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The Licensing Authority

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Your ref: 20852

Our ref: 72/21/2965NW

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Police representations to a New Premises Licence application for “Westfield Food & Wine, 248-250 High Street, Harlesden, London, NW10 4TD”.

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.

**Police Officer: Gary Norton
Licensing Constable PC 2965NW**

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 new premises licence under section 17 of the act, in accordance with section 12 of the Licensing Act 2003. The Police representations are primarily concerned with crime and disorder, public nuisance and public safety and protecting children from harm.

The premises sits on a parade of shops on a busy high street in Harlesden London. The area has a heavy traffic and footfall of pedestrian custom, all within a densely populated residential area. Some parts of Harlesden have become badly affected by crime, disorder and anti-social behaviour (ASB). This has resulted in the London Borough of Brent designating Cumulative Impact Zones under the Statement of Licensing Policy 2020-2025. A **Cumulative Impact** Area is a designated **zone** where evidence has indicated that the number, type or density of licensed premises is impacting adversely on the licensing objectives, namely, crime and disorder, public safety, public nuisance and the protection of children from harm.

Harlesden has a large number of on/off licenses in close proximity and this has facilitated the bad habits of street drinkers, giving them easy access to alcohol, often compounded by irresponsible sales. This in turn has had a negative effect in the area leading to more crime, disorder and public nuisance and even children having access to alcohol.

There had been a premises licence previously applied for by the same applicant back in October 2020, which both the police and Council licensing team made representations to oppose due to concerns

over the ability of the applicant to properly uphold the licensing objectives. It was found the premises had been selling alcohol without appropriate permissions and had continued to do so even after being warned by the Council not to do so. At the time, the applicant also displayed a very limited appreciation and understanding of licensing responsibilities. The reasons given for these unlicensed sales were that the applicant believed the Blue Notice was the licence. However, as the council had already explained the difference between a premises licence and the Blue Notice, the police later found the premises to still be displaying and selling alcohol. Worse still, given the applicants claims that he thought the premises were licensed, he was in contravention of the very conditions that they were proposing in the application. This encounter highlighted and validated the reasons why the CIZ policy was created: to deal with new off licence applications that are woefully short of a required standard in a challenging area.

The applicant decided to withdraw that application rather than argue the merits of his case at a hearing. The latest application has some differences to the last in an attempt to deal with concerns over issuing a new premises licence. The applicant has stated they will not sell beer, cider or miniatures of spirits. Alcohol sales will focus on wines and spirits. Many of the street drinking issues that fuel crime, disorder and public nuisance revolve around the sale of spirit miniatures, beer and cider. If the no-sale of beer, cider etc. is included as a condition on the licence, then it would alleviate some of police licensing concerns. The application also states the sales of alcohol will be restricted to the hours of 1000am until 2300hrs. With these changes, Police licensing would consider the application being granted, if certain strict conditions were put in place and adhered to.

Some of the suggested police conditions below speak for themselves and fit what the applicant has suggested is included on the licence. I would take this opportunity to explain the rationale behind a couple of other conditions that Police would like including, namely condition 7 & 8.

7: Having lockable screens (with option of signage to explain alcohol licence hours) will avoid unnecessary hassle for staff and customer alike debating or arguing over whether or not they can sell out of hours. It draws a clear line in the sand and many customers will approve of the efforts shown to show control and restraint over sales of alcohol.

8: Having labelled product will help us to identify and monitor the alcohol sales and its possible consumption in the area, for example, in the event of seeing customers who are street drinking from alcohol sold from the shop, so any issues can be addressed.

I would also stress to the applicant and their representative the importance of the manager and DPS being fully conversant with their responsibilities towards the licensing objectives and to avoid some of the previous issues experienced when Police and Council Licensing officers visited in October 2020.

If the following conditions were included on the licence in full, I would withdraw representations.

- 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) A sign stating "No proof of age – No sale" shall be displayed at the point of sale.
- 3) 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.
- 4) No beers, lagers, and ciders shall be stocked or sold.
- 5) 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.
- 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) 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.
 - 8) All alcohol products displayed in store will be marked to identify the product is from the premises.
 - 9) 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.
 - 10) No miniature bottles of spirits smaller than 35cl. shall be displayed and/or sold.
 - 11) 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.

I look forward to hearing back from the applicant and/or his representative soon.

Yours Sincerely,

Gary Norton 2965NW
Licensing Constable – Brent Police