



**METROPOLITAN
POLICE**

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TERRITORIAL POLICING

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Date: 10/11/2020

Your ref: 20150

Our ref: 01QK/374/2158NW/20

Police representation to the application for a new Premises Licence for Walnut Wholefoods LTD, 78 Walm Lane, NW2 4RA.

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

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

Officer: Ally Darwood
Licensing Officer 2158NW

An officer of the Metropolitan Police, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The application has been made for a premises licence under section 17 of the act.

The Police representations are primarily concerned with Crime & Disorder, and Public Nuisance.

Dear Sir/Madam,

On Friday 6th November 2020, we (Metropolitan Police, Brent Licensing) received an application for a Premises Licence under Section 17 of the Licensing Act 2003, the applicant being;

Mr Hasan GUL.

The application can be summarised as follows:-

Walnut Wholefoods LTD has applied to be a supermarket / off licence selling food and alcohol. Mr GUL has applied for a licence to sell alcohol (Off Premises) from;

0600hrs - 2100hrs Monday to Friday.

0800hrs - 1700hrs on Saturdays.

0800hrs - 1500hrs on Sundays.

With the store to be open to the public during the same hours.

The application states the following;

- There will be a Challenge 25 Policy
- Staff will be trained on age restricted products
- CCTV will be kept for 31 days and maintained
- Incident and Training logs to be kept
- Noise signage to be displayed

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

Cumulative Impact Zone (CIZ)

Willesden High Road which includes Walm Lane 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.

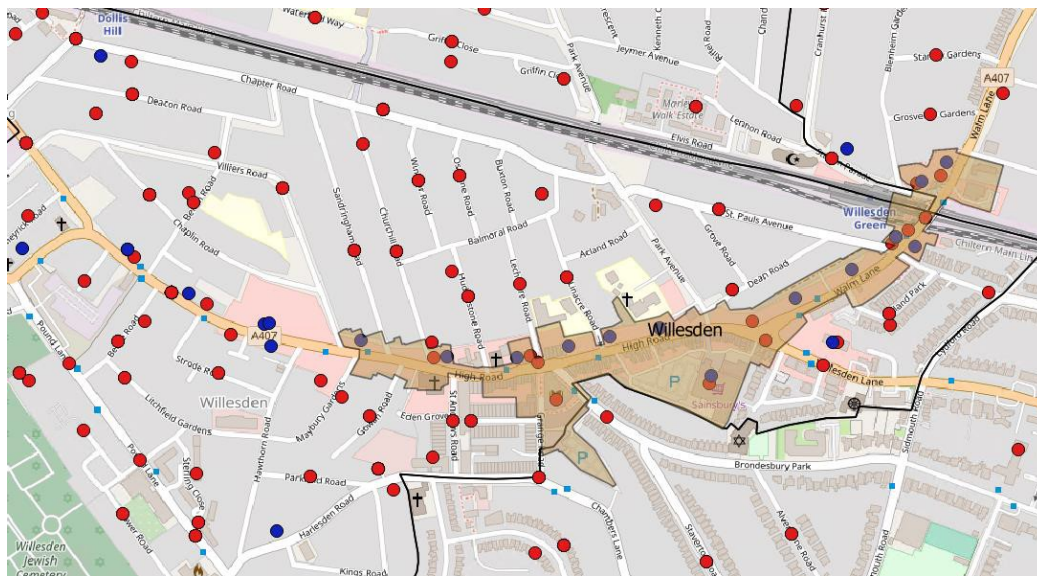
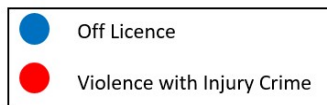
Data captured from various sources including alcohol related police and ambulance call outs has been mapped and shown sufficient evidence to implement CIZs in the specified area. In particular crime data and evidence shows a correlation between concentrations of off-licences and alcohol related anti-social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

High Road, Willesden

High Road, Willesden is busy large parade of shops in Willesden Green Ward. High Road, Willesden is in an area of medium to high levels of deprivation.

High Road & Walm Lane, Willesden are hotspots for alcohol flagged calls to the Police for crime and anti-social behaviour, and to the ambulance service for call outs.

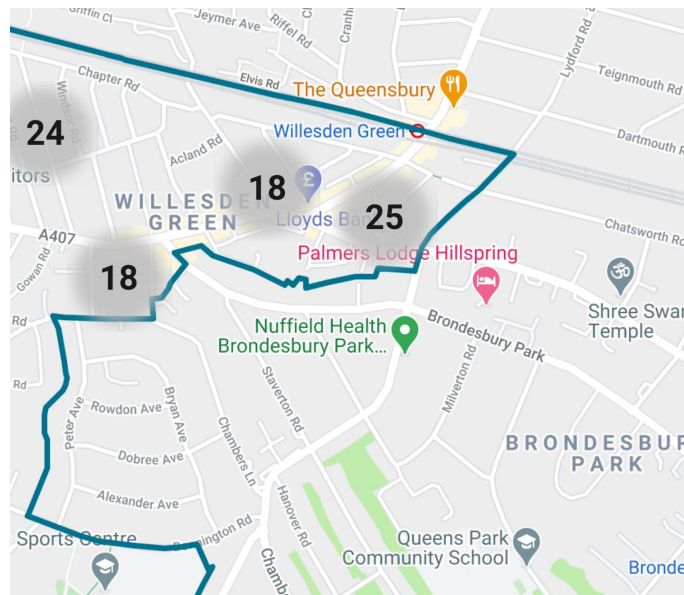
The below map has been taken from Appendix B of the Brent CIZ Proposal, which shows a snapshot of violence with injury crimes, and off licences in the Willesden CIZ and surrounding areas (01/06/2017 to 31/05/2019). The proposed venue is to the right of the CIZ (Walm Lane junction with St. Pauls Avenue). Note the proximity of off licences;



From a Police perspective, it is believed that any additional alcohol retailer within the Willesden CIZ will add to the supply of alcohol to street drinkers and directly contribute towards the existing problem. An opportunity to reduce the supply of alcohol should be explored at every opportunity especially when the addition of a new premises would clearly exacerbate the problems being experienced already, highlighted in the stats below taken from Police.uk Crime Map. These following stats cover the area in September 2020.

Top reported crimes	
Most commonly reported crimes during Sep 2020	
Anti-social behaviour	71
Violence and sexual offences	35
Other theft	14
Vehicle crime	14

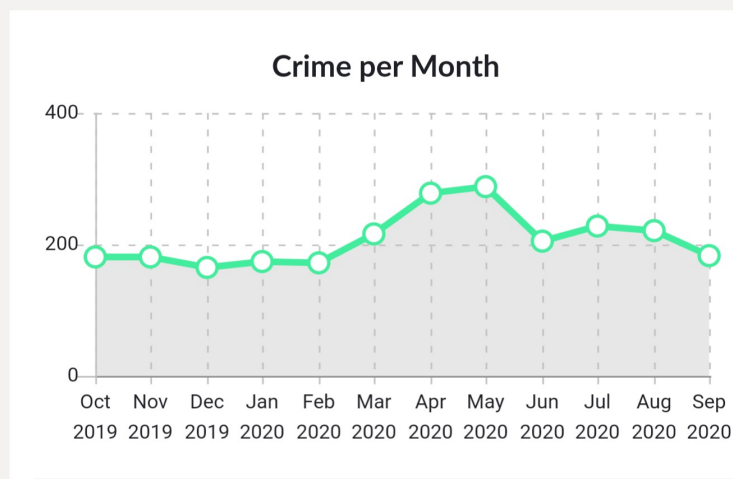
The following map shows the locations of hotspots within the Willesden Green CIZ, the '25' Hotspot falls almost exactly on the location of the proposed off licence (NW2 4RA) & the '18's indicate the same street.



The following graphic is also taken from Police.uk and shows the crime rates per month in the area of the proposed off licence (NW2 4RA) averaging at approximately 200 crimes per month.

Crime levels overview

Crime for last year



Below is a list of the crimes in the area of the proposed venue, evidenced in more detail, with redactions due to data protection. This list includes a snapshot of some of the crimes which have occurred in the last year. The types of crimes listed and the frequency that they occur can be attributed to, and are exacerbated by, the consumption of alcohol.

Each of the below entries is within 3-5 minutes' walk from 78 Walm Lane, NW2 4RA, taken from police indices from 01/01/2020 – 10/11/2020;

24/10/2020 – 2100hrs – Common Assault - 1926###/20
18/10/2020 – 1940hrs – Theft – 1926###/20
16/10/2020 – 1235hrs – Common Assault – 1925###/20
09/10/2020 – 2045hrs – Common Assault – 1925###/20
24/09/2020 – 1700hrs – Common Assault – 1923###/20
20/09/2020 – 2240hrs – GBH/Serious Wounding - 1923###/20
20/09/2020 – 2050hrs – Robbery - 1923###/20
18/09/2020 – 2115hrs – ABH - 1923###/20
06/09/2020 – 2300hrs – Common Assault - 1922###/20
05/09/2020 – 0750hrs – Common Assault - 1921###/20
05/09/2020 – 0700hrs – Criminal Damage - 1922###/20
01/09/2020 – 0400hrs – Theft - 1921###/20
16/08/2020 – 0400hrs – GBH/Serious Wounding - 1920###/20
29/07/2020 – 2300hrs – Robbery - 1918###/20
12/07/2020 – 0700hrs – Criminal Damage - 1916###/20
10/04/2020 – 1800hrs – Public Order Offences – 1908###/20
15/03/2020 – 1530hrs – Criminal Damage - 1906###/20
14/03/2020 – 1800hrs – Theft – 1906###/20
29/01/2020 – 1140hrs – Common Assault – 1902###/20

On Tuesday the 10th November 2020 at 1305hrs, I contacted the applicant by telephone and asked if he was happy to answer a few questions about the application, to which he replied yes. Following pleasantries I asked the following questions relevant to his application, and recorded his replies;

PC DARWOOD: Do you know what a Cumulative impact zone / CIZ is?

Mr GUL: No

PC DARWOOD: Are you aware that your stores application falls within a CIZ?

Mr GUL: No

PC DARWOOD: Do you have a solicitor with knowledge of CIZs?

Mr GUL: No but I can get one.

PC DARWOOD: Will you be working at the store?

Mr GUL: Yes, me and my business partner will be

PC DARWOOD: Are you a PLH?

Mr GUL: Yes, for 15 years, my business partner is also a PLH, I worked in a bar before

PC DARWOOD: Important knowledge for anyone who is a PLH is the 4 licensing objectives, can you tell me what you know of them?

Mr GUL: No, if I'm honest I don't remember them

PC DARWOOD: I advise you to study them as, if you are granted your licence, you will be expected to adhere to them.

Mr GUL: Okay I will do that after this phone call

PC DARWOOD: What will you be selling if you were to get your licence approved?

Mr GUL: We are trying to do something different in the area, somewhere that brings people together, we wont be selling cigarettes or cheap alcohol like cans of beer. We want to sell Organic wines to go with peoples groceries.

PC DARWOOD: You haven't put that anywhere on your application Mr GUL, you have applied for an alcohol licence which applies to selling all alcohol. So, If you were unable to sell alcohol what would you sell?

Mr GUL: Fruit and veg mainly and other groceries, ... it would be an issue as we have designed the shop to sell good quality wine, we have a whole wine section. Alcohol is not as big a part of the business as groceries, biggest percentage, dairy 10%, wine 10%.

PC DARWOOD: In general; What do you know of the Willesden Green area?

Mr GUL: We have been here four months already, we have researched the area before buying the shop. We specifically chose this location because of the heritage, we want to keep the same tiles from the original building.

PC DARWOOD: Have you been operating without alcohol sales, in the last 4 months?

Mr GUL: No, with all the paperwork and construction, it has filled our time

PC DARWOOD: Do you have any questions for me?

Mr GUL: No, not a question but we don't want to sell cigarettes etc, we want to sell organic wine and hopefully plastic free.

Following the telephone conversation, I have concerns with the applicant's business plan for this premises.

He seems to be very passionate and knowledgeable about wines, claiming to want to only sell organic wines. However he has not stated any of this on his application. There is nothing written to prevent the applicant selling single cans of beer or miniatures on top of his projected wine sales, which would clearly exacerbate the ongoing street drinking issues in the area.

The applicant also stated his purpose is to mainly sell groceries alongside wine sales, and has then continued, stating that alcohol sales will only be roughly 10% of his business, which would suggest he could operate without an alcohol licence.

It's inadvisable to open another store that's main purpose, I believe, is to sell wine, as the applicant has stated that there is already a wine section in the store. The applicant had no knowledge of the licensing objectives, which, in an area subject to a CIZ, is not adequate.

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

Willesden Green and Walm Lane in particular, cannot cope with another off-licence. The area is already saturated with similar venues. There are 9 similar premises within a 3 minute walk that sell alcohol (not including bars and pubs – Angies III for example). The temptation to provide lower cost alcohol in an attempt to undercut competition will be high.

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

I request that this application for a Premises licence at Walnut Wholefoods LTD, 78 Walm Lane, NW2 4RA be refused.

I do not believe there are any conditions that could be attached to the licence to negate the risk of the objectives being undermined. I accept the decision does not rest with me but with the committee. With that in mind, if the licence was granted I would ask for Licensable Activities and Opening Hours to be restricted (namely 1000hrs opening time) and I would ask for the following conditions:

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and licensing officers immediately upon request. A member of staff fully conversant with the use and operation of the CCTV system and how to provide footage to police or local authority requests shall be present throughout the permitted hours for sale of alcohol.
2. A CCTV camera shall be installed to cover the entrance of the premises and capture clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises. Suitable signage re the use of CCTV must be displayed.
3. A sign stating “No proof of age - No sale” shall be displayed at the point of sale
4. A “Challenge 25” policy shall be adopted and adhered to.
5. An incident/refusal book shall be kept at the premises, and made available for Inspection on request to an authorised officer of Brent Council or the Police, which will record the details (including day, date, time, summary of incident) of any of the following:
 - all crimes reported to the venue
 - all ejections of patrons
 - any complaints received
 - any faults in the CCTV system
 - any refusal of the sale of alcohol including ‘Off Deliveries/sales of alcohol’
 - any visit by a relevant authority or emergency service.
6. A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.
7. Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo regular training of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.
8. Promotions that encourage irresponsible drinking shall not be permitted.
9. A clear and unobstructed view into the premises shall be maintained at all times.
10. A suitable intruder alarm complete with panic button shall be fitted and maintained.
11. No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked with the exception of premium beers.
12. 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

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

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

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

16. 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.

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

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

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

Yours sincerely,

Ally Darwood PC2158NW

Brent Licensing Police Team