders shall be stocked or sold

We would like to sell beers, lagers, ciders and stout in our mini market

No Changes on the current License Activities and Hours

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4) NOT APPLICABLE	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5) NOT APPLICABLE
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>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</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4) NOT APPLICABLE	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<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 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4) NOT APPLICABLE	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) <u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) <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 7)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4) NOT APPLICABLE	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Wed					
Thur			<u>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</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4) NOT APPLICABLE	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Wed			<u>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</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing NOT APPLICABLE		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Thur			<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 7)		
Fri					
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Wed					
Thur			<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 7)		
Fri					
Sat					
Sun					

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6) No Changes on the current Open and Closing Hours
Day	Start	Finish	
Mon			
Tue			<u>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</u> (please read guidance note 7)
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

We submit a Premises License Transfer for this new Ltd company a few weeks ago and we didn't receive the new Premises License yet

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

We Are happy with the conditions we now in our current license. We welcome any recommendations given by the authorities. Beers, Ciders, Ales and Stout will be sold in packs of 4 x minimum

b) The prevention of crime and disorder

We Are happy with the conditions we have now in our current license. We welcome any recommendations given by the authorities.

c) Public safety

We Are happy with the conditions we have now in our current license. We welcome any recommendations given by the authorities.

d) The prevention of public nuisance

We Are happy with the conditions we have in our current license. We welcome any recommendations given by the authorities.

e) The protection of children from harm

We Are happy with the conditions we have now in our current Licence. We welcome any recommendations given by the authorities.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Manuel Rocha
Date	28/07/2022
Capacity	Agent

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

**Manuel Rocha
UNIT 35 Battersea Business Centre
99-109 Lavender Hill
London**

Post town	London	Post code	SW11 5QL

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
manuelrocha01@hotmail.com

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Manuel Rocha
Unit 35 Battersea Business Center
99-109 Lavender Hill
London
SW11 5QL

2nd September 2022

Our Ref: 25772

Dear Mr Rocha,

Licensing Representation to the Initial Application for the Premises Licence at Westfield Food and Wine, 248-250 High Street, NW10 4TD

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 34 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 2020. 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.

Harlesden 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: -

Harlesden

Harlesden Town Centre is a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour. It is also a hotspot for ambulance calls where the victim has sustained an injury. The data shows the whole of the town centre suffers from high levels of alcohol related issues, including residential streets off the main town centre such as Rucklidge Avenue, Wendover Road, Buckingham Road and St Albans Road.

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. Therefore, it is proposed that a CIZ be introduced for off-licences for the following streets; Craven Park, Craven Park Road, Park Parade and High Street Harlesden

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.



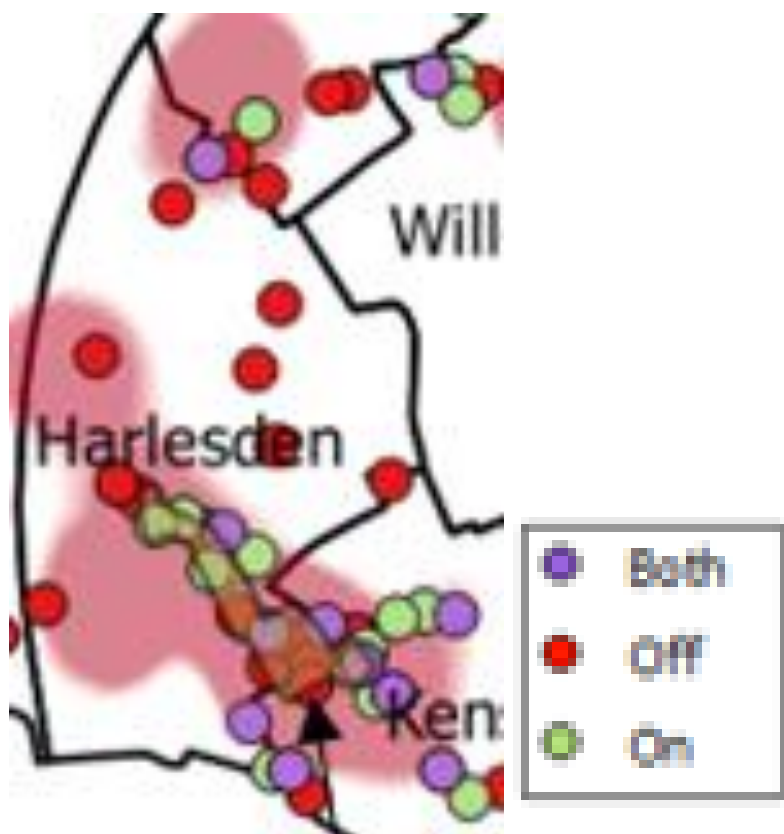
Calls to police specifically related to street drinking between 01/06/2017 and 31/05/2019

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

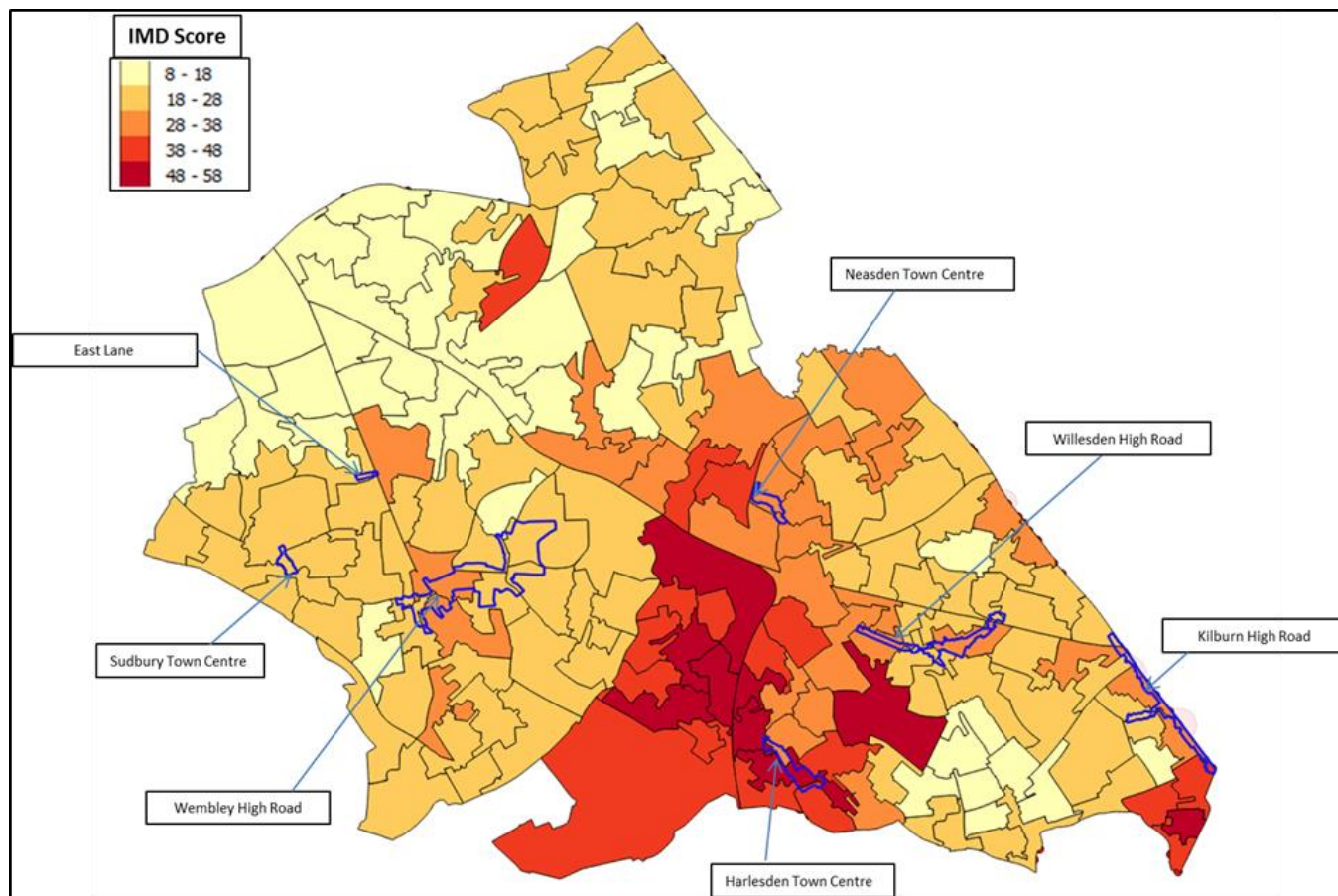
Hotspot of Violence with Injury Crimes



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.

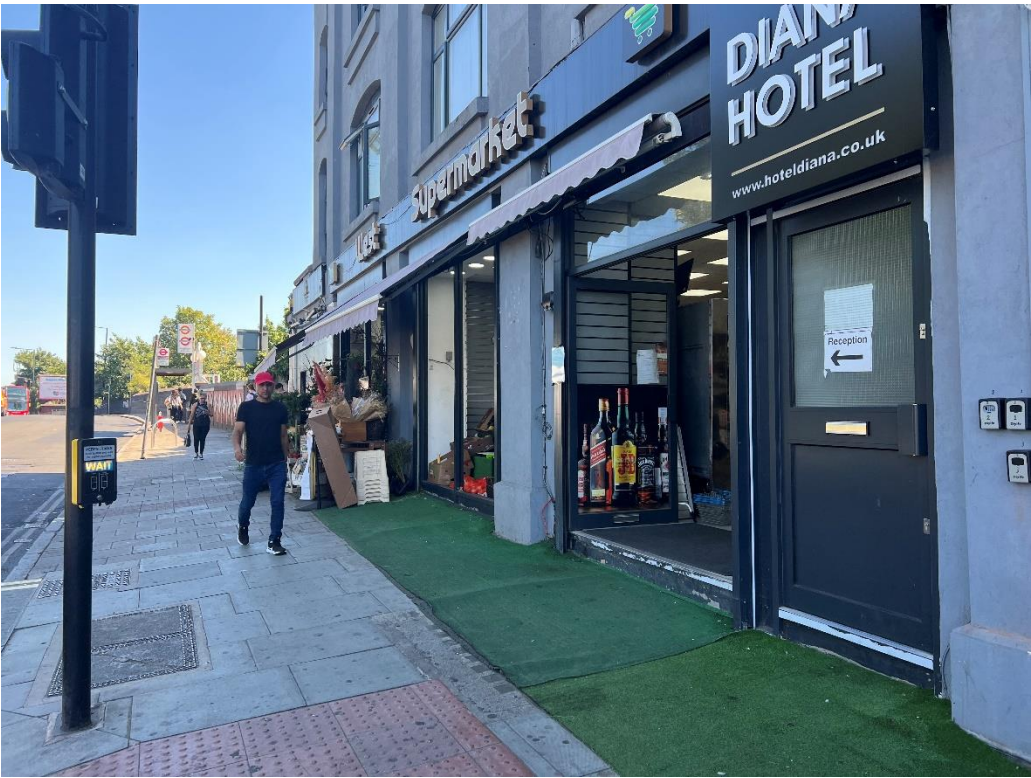


Brent Index of Multiple Deprivation (IMD) score 2015 by Lower Super Output Areas

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

The Premises

The premises, namely Westfield Food and Wine / Westfield Supermarket, 248-250 High Street, NW10 4TD falls within one of Brent's ten CIZs.



Westfield Food and Wine / Westfield Supermarket, 248-250 High Street, NW10 4TD

Harlesden town centre consists of a series of parades of shops that run along Craven Park, Craven Park Road, Park Parade and High Street Harlesden. The town centre falls between, Harlesden and Kensal Green ward and is one of the most deprived areas in the borough.

The map below shows the number of existing licensed premises within close proximity of the Westfield Food and Wine / Westfield Supermarket, 248-250 High Street, NW10 4TD.



Key			
 Premises applying for new OFF Licence	 Premises that already have an ON Licence	 Premises that already have an OFF Licence	 Premises that already have an OFF/NO Licence
	1. Triangle Club, 252 High Street (Less than 1 min Walk)	2. 222 High Street (1min Walk / 289 Feet)	5. 202 High Street (2min Walk / 479 Feet)
	3. 214 High Street (1min Walk / 364 feet)		
	4. 212 High Street (1min Walk / 290 Feet)		

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

There is a lack of information provided in section M of the application to describe additional steps that the applicant intends to take to promote the licensing objectives.

The Licensing Authority would expect to see information on how the operational plan would go above and beyond in promoting the licensing objectives in a crime hot spot.

Ownership History

The premise licence was granted in May 2021 by sub-committee for the supply of alcohol. The premise licence holder was Westfield Food and Wine Ltd which was incorporated on 24th July 2020 under one company director called Mr Omidreza Zaremoayedi. The DPS is Dev Raj Raut.

On 24th September 2021, Mr Omidreza Zaremoayedi terminated himself as the director of the company, which was subsequently replaced by Mr Jahangir Ali. The company dissolved on 12th July 2022.

On 14 March 2022, Mr Omidreza Zaremoayedi formed a new company as the director of West Supermarket Ltd.

On 1st June 2022, the premise licence was transferred to West Supermarket Ltd with Dev Raj Raut remaining as the DPS.

Non Compliance Visit

On Saturday 10th July 2021 at 18:15hrs, I conducted an inspection at the premises and discovered a number of conditions on the premises licence were not met. Both the licensee and DPS were not present. The staff member who was lone working did not know who the DPS was and therefore was not able to contact him at the time of my visit.

Subsequently, a warning letter dated 12th July 2021 was issued to the licensee and DPS (**Appendix 1 and Appendix 2**). Mr Zaremoayedi responded to my letter via email on the same day stating that the person who was working in the shop was not very aware of the shop information and have since fulfilled all the points they promised, except for a number of signs that we were not aware of at all (**Appendix 3**).

Consultation Visit

On Wednesday 10th August 2022, I conducted an inspection with my colleague Christine White, Licensing Officer, when the premises was opened to the public and bottles of alcohol were displayed on the shelves behind the counter for sale.

At the time of my visit, Mr Muhammad Shahzib was working behind the counter. He was accompanied by Mr Mehdi Banakr who works in the hotel above the premises but was helping Mr Shahzib at the time. Both Mr Shahzib and Mr Banakr confirmed they did not hold a personal licence.

Whilst Mr Shahzib was cooperative by attempting to answer some of my questions, he was unable to provide me with training documents and clearly did not hold a personal licence in order to supply/sell alcohol. Following my engagement with Mr Shahzib and my observation, it became apparent that the following conditions were not met:

Condition 9 - 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, 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 or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

Officer Comment: Not met. No records provided.

Condition 10 - 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.

Officer Comment: Not met.

Condition 11 - 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.

Officer Comment: Not Met.



Condition 14 - Any staff directly involved in selling alcohol for retail to consumers and managers shall undergo basic training of Licensing Act 2003 legislation. This shall 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.

Officer Comment: Not Met.

Condition 16 – A clear and unobstructed view in to the premises shall be maintained. Signage and/or visual obstructions on the entrance door and any of the windows may be allowed to a maximum height of 1.2 metres from ground level.

Officer Comment: Not met. On facing the premises, the left side has been converted to an external unit to supply flowers by a different business operator.



Condition 21 - 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.

Officer Comment: Not met.

On Thursday 31st August 2022, I contacted the applicant to discuss his proposal to remove Condition 7 in order to supply beers, ciders and lagers and was informed via email that he was abroad.

He also informed me that he had appointed members of his staff to undergo training with his agent and in the meantime, he has covered the alcohol **(Appendix 4)**.

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.

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.

Furthermore, the applicant has failed to demonstrate they are fully capable of promoting the licensing objectives by failing to comply with their existing conditions.

The Licensing Authority ask that the application to vary the premises licence is **refused** by the Licensing Sub-Committee.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Esther Chan', written in a cursive style.

Esther Chan
Licensing Inspector
Regulatory Services

APPENDIX 1



Brent Civic Centre
Engineers Way
Wembley
Middlesex HA9 0FJ

TEL 020 8937 5303

EMAIL esther.chan@brent.gov.uk

WEB www.brent.gov.uk

Westfield Food & Wine Ltd/Omidreza Zaremoayedi
248-250 High Street
Harlesden
NW10 4TD

12th July 2021

Our Ref: 2185

Dear Omidreza Zaremoayedi,

Licensing Act 2003 –Breach of Premise Licence 20852
Re: Westfield Food & Wine, 248-250 High Street, Harlesden, NW10 4TD

I am writing to confirm my visit at the above premise with PC Joe Cambeiro on Saturday 10th July 2021 at 18:15hrs. An inspection was conducted in the presence of Mr Omid Benha who was lone working at the time of our visit. During my inspection it became apparent that the following conditions attached to the current premises licence were not being complied with:

Condition 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.

Condition 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.

Condition 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.

Condition 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.

Action for Conditions 1-4:

Your member of staff was unable to operate the CCTV system, he told me that only the owner has access to the CCTV system. The premises shall install and maintain a comprehensive digital CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will

be covered, enabling facial identification of every person entering in any light condition. The CCTV camera shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of 31 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player.

Condition 5 - A sign stating "No proof of age – No sale" shall be displayed at the point of sale.

Action for Condition 5:

The required sign was not displayed at the point of sale. Please see below examples of the sign.



Condition 8 - No miniature bottles of spirits smaller than 35cl. shall be displayed and/or sold.

Action for Condition 8:

Various miniature bottles of spirits under 35cl were displayed on the shelves behind the counter. You must not display and sell miniature bottles of spirits smaller than 35cl at any time.



Condition 10 - 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.

Action for Condition 10:

You have failed to display Part B of the premise licence on the front entrance. You must display the summary of the licence (Part B) on the front entrance facing outside and ensure the full premise licence (Part A) is available for inspection upon request by police officers and authorised officers.

Condition 11 - 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.

Action for Condition 11:

It was evident that there were no locked grills, locked screens or locked cabinet doors covering the alcohol on display. It is important that the above condition is met during the hours you are not permitted to supply/sell alcohol.

Condition 12 - All alcohol products displayed in store will be marked to identify the product is from the premises.

Action for Condition 12:

None of the alcohol beverages were labelled with the trading name. You must ensure all bottles of alcohol are labelled with trading name.

Condition 14 - Any staff directly involved in selling alcohol for retail to consumers and managers shall undergo basic training of Licensing Act 2003 legislation. This shall 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.

Action for Condition 14:

There was no evidence to indicate staff involved with the sale of alcohol is given licensing related training, which should include the following:

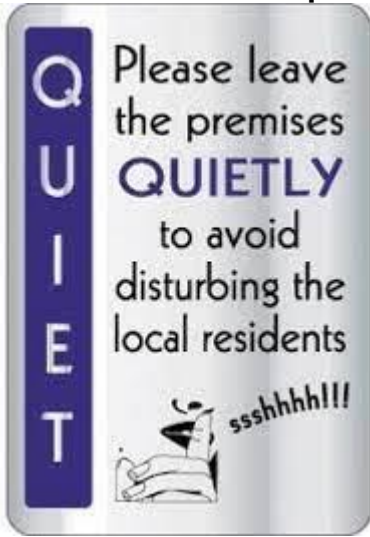
- **Relevant age restrictions in respect of products.**
- **How to refuse service including recognising signs of drunkenness, refusal skills, etc.**
- **The premise duty of care.**
- **Managing and resolving conflict.**
- **Company policies and reporting procedures.**
- **Action to be taken in the event of an emergency including the preservation of a crime scene and reporting an incident to the emergency services.**
- **The conditions in force under the premise licence including relevant obligations and offences under the Licensing Act 2003.**

Documented records of training shall be regularly refreshed and made available for inspection upon request by a police officer or an authorised officer of Brent Council.

Condition 15 - A notice asking Customers to leave quietly from the premises shall be displayed by the exit/entrance.

Action for Condition 15:

A clear notice shall be prominently displayed at the front entrance/exit asking customers to leave quietly. See below example.



Condition 16 - A clear and unobstructed view in to the premises shall be maintained. Signage and/or visual obstructions on the entrance door and any of the windows may be allowed to a maximum height of 1.2 metres from ground level.

Action for Condition 16:

It was noted that the view into the premise was obscured by advertisements and external shop fixtures. You must ensure that there is a clear and unobstructed view into the premises which must be maintained at all times. Signage and/or visual obstructions on the entrance door and any of the windows may be allowed to a maximum height of 1.2 metres from ground level.



Condition 17 - 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.

Action for Condition 17:

You must ensure that invoices are produced upon request by the Council and Police.

Condition 19 - A lockable safe with deposit slot and anti-fishing mechanisms must be used at the counter till area in order to prevent crime.

Action for Condition 19:

Mr Benha was unable to show me the time delay safe with a deposit slot and anti-fishing mechanisms, which must be used at the counter/till area. Time-delay locks operate each time the safe is unlocked, but the operator must wait for the set delay period to elapse before the lock can be opened.

Condition 20 - A suitable intruder alarm and panic button shall be fitted and maintained.

Action for Condition 20:

Mr Benha was unable to confirm if a suitable intruder alarm complete with panic button is fitted and maintained.

Condition 21 - 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.

Action for Condition 21:

Mr Benha confirmed he did not hold a personal licence . Please be aware that you must not expose or supply alcohol if a personal licence holder conversant in English is not present on the premises to supervise the sale of alcohol.

Condition 22 - An electronic till prompt should be used for all alcohol sales.

Action for Condition 22:

There was no till prompt when Mr Benha was requested to scan a bottle of wine to verify that this condition is satisfied. You must have a till scanning system with a till prompt to remind staff of age restricted products.



Other Matters

I would also like to take this opportunity to inform you that there are a number of street drinkers that are causing anti-social behaviour in the vicinity. We have been notified that a number of premises are supplying alcohol to intoxicated people.

Under section 141 of the Licensing Act 2003, it is an offence to sell or attempt to sell alcohol to a person who is drunk, or to allow alcohol to be sold to such a person on relevant premises.

Subsection 2 applies to:

- any person who works at the premises in a capacity, whether paid or unpaid, which gives him the authority to sell the alcohol concerned;
- the holder of a premises licence in respect of the premises;
- the designated premises supervisor (if any) under such a licence;
- any member or officer of the club which holds a certificate who at the time the sale (or attempted sale) takes place is present on the premises in a capacity which enables him to prevent it; and
- the premises user in relation to the temporary event notice in question.

A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 (up to £1000) on the standard scale.

Failure to uphold the licensing objectives may result in the review of your premise licence and/or prosecution.

Please contact me on 07960098200 or email me with your contact number should you wish to discuss the matter.

Yours faithfully,



Esther Chan
Licensing Inspector
Regulatory Services

cc. Licensing Police
Amar Karia (ASB Localities Officer)
DPS

APPENDIX 2



Brent Civic Centre
Engineers Way
Wembley
Middlesex HA9 0FJ

TEL 020 8937 5303

EMAIL esther.chan@brent.gov.uk

WEB www.brent.gov.uk

Dev Raj Raut



12th July 2021

Our Ref: 2185

Dear Dev Raj Raut,

Licensing Act 2003 –Breach of Premise Licence 20852
Re: Westfield Food & Wine, 248-250 High Street, Harlesden, NW10 4TD

I am writing to confirm my visit at the above premise with PC Joe Cambeiro on Saturday 10th July 2021 at 18:15hrs. An inspection was conducted in the presence of Mr Omid Benha who was lone working at the time of our visit. During my inspection it became apparent that the following conditions attached to the current premises licence were not being complied with:

Condition 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.

Condition 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.

Condition 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.

Condition 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.

Action for Conditions 1-4:

Your member of staff was unable to operate the CCTV system, he told me that only the owner has access to the CCTV system. The premises shall install and maintain a comprehensive digital CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will

be covered, enabling facial identification of every person entering in any light condition. The CCTV camera shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of 31 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player.

Condition 5 - A sign stating "No proof of age – No sale" shall be displayed at the point of sale.

Action for Condition 5:

The required sign was not displayed at the point of sale. Please see below examples of the sign.



Condition 8 - No miniature bottles of spirits smaller than 35cl. shall be displayed and/or sold.

Action for Condition 8:

Various miniature bottles of spirits under 35cl were displayed on the shelves behind the counter. You must not display and sell miniature bottles of spirits smaller than 35cl at any time.



Condition 10 - 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.

Action for Condition 10:

You have failed to display Part B of the premise licence on the front entrance. You must display the summary of the licence (Part B) on the front entrance facing outside and ensure the full premise licence (Part A) is available for inspection upon request by police officers and authorised officers.

Condition 11 - 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.

Action for Condition 11:

It was evident that there were no locked grills, locked screens or locked cabinet doors covering the alcohol on display. It is important that the above condition is met during the hours you are not permitted to supply/sell alcohol.

Condition 12 - All alcohol products displayed in store will be marked to identify the product is from the premises.

Action for Condition 12:

None of the alcohol beverages were labelled with the trading name. You must ensure all bottles of alcohol are labelled with trading name.

Condition 14 - Any staff directly involved in selling alcohol for retail to consumers and managers shall undergo basic training of Licensing Act 2003 legislation. This shall 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.

Action for Condition 14:

There was no evidence to indicate staff involved with the sale of alcohol is given licensing related training, which should include the following:

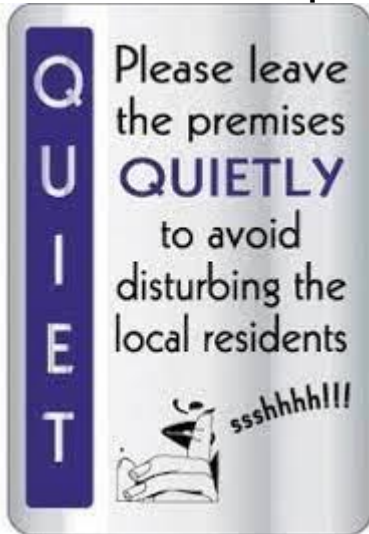
- **Relevant age restrictions in respect of products.**
- **How to refuse service including recognising signs of drunkenness, refusal skills, etc.**
- **The premise duty of care.**
- **Managing and resolving conflict.**
- **Company policies and reporting procedures.**
- **Action to be taken in the event of an emergency including the preservation of a crime scene and reporting an incident to the emergency services.**
- **The conditions in force under the premise licence including relevant obligations and offences under the Licensing Act 2003.**

Documented records of training shall be regularly refreshed and made available for inspection upon request by a police officer or an authorised officer of Brent Council.

Condition 15 - A notice asking Customers to leave quietly from the premises shall be displayed by the exit/entrance.

Action for Condition 15:

A clear notice shall be prominently displayed at the front entrance/exit asking customers to leave quietly. See below example.



Condition 16 - A clear and unobstructed view in to the premises shall be maintained. Signage and/or visual obstructions on the entrance door and any of the windows may be allowed to a maximum height of 1.2 metres from ground level.

Action for Condition 16:

It was noted that the view into the premise was obscured by advertisements and external shop fixtures. You must ensure that there is a clear and unobstructed view into the premises which must be maintained at all times. Signage and/or visual obstructions on the entrance door and any of the windows may be allowed to a maximum height of 1.2 metres from ground level.



Condition 17 - 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.

Action for Condition 17:

You must ensure that invoices are produced upon request by the Council and Police.

Condition 19 - A lockable safe with deposit slot and anti-fishing mechanisms must be used at the counter till area in order to prevent crime.

Action for Condition 19:

Mr Benha was unable to show me the time delay safe with a deposit slot and anti-fishing mechanisms, which must be used at the counter/till area. Time-delay locks operate each time the safe is unlocked, but the operator must wait for the set delay period to elapse before the lock can be opened.

Condition 20 - A suitable intruder alarm and panic button shall be fitted and maintained.

Action for Condition 20:

Mr Benha was unable to confirm if a suitable intruder alarm complete with panic button is fitted and maintained.

Condition 21 - 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.

Action for Condition 21:

Mr Benha confirmed he did not hold a personal licence . Please be aware that you must not expose or supply alcohol if a personal licence holder conversant in English is not present on the premises to supervise the sale of alcohol.

Condition 22 - An electronic till prompt should be used for all alcohol sales.

Action for Condition 22:

There was no till prompt when Mr Benha was requested to scan a bottle of wine to verify that this condition is satisfied. You must have a till scanning system with a till prompt to remind staff of age restricted products.



Other Matters

I would also like to take this opportunity to inform you that there are a number of street drinkers that are causing anti-social behaviour in the vicinity. We have been notified that a number of premises are supplying alcohol to intoxicated people.

Under section 141 of the Licensing Act 2003, it is an offence to sell or attempt to sell alcohol to a person who is drunk, or to allow alcohol to be sold to such a person on relevant premises.

Subsection 2 applies to:

- any person who works at the premises in a capacity, whether paid or unpaid, which gives him the authority to sell the alcohol concerned;
- the holder of a premises licence in respect of the premises;
- the designated premises supervisor (if any) under such a licence;
- any member or officer of the club which holds a certificate who at the time the sale (or attempted sale) takes place is present on the premises in a capacity which enables him to prevent it; and
- the premises user in relation to the temporary event notice in question.

A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 (up to £1000) on the standard scale.

Failure to uphold the licensing objectives may result in the review of your premise licence and/or prosecution.

Please contact me on 07 [REDACTED] or email me with your contact number should you wish to discuss the matter.

Yours faithfully,



Esther Chan
Licensing Inspector
Regulatory Services

cc. Licensing Police
Amar Karia (ASB Localities Officer)
DPS

APPENDIX 3

From: Westfield Food and Wine <[REDACTED]>
Sent: 12 July 2021 18:28
To: Esther, Chan <Esther.Chan@brent.gov.uk>
Subject: Westfield food and wine

Hello Dear Mrs Chan

I hope your well.

Last Saturday evening, you visited my shop and wrote down a few things and told my employee to collect all the alcohol. I would like to inform you that the person who was working in the shop was not very aware of the shop information and I apologize for this. I will. But I have to tell you that we have fulfilled all the points we promised, except for a number of signs that we were not aware of at all. We have the camera and access to DVR and we did the warning all the bottle labels. Please visit my shop if you have Imams.

Best regards
Omid

This page is intentionally left blank

APPENDIX 4

From: Omid Raza Zarah Moayadi <[REDACTED]>
Sent: 01 September 2022 12:35
To: Esther, Chan <Esther.Chan@brent.gov.uk>
Subject: Re: CONSULT: Variation - Westfield Food and Wine, 248-250 High Street, NW10 4TD - 25772

Hello Dear mis Esther Chan
Thank you for response
At the moment I'm not in the uk
I will back 8 of September
But I Already sent two people for training to Mr Rocha
You know him
One of my guy was mahmud billal salim
Another guy
Mehdi banakar
But unfortunately council didn't issued personal license.
But Dear Chan I have to inform you same day you visited my shop We Already covered the Alcohol
And we didn't sold any Alcohol.
Please find the attached you can see the photo how we covered the shelves.
Thank you so much
Omid





TERRITORIAL POLICING

Brent Police Licensing Unit

Brent Civic Centre
Engineers Way
Wembley
Middlesex
HA9 0FJ

NW BCU Licensing Department - Brent

Harrow Police Station
74, Northolt Road
Harrow
HA2 0DN

Tel: 020 8733 5008

Email:

nwmailbox.licensingbrent@met.police.uk

Web: www.met.police.uk

Your Ref: 25772

Our ref: 01QK/464/22/3122NW

Date: Saturday 3rd of September 2022

Police representations to the application for a variation of Premises Licence for 'Westfield Food & Wine, 248 – 250 High Street Harlesden NW10 4TD'

Police certify that we have considered the application shown above and wish to make representations that the likely effect of the grant of the application is detrimental to the Council's Licensing Objectives for the reasons indicated below.

**Officer: PC Phil Graves
Licensing Constable 3122NW**

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 variation of a premises license under section 34 of the Licensing act 2003. The Police representations are concerned with all four of the licensing objectives, namely:

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

The Application

The application is for a variation to '*Remove the Condition 7 Of Annex 2 of our current License – No Beers, lagers and ciders shall be stocked or sold*'.

My understanding is this condition was added back in April 2021. The reason for this condition been added was due the fact that venue was selling alcohol without a license even after been warned that this practice was unlawful.

Cumulative Impact Zone (CIZ)

Brent Council Licensing Policy introduced CIZ's on 7th January 2020 in order to combat a rise in crime, disorder, public nuisance, anti-social behaviour and street drinking all of which is fuelled by the sale and consumption of alcohol.

Westfield Food and Wine sits right in the heart of Harlesden's CIZ, which is a hot spot for crime on this London Borough

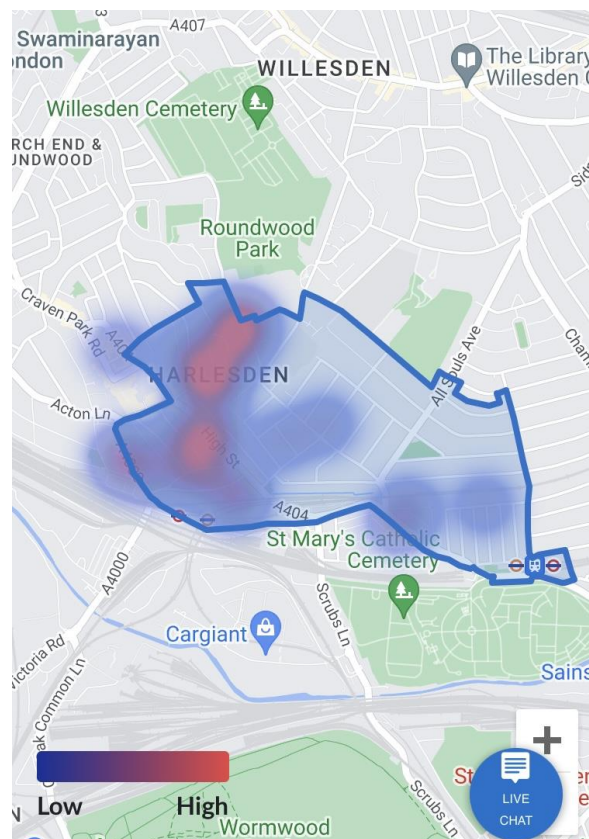
There are many studies reflecting the relationship between alcohol consumption/abuse with increases in ASB and violent crimes, as highlighted by such organisations as the Institute of Alcohol Studies. There is also evidence that the most disadvantaged of socio-economic groups (as represented by some of the local populous) that they are disproportionately at risk of alcohol-related violence.

Public Space Protection Order (PSPO)

In addition to CIZ's, the entire borough of Brent is covered by a Public Space Protection Order which prohibits the drinking of alcohol in a public place.

Crime Figures for NW10 4TD

The map below is a screen shots from the Metropolitan Police's web page showing the crime 'hot spots' highlighted in red on the map. You can see from this map that the High Street where Westfield Food and Wine is located is right in the centre of the 'red' hot spot of crime.



Police Representations

Unfortunately Westfield Food and Wine has a history of licensing issues and has caused the police and community unwanted crime and ASB through these failings. The venue it's self sits in the heart of the Harlesden CIZ. This is one of the worst areas for crime on the entire borough, which is one of the worst in the Metropolitan area.

The current license has only been in operation since the 18th of May 2021. I don't feel that the venue has had this license long enough to demonstrate that they are now responsible license holders. My fear is allowing the sale of beers and ciders is only going to fuel an already high level of street crime and ASB.

For the reasons stated above, police oppose all the conditions of this variation of this license.

Yours Sincerely,

PC Phil Graves 3122NW
NW BCU - Brent Licensing
Philip.Graves@met.police.uk

This page is intentionally left blank

From: Kelcher, Councillor Matt
Sent: 29 August 2022 20:18
To: Esther, Chan <Esther.Chan@brent.gov.uk>
Cc: Business Licence <business.licence@brent.gov.uk>; members enquiries <members.enquiries@brent.gov.uk>
Subject: FW: Licence Variation West Supermarket 248-250 High St

Hi Esther,

I would like to register my objection to the below application. In addition to the point raised by [REDACTED], my ongoing concern is that selling cheap alcohol at this location – near a club with long opening hours, a park and several residential streets – can encourage revellers to come out of the club and purchase cheaper drinks in the shop, then drink these in public bringing associated ASB issues.

Best wishes,

Matt

Cllr Matt Kelcher

Labour Councillor for Harlesden and Kensal Green Ward

Chair, Planning Committee

Sent: 23 August 2022 11:27
To: Chan, Councillor Jumbo; Kelcher, Councillor Matt
Cc: Cumberbatch, Ashley McGann, John
Subject: Licence Variation West Supermarket 248-250 High St

Hi Jumbo and Matt

The minimarket at 248-250 High St Harlesden NW10 4TD is applying for a licence variation to allow them to sell beer and cider. Since you have previously objected to alcohol licensing at this premises will you object to this variation before 5 September? The shop, known as West Supermarket Ltd (previously Westfield Food and Wine) obtained a licence via committee decision on 18 May 2021. At the hearing the applicant said (as per attached transcript) that: 'They recognised that it's in a CIZ and that's why they decided not to sell beers, lagers, ciders and miniatures. They just want to sell wine and spirits. It's only going to be a small part of the business. They don't mind if MUP [minimum unit pricing] is imposed.

The applicant was also questioned about their deliveries and trade waste disposal because vehicles had been seen parking illegally and evidence had been provided of trade waste dumping. The applicant said that deliveries: 'were done in the early morning, around 7am to 8am. They often stop in Clifton Road and use a trolley'

Please note that the street outside the shop is very busy (a cyclist was killed last year) and is thus designated as having no parking, waiting or loading. The applicant acknowledged this at the hearing and promised that loading only occurred on Clifton or Furness Rds. In truth this has never occurred and loading continues via illegally parked vehicles as per photos below which indicate a reckless and dangerous public nuisance which will only increase if there are new beer/cider deliveries as well.

You may also like to know that in October 2020 alcohol was found on display for sale before any licence was granted. In July 2021 (just weeks after gaining a licence) a warning letter had to be issued for several breaches of conditions. These breaches are detailed below:

On Sunday morning 20 June 2021 at 9:15am I entered Westfield Food and Wine, walked around, then picked up a bottle of Wray and Nephew Overproof Rum 63% ABV to examine it in full view of the counter clerk* who was the sole member of staff on duty. None of the alcohol on display had the required store markings. I then left the store.

Later I re-entered the store, picked up a bottle of Wray and Nephew Overproof Rum 63% ABV, took it to the counter and purchased it at 9:40am.

At 1:55pm a female colleague entered the store and attempted a test purchase, asking the counter clerk: "I would like to buy a homeless man in the park something to drink, what's your cheapest wine?". The clerk suggested a small tonic wine for £3.50. This is a high strength wine favoured by Harlesden street drinkers

Breach of Conditions

- a. The store is not licensed to sell alcohol before 10am
- b. The rum bottle purchased was 20cl size, licensing condition 8 stipulates nothing smaller than 35cl
- c. A premises licence summary is not visible at the entrance
- d. Outside of the authorised hours, alcohol should be locked behind grill/screen/cabinet to prevent access by staff or customers
- e. No alcohol products were marked with the store name (including the rum bottle purchased)
- f. According to condition 13, if a member of staff suspects that a person is attempting to purchase alcohol on behalf of a street drinker (proxy purchasing) they should immediately call the senior staff member and appropriate enquiries will be made to determine whether the sale can be made. This did not happen
- g. I suspect the sole member of staff on duty was not a personal licence holder nor had he undergone basic training of Licensing Act 2003 legislation

Breach of Promise

a. In the Notice of Decision attached, the transcript shows Cllr Long asked how many staff there would be and Mr Raza promised "three at any time".

b. At the hearing, when asked what's the minimum price you would charge for a bottle of wine, Mr Raza said it would be £7 or £8.

c. The transcript shows Mr Raza say he knew how to present trade waste. However, at 6:03pm 14 June 2021 a stout white male (*same man who sold rum at 9:40am) left the store carrying two black bags and dumped them on the pavement outside 242 High St, he then returned to the supermarket. Dumping of the unmarked trade waste was caught on Brent's CCTV camera number 10. The shop was further reported for trade waste on several occasions in March and April 2022. It is believed that FPNs for trade waste dumping have been issued to the store, as cllrs you could probably obtain confirmation of this from Ashley or the Enviro team. This would be material evidence as to whether the store is causing public nuisance under the licensing objectives.

This store has continually failed to keep its promises and we can have no faith that they will maintain the licensing objectives if they are granted relaxed conditions

Photos taken 9:50am 23 Aug 2022 show large delivery truck parked in the mouth of the junction and pallets being pulled across the carriageway to the shop





From: Chan, Councillor Jumbo
Sent: 02 September 2022 21:40
To: Business Licence; Naran, Sima
Cc: Legister, Linda; Prashar, Anu
Subject: Re: Variation Application - 25772 - Harlesden & Kensal Green

Dear all,

I am writing to also register my objections to the proposed application from Westfield Food and Wine at 248-250 High Street to remove one condition on the licence to be able to sell beers, lagers, ciders and stout.

I attended the Alcohol and Entertainment Licensing Sub-Committee meeting on 18 May 2021, when Mr Manuel Rocha (agent for Westfield Food and Wine) set out the following:

'Mr Rocha set out the applicant's case. This is a new business. At the moment they sell groceries and would like to add alcohol. They recognised after they exchanged emails with the police and LA that it's in a CIZ and that's why they decided not to sell beers, lagers, ciders and miniatures. 90% of street drinking relates to beer. They just want to sell wine and spirits. It's only going to be a small part of the business. They don't mind if MUP is imposed. There are a lot of people selling alcohol illegally. The applicant buys from reputable suppliers who pay VAT. The staff have been trained since the last application and things have improved. They have agreed a lot of conditions with the police and LA. They will do everything they can to reduce street drinking. Mr Rocha did not think street drinkers would buy from the applicant as they will be too expensive.'

I am therefore aghast that just over a year later, Westfield Food and Wine are seeking to remove this condition. This, I believe, will lead to increased street drinking and ASB, issues which Harlesden and Kensal Green ward is already suffering from. I cannot but see how granting the applicant permission to remove the existing condition will damage the local area.

Regards,
Jumbo

Cllr Jumbo Chan
Labour councillor for Harlesden and Kensal Green

This page is intentionally left blank

London Borough of Brent

**Decision of the Alcohol and Entertainment Licensing Sub-Committee following a hearing
on the 18th May 2021 at Brent Civic Centre, Engineers Way, Wembley HA9 0FJ**

NOTICE OF DECISION

PREMISES

Westfield Food & Wine
248-250 High Street
NW10 4TD

1. Members of the Sub-Committee

Councillors Long (Chair), Ahmed and Shahzad.

2. The Application

The application was for a new premises licence for the sale and supply of alcohol from 10am to 11pm Monday to Sunday and to remain open from 7am to midnight from Monday to Saturday and from 8am to midnight on Sundays.

Written representations had been made and withdrawn by the licensing authority ('LA') and the police.

Representations remained outstanding from Ward Councillors and a local resident.

As written representations had been received, a hearing was held pursuant to section 18 of the Licensing Act 2003.

3. Representation

Omair Raza (aka Mr Zaremoayedi) attended on behalf of Westfield Food & Wine Ltd and was represented by his agent, Manuel Rocha.

Ward Councillor Jumbo Chan attended.

A Local resident also attended.

4. The Hearing

The hearing was conducted via Zoom due to the Covid-19 pandemic and social distancing guidance. It was also broadcast via a live webcast.

The resident set out his objections. There is a ClZ which was not referenced at all in the application. They had previously made an application last year and during the consultation period were caught selling alcohol which is concerning. In section D, prevention of public nuisance, they refer to deliveries and clearance of waste which he has some questions about. He is also interested in the minimum pricing policy and thinks the council should make use of that. It's been available since 2020 and was mentioned in press releases.

Councillor Chan set out his objections. He was also speaking on behalf of Councillor Kelcher. They both oppose the application. The south of Brent especially Harlesden has a lot of alcohol-related ASB. From their casework, it's clear that issues with ASB lead to the highest number of complaints. Although he welcomes small businesses, especially coming out of lockdown, he is worried about the impact granting the application could have. The shop is on the edge of Harlesden High Street near to residential areas and the park where there has been a lot of ASB and street drinking. A lot of residents have complained. He does think granting the application would have a negative impact. In an ideal world, there wouldn't be such things but the reality is there are a lot of street drinkers and ASB which negatively affect the families that live there. As Ward Councillor, he has to take such things into account.

Mr Rocha had no questions.

Councillor Shahzad: How will this affect numbers of street drinkers? Councillor Chan said he did not think the numbers of people buying alcohol will increase, but this is on the western fringe of the area he had been talking about and so granting the application would extend the area in which street drinkers can buy alcohol. Otherwise, they would have to travel further.

Cllr Long: What do street drinkers normally drink? The resident conceded that the application this time is just for wine and spirits. He said that, in most areas, street drinkers mainly drink beer and cider but in Harlesden there is a difference. Although beer and cider is consumed, there are groups that drink spirits. One of his photos of litter was of bottles of rum. Saying they'll only sell wine and spirits won't cure the problem. There is a place across the street that sells food and people are bringing spirits and drinking outside whilst eating. He said the photo was taken in the other side of Harlesden, in Craven Park Road.

Councillor Long: What about the fact they have reduced their hours? The resident said he was not objecting to the hours. In his view, minimum pricing might solve all of the problems. White rum in has a very high ABV. You would simply apply a 70p minimum price per unit. Councillor Chan added that the street drinkers are very flexible and do drink spirits. If there is a minimum unit price ('MUP') across all alcohol, it would be a step forward. The resident added that if you have a MUP it will make spirits too expensive to buy. Councillor Chan added he didn't want his residents who are street drinkers on his conscience because he they are drinking away their lives because alcohol had been made more available.

Mr Rocha set out the applicant's case. This is a new business. At the moment they sell groceries and would like to add alcohol. They recognised after they exchanged emails with the police and LA that it's in a CIZ and that's why they decided not to sell beers, lagers, ciders and miniatures. 90% of street drinking relates to beer. They just want to sell wine and spirits. It's only going to be a small part of the business. They don't mind if MUP is imposed. There are a lot of people selling alcohol illegally. The applicant buys from reputable suppliers who pay VAT. The staff have been trained since the last application and things have improved. They have agreed a lot of conditions with the police and LA. They will do everything they can to reduce street drinking. Mr Rocha did not think street drinkers would buy from the applicant as they will be too expensive.

Councillor Long: Will you manage the labelling? Mr Raza said they would.

How many people will have personal licences? Mr Rocha said they would have at least four people on the licence. He had trained the DPS and he will train the rest of the staff as well. Before they start selling, they'll all be trained and then given refresher training every 6 months.

Do you have a trade waste licence? Mr Raza confirmed they have one with Veolia.

The resident: How long have you had a trade waste licence? Mr Raza said they had had one since they opened. He confirmed they knew how to present trade waste. They put it outside at 6pm. The resident said it should be between 7pm and 8pm. Mr Raza said his staff deal with that. Mr Raza said they have a sign board outside and put their waste in grey bags which Veolia send. The resident said he has walked past every morning and evening and has never seen that.

The resident: How, when or where are deliveries made? Mr Raza said they were done in the early morning, around 7am to 8am. They often stop in Clifton Road and use a trolley but he cannot tell them all where to stop. They can also stop in Furness Road. The

resident said that he has photos of illegally parked vehicles and warned Mr Raza that he would continue to take photos if they continued to park illegally.

Councillor Ahmed: Do you have any other shops? Mr Raza said he did not.

How long have you been running the business for? Mr Raza said, 8-9 months

Mr Raza confirmed it was his first business and he had no previous retail experience.

Councillor Long: When did you get your personal licence? Mr Raza said he had done the training but was still waiting for the card. He took the exam in December.

How many staff will there be? Mr Raza said there would be three at any time. One person would be on the till and another within the shop. If they need something e.g. Arabic bread the other person can go out and buy it.

Do you need to sell alcohol? Mr Raza said their customers were asking for it, especially wine.

What's the minimum price you would charge for a bottle of wine? Mr Raza said it would be £7 or £8.

If MUP was imposed both the resident and Councillor Chan said they would withdraw their objections.

The objectors summed up their case. The resident said that, if the applicant is going to abide by parking and waste disposal rules and impose MUP, then he is happy.

Mr Rocha summed up the applicant's case. They will make an effort to comply with the parking rules. He is not happy with Veolia at the moment as other clients have had problems with them. They are going to look into that. He thinks the agreed conditions will avoid problems with street drinkers. He asked the application to be imposed.

5. Determination of the Application

Pursuant to section 18(3) of Licensing Act 2003, the sub-committee had regard to the representations and considered which of the steps listed in section 18(4) (if any) it considered appropriate for the promotion of the licencing objectives namely:

- The prevention of crime and disorder
- Public safety

- The prevention of public nuisance
- The protection of children from harm.

In making its decision the sub-committee also had regard to the Home Office Revised Guidance and Brent's revised Statement of Licensing Policy which came into force on the 2nd January 2020 following a consultation. In addition, the sub-committee took account of its obligations under section 17 of the Crime and Disorder Act 1998.

The sub-committee had particular regard to the following paragraph from the Home Office Revised Guidance:

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

The sub-committee had particular regard to the following parts of Brent's Statement of Licensing Policy:

Policy 9: The Council has established ten (10) new Cumulative Impact Zones (CIZs) in Brent. The purpose of these CIZs is to address levels of crime and disorder, and anti-social behaviour, particular that associated with street drinking. Therefore, the CIZs will specifically relate to applications and variations for off-licences.

...

It is... not an absolute policy and where an applicant can satisfactorily evidence that their application or variation will not negatively impact on the licensing objectives the Licensing Authority will determine the application on its own merit.

The CIZs do not address the matter of the need for a premises. The need for premises is a commercial matter and is not a consideration for the Council in the discharge of its functions and this policy. Need is a matter for the planning authority and market forces.

Appendix 6:

What is a CIZ?

Cumulative Impact Zones are a tool outlined in the Licensing Act 2003 to address specific issues where the authorising of further licences in a specific area may be inconsistent as well as undermine the promotion of the licensing objectives.

A CIZ creates circumstances in which any new licence or variation to an existing licence that increases the scope for the sale of alcohol within the specified area will not be

granted unless the applicant can evidence that the operation of the licence or licence variation will not contribute to the issues identified to be addressed by the CIZ.

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....

Why have CIZs in Brent?

The Council’s current Licensing Policy came into effect 10 January 2016 at this time no CIZs were identified. 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 and neighbourhoods.

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.

Policy 12: In areas where street drinking has been identified as a problem by the Council new applicants... are required to demonstrate how their premises will not contribute to street drinking in those areas.

Policy 24: The Licensing Authority would like to encourage all licensed premises to apply a minimum unit price of 70p to all alcoholic products sold at their premises.

...

Where any relevant representations which demonstrate a clear causal link between sales promotions or price discounting and levels of crime and disorder on or near the premises, it will be appropriate for the Licensing Authority to consider the imposition of a new condition prohibiting irresponsible sales promotions or the discounting of prices of alcoholic beverages at those premises. Each case will be considered on its own merits.

...

We know that low cost alcohol sold in on and off trade premises increases alcohol consumption which can lead to crime and disorder issues. The Licensing Authority through this policy would like to encourage the responsible consumption of alcohol and where there is evidence that the licensing objectives are being compromised or are likely to be compromised, the Licensing Authority will consider imposing controls on drinks promotions to deal with localised problems. These controls could include restricting the

sale of super strength beer, lager and cider, or the requirement to charge a minimum cost per drink as part of a package of measures to deal with problems.

6. Decision

The sub-committee listened carefully to the representations made by the parties at the hearing and took into account the written representations.

The sub-committee found that the applicant had satisfactorily evidenced that his application will not negatively impact on the licensing objectives. The main purpose of the CIZs is to reduce anti-social behaviour, in particular that caused by street drinking. The sub-committee agreed with the police and LA that street drinking and the anti-social behaviour that results from it revolves almost entirely around the drinking of beer, lager and cider in public. In the written application, the applicant made it clear that it would not be selling any of those things, a clear demonstration that the company had given careful thought to the problems affecting the local area and how it could avoid contributing to them.

Although there had been concerns in the past about Mr Raza's understanding of his responsibilities under the Licensing Act and he had previously sold alcohol without a licence, when Esther Chan met him on the 25th March 2021, he was able to explain the licensing objectives clearly and apologised for selling alcohol in October. It was clear that he understood that the premises falls in a CIZ and, as a result, he would not supply beers, ciders and lagers, which are commonly consumed by street drinkers.

The sub-committee was satisfied that Mr Raza had learnt from his past mistakes and was now taking his responsibilities seriously. He took his personal licence exam in December 2020 and the intention is that all staff will be trained every 6 months.

The sub-committee felt that any concerns about crime and disorder and public nuisance had been allayed by the comprehensive list of conditions agreed in advance of the hearing by the applicant with the police and the LA.

The sub-committee considered whether it would be appropriate to impose a minimum price condition but decided it would not be. The sub-committee could not see any causal connection between sales promotions or price discounting and levels of crime and disorder in the local area that related to wine and spirits. Such a condition would therefore be unnecessary and disproportionate.

The application is therefore allowed subject to the following agreed 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 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 server 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) A sign stating “No proof of age – No sale” shall be displayed at the point of sale.
- 6) A “Challenge 25” policy shall be adopted and adhered to. Acceptable forms of identification shall be a passport, a photo driving licence and a PASS accredited identification card.
- 7) No beers, lagers, and ciders shall be stocked or sold.
- 8) No miniature bottles of spirits smaller than 35cl. shall be displayed and/or sold.
- 9) 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, 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 or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
- 10) 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.

- 11) 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.
- 12) All alcohol products displayed in store will be marked to identify the product is from the premises.
- 13) In the event that a member of staff suspects that a person attempting to purchase alcohol is a street drinker or a person attempting to purchase alcohol on behalf of a street drinker (proxy purchasing) they will immediately call the senior staff member (if they are not already serving) and appropriate enquiries will be made to determine whether the sale can be made.
- 14) Any staff directly involved in selling alcohol for retail to consumers and managers shall undergo basic training of Licensing Act 2003 legislation. This shall 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.
- 15) A notice asking Customers to leave quietly from the premises shall be displayed by the exit/entrance.
- 16) A clear and unobstructed view in to the premises shall be maintained. Signage and/or visual obstructions on the entrance door and any of the windows may be allowed to a maximum height of 1.2 metres from ground level.
- 17) 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.
- 18) All deliveries shall take place during the normal working day (i.e. 09:00 to 18:00 daily).
- 19) A lockable safe with deposit slot and anti-fishing mechanisms must be used at the counter till area in order to prevent crime.
- 20) A suitable intruder alarm and panic button shall be fitted and maintained.
- 21) 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.
- 22) An electronic till prompt should be used for all alcohol sales.

7. Right of Appeal

The applicant and any person who made relevant representations has the right to appeal against this decision pursuant to section 181 and schedule 5 of the Licensing Act 2003.

If you wish to appeal you must notify Brent Magistrates' Court within a period of **21 days** starting with the day on which the Council notified you of this decision.

Dated 19 May 2021

London Borough of Brent

Premises Licence

Part A

This Premises Licence was granted by Brent Council, Licensing Authority for the area of the Borough of Brent under the Licensing Act 2003

Original grant date: 18 May 2021
Current issue date: 16 June 2022



Authorised signatory

Premises licence number: 20852

Part 1 – Premises Details

Postal address of premises, or if none, ordinance survey map reference or description

Westfield Food And Wine
248 - 250 High Street, London, Brent, NW10 4TD

Where the licence is time limited the dates

Licensable activities authorised by the licence

Section J: Sale of alcohol: Off the premises

The times the licence authorises the carrying out of licensable activities

Section J: Sale or Supply of Alcohol: Off the premises

Day	Start Time	End Time
Monday	10:00	23:00
Tuesday	10:00	23:00
Wednesday	10:00	23:00
Thursday	10:00	23:00
Friday	10:00	23:00
Saturday	10:00	23:00
Sunday	10:00	23:00

The opening hours of the premises

Day	Start Time	End Time
Monday	07:00	00:00
Tuesday	07:00	00:00
Wednesday	07:00	00:00
Thursday	07:00	00:00
Friday	07:00	00:00
Saturday	07:00	00:00
Sunday	07:00	00:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of the premises licence

West Supermarket Ltd
248 High Street, London, Brent, NW10 4TD
[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Dev Raj Raut
[REDACTED]

premises licence authorises the supply of alcohol

Licence Number: [REDACTED]

Issuing authority: [REDACTED]

Annex 1 – Mandatory conditions

Age Verification Policy

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.

Minimum Price of Alcohol

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

- (a)—duty|| is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b)—permitted price|| is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c)—relevant person|| means, in relation to premises in respect of which there is in force a premises licence—
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) —relevant person|| means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e)—valued added tax|| means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (—the first day||) would be different from the permitted price on the next day (—the second day||) as a result of a change to the rate of

duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Requirement for a DPS

(1) No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door Supervisors and Security Staff to be Licensed by the SIA (Only if required)

Where the licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions:

a) premises where the premises licence authorises plays or films

b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

Annex 2 – Conditions consistent with the operating schedule

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

6. A "Challenge 25" policy shall be adopted and adhered to. Acceptable forms of identification shall be a passport, a photo driving licence and a PASS accredited identification card.

7. No beers, lagers, and ciders shall be stocked or sold.

8. No miniature bottles of spirits smaller than 35cl. shall be displayed and/or sold.

9. 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, 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 or searching equipment or scanning equipment

(g) any refusal of the sale of alcohol

(h) any visit by a relevant authority or emergency service.

10. 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.

11. 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.

12. All alcohol products displayed in store will be marked to identify the product is from the premises.

13. In the event that a member of staff suspects that a person attempting to purchase alcohol is a street drinker or a person attempting to purchase alcohol on behalf of a street drinker (proxy purchasing) they will immediately call the senior staff member (if they are not already serving) and appropriate enquiries will be made to determine whether the sale can be made.

14. Any staff directly involved in selling alcohol for retail to consumers and managers shall undergo basic training of Licensing Act 2003 legislation. This shall 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.

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

16. A clear and unobstructed view in to the premises shall be maintained. Signage and/or visual obstructions on the entrance door and any of the windows may be allowed to a maximum height of 1.2 metres from ground level.

17. 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.

18. All deliveries shall take place during the normal working day (i.e. 09:00 to 18:00 daily).

19. A lockable safe with deposit slot and anti-fishing mechanisms must be used at the counter till area in order to prevent crime.

20. A suitable intruder alarm and panic button shall be fitted and maintained.

21. 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.

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

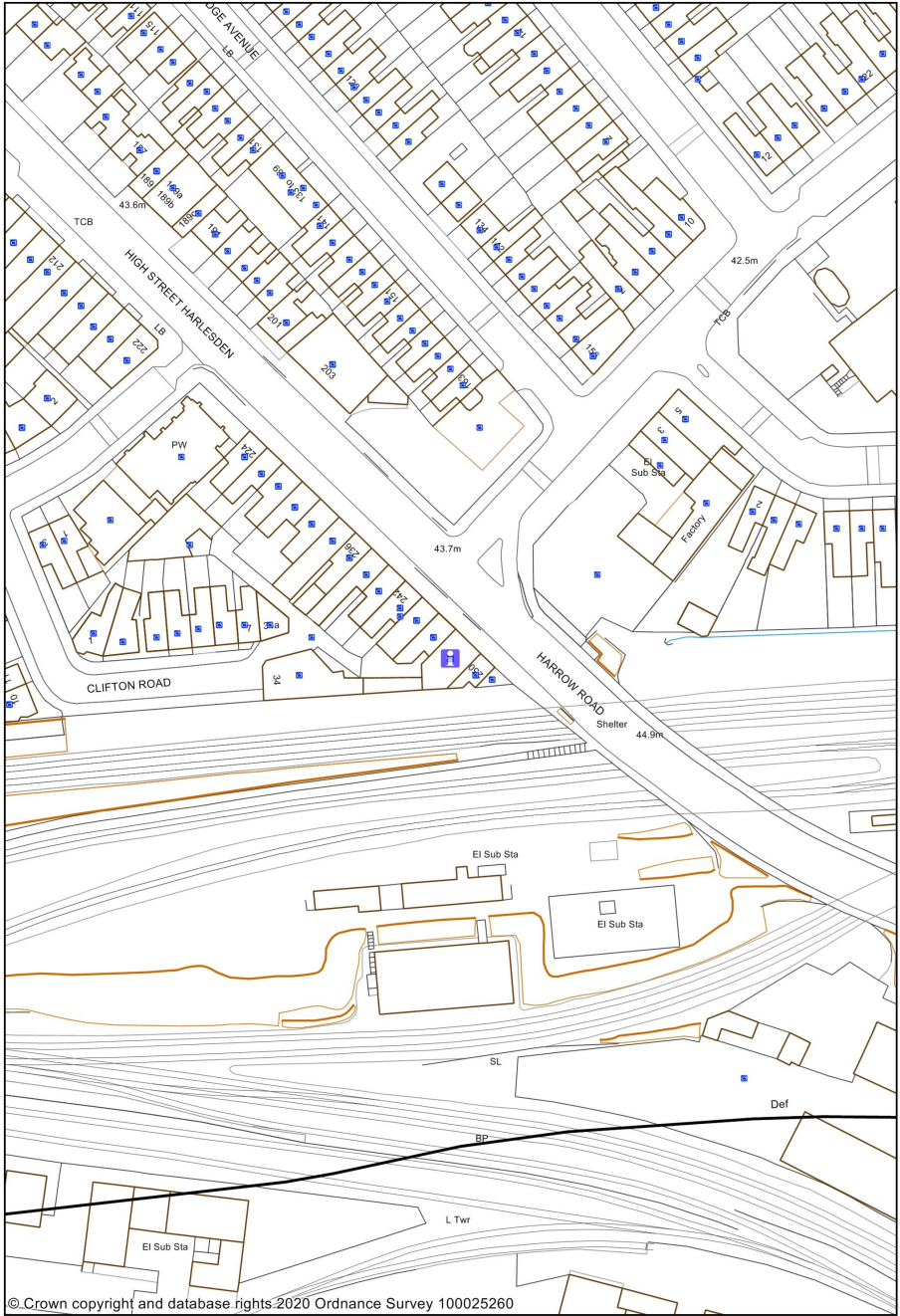
Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

See attached

This page is intentionally left blank

Westfield 248-250 High Street NW10



1:1250

0 0.02 0.04 kilometres



This page is intentionally left blank