
Mr Nishanthan Jebarajan
Nishco Food & Wine
319 Harrow Road
Wembley
HA9 6BA

1 November 2021

Our Ref: 22718

Dear Sir/Madam,

Licensing Representation to the Initial Application for the Premises Licence at Nishco Food & Wine, 319 Harrow Road, HA9 6BA

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

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

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

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

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

Cumulative Impact Zone (CIZ)

The Council's current Licensing Policy came into effect 7th January 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.

Wembley Central 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: -

Wembley Central (Wembley High Road/North End of Ealing Road)

Wembley Central is a ward which includes two busy shopping parades on Wembley High Road and the north end of Ealing Road. Wembley central has areas of low to medium levels of deprivation.

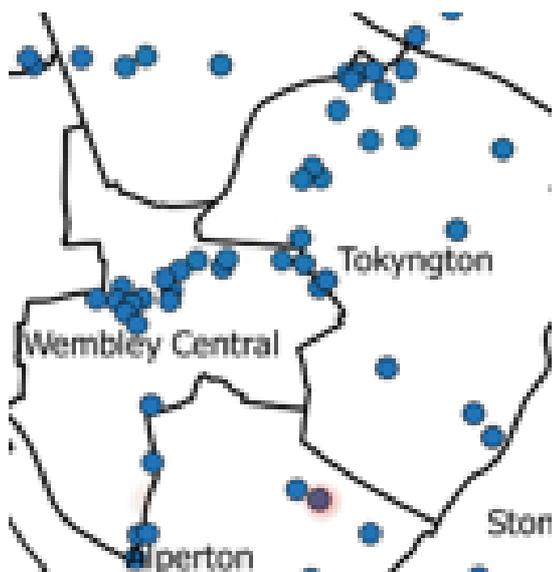
Wembley Central is a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour, and to the ambulance service for call outs. The data shows the whole of the High Road from Ealing Road to Wembley Triangle experiencing high levels of alcohol related issues.

In the last 2 years there have been 267 violent crimes in Wembley Central at an average of 11 crimes per month.

The below map shows violence with injury crimes, and off licences in Wembley (01/06/2017 to 31/05/2019)

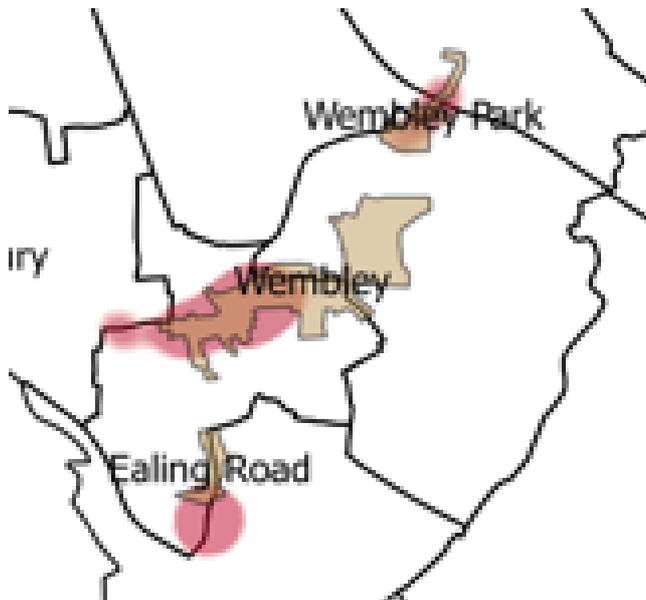
Street Drinking Hotspots

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.



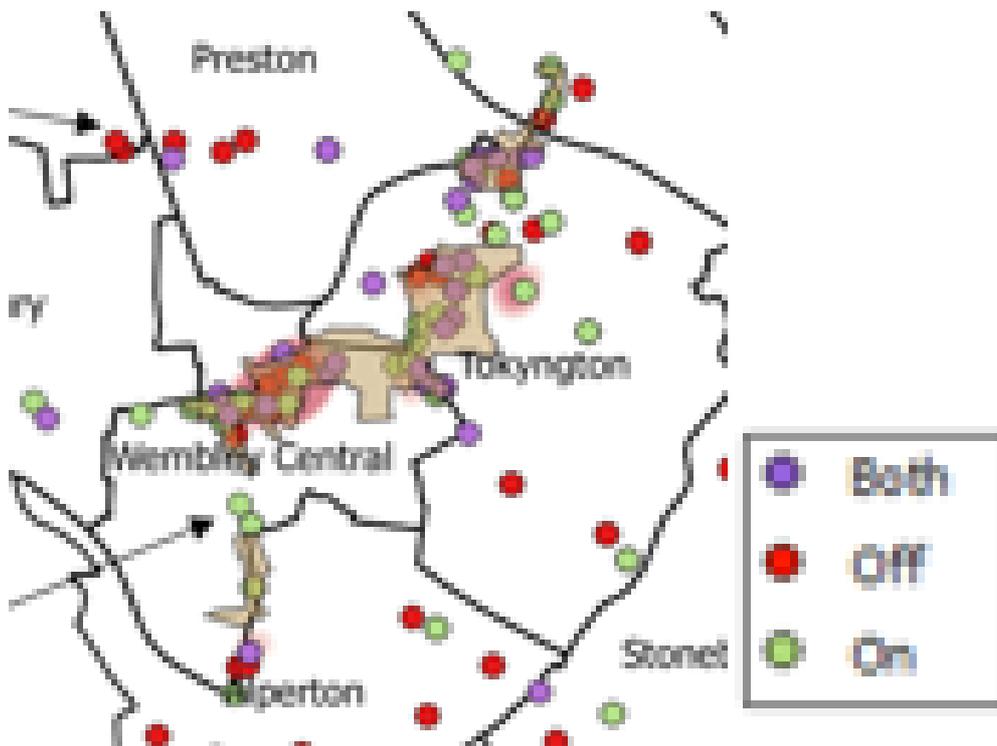
Calls to police specifically related to street drinking between 01/06/2017 and 31/05/2019

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

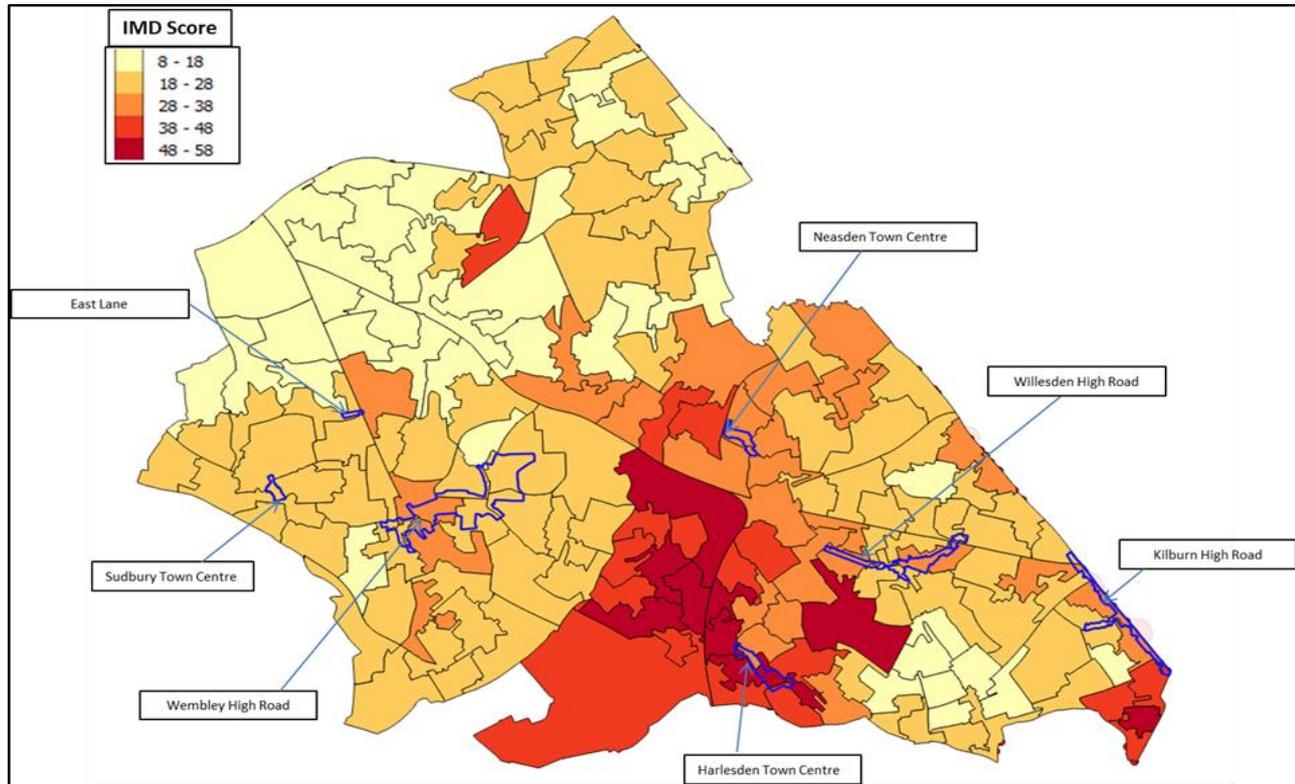
Hotspot of Violence with Injury Crimes



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 Wembley Central is to address the issues mentioned above.

The Premises

The premises, namely Nishco Food & Wine, 319 Harrow Road, HA9 6BA falls within one of Brent's ten CIZs.



Wembley Stadium is within ½ mile walking distance and attracts a high footfall of visitors on event days. There are already a number of off licences within the vicinity (see map and table below).



Name	Address	Supply of Alcohol	Grant Date	
Eastern European	297 Harrow Road	24 hours	2007	●
Jeen Cash & Carry	306 Harrow Road	24 hours	2006	●
Triangle Food & Wine	1 Neeld Parade	08.00-00.00 hours	2006	●
Brother Superstore	4 Neeld Parade	08.00-23.00 hours	2005	●
Sunny Superstore	11 Wembley Hill Road	09.00-00.00 hours	2007	●
Winstaar	354 High Road	08.00-23.00 hours	2005	●
Sainsbury's	349-357 High Road	09.00-00.00 hours	2020	●
Nishco food & Wine	319 Harrow Road	08.00-23.00 hours 08.00-22.30 hours	N/a	●

You will note from the table above, all of the off licences that currently sell alcohol in the local vicinity. With the exception of one, these were all granted a number of years ago. These premises are all subject to the CIZ, should any variations be made to their Premises Licence.

Public Space Protection Order (PSPO)

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

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

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

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

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

Previous Premises Licence Application

An application by the same applicant was made in July 2020 and was subsequently refused by the Licensing sub-committee. I cannot see anything in this application that differentiates itself from the last application or indeed strives to address the Cumulative Impact Zone (CIZ) in which it is positioned.

The Licensing Authority would expect to see information on how the business plans to ensure that their particular premises will go above and beyond in promoting the licensing objectives in an already saturated area.

Supply of Alcohol and Opening Hours

The previous application proposed that the supply of alcohol commence at 06.00hrs. This application still proposes that alcohol be supplied from 08.00hrs despite the Licensing officer stipulating that there are issues of street drinking in the local area.

Further, there is nothing to suggest that this business is any different to the many existing off licences that already exist. The number of premises in the area is already excessive and adding another off licence is extremely likely to contribute to existing problems in the area.

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.

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

Yours faithfully



Licensing Inspector
Regulatory Services