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Mr M S Kapoor  
Personal Licence Courses UK Ltd  
145 Station Road  
West Drayton  
UB7 7ND

31<sup>st</sup> December 2021

Our Ref: 23367

Dear Mr Kapoor,

**Licensing Representation to the Initial Application for the Premises Licence at Save Food & Wine, 46 Craven Park Road, NW10 4AE**

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.

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: -

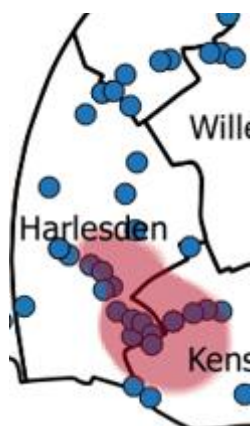
### **Harlesden**

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.



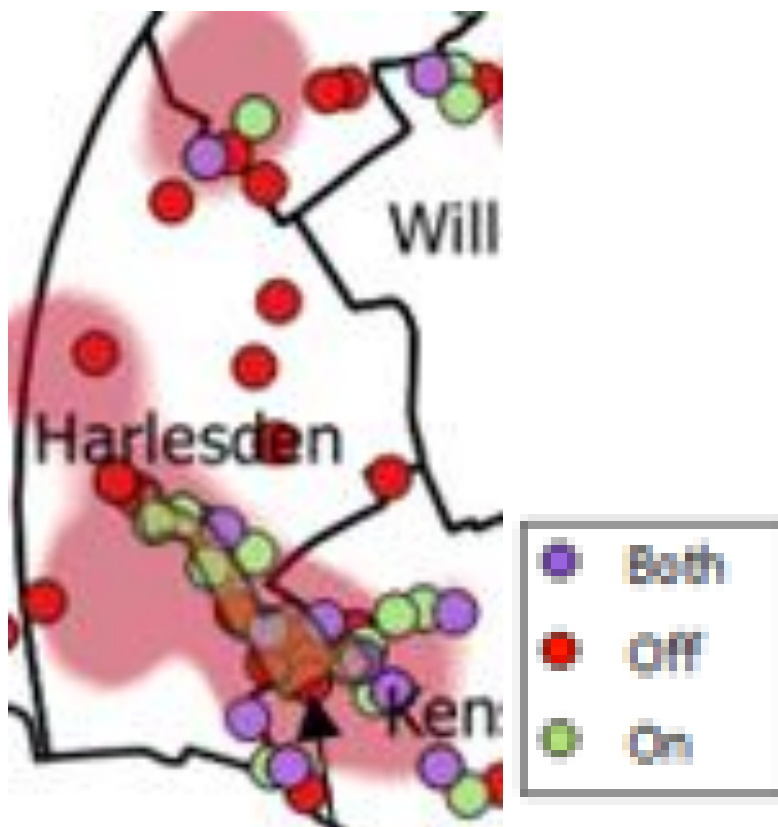
*Calls to police specifically related to street drinking between 01/06/2017 and 31/05/2019*

**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*

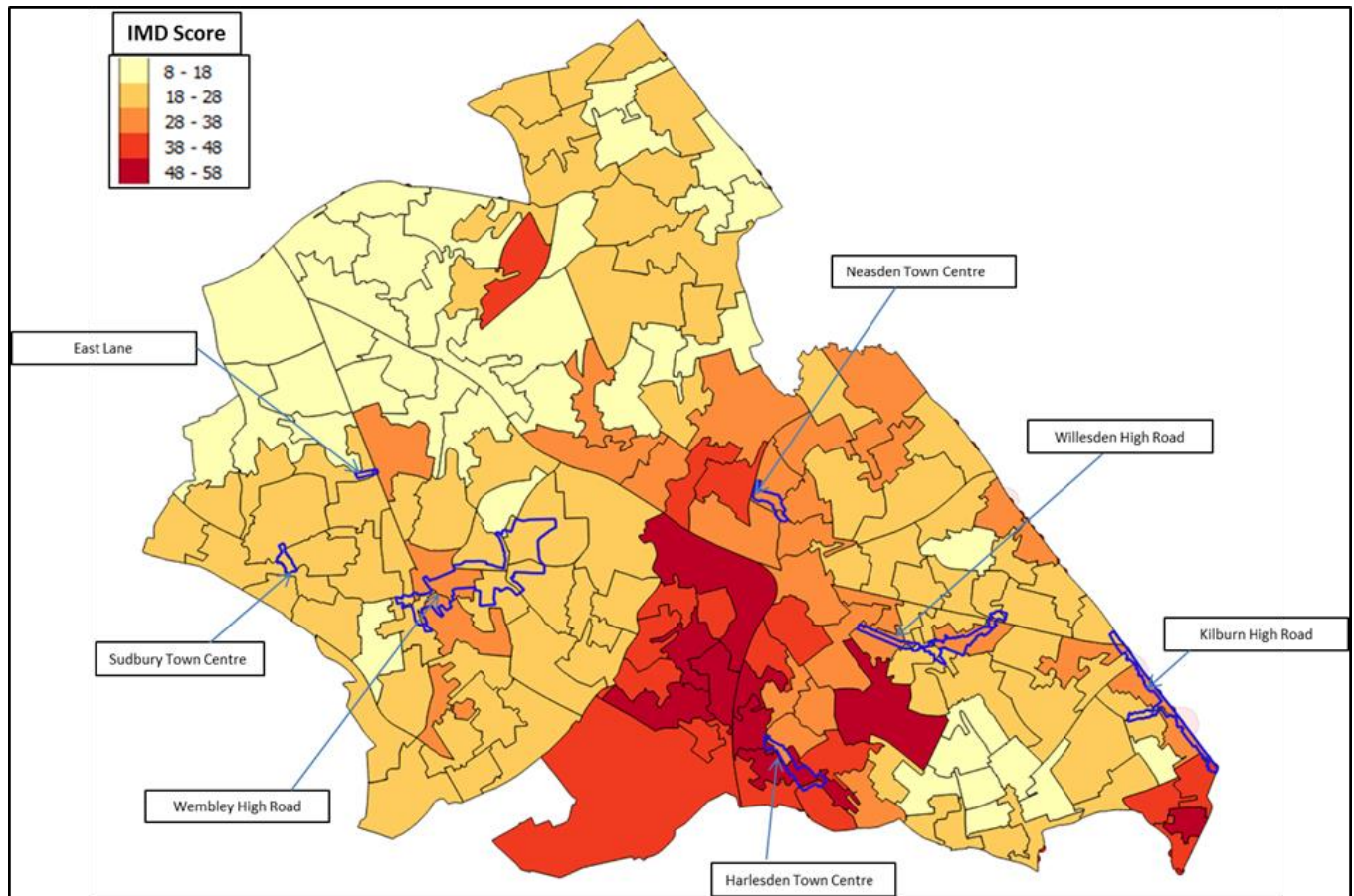
**Hotspot of Violence with Injury Crimes**



*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 (Craven Park Road) is to address the issues mentioned above.

### **The Premises**

The premises, namely Save Food & Wine, 46 Craven Park Road, NW10 4AE falls within one of Brent's ten CIZs.







*Save Food & Wine, 46 Craven Park Road, NW10 4AE*

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.



Key	
 <b>Premises applying for new OFF Licence</b>	 <b>Premises that already have an OFF Licence</b>
	1. Who Next, 6 Library Parade ( Less than 1 min Walk )
	2. Craven Park Off Licence, 102 Craven Park Road ( 2min Walk / 0.1 Miles )
	3. Corner Shop, 98 Craven Park Road ( 2min Walk / 440 Feet )
	4. Supersave, 68 Craven Park Road ( 2min Walk / 400 Feet )
	5. Shadys, 164 Manor Park Road ( 1min Walk / 87 Yards )
	6. Tamariz Deli, 24 Craven Park Road ( 2min Walk / 453 Feet )
	7. Beers, Wines & Spirits, 21 High Street ( 4 min Walk / 0.2 Miles )
	8. PS Drinks, 43 Craven Park Road ( 1min Walk / 335 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.**

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

### **Safeguarding the Local Area**

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

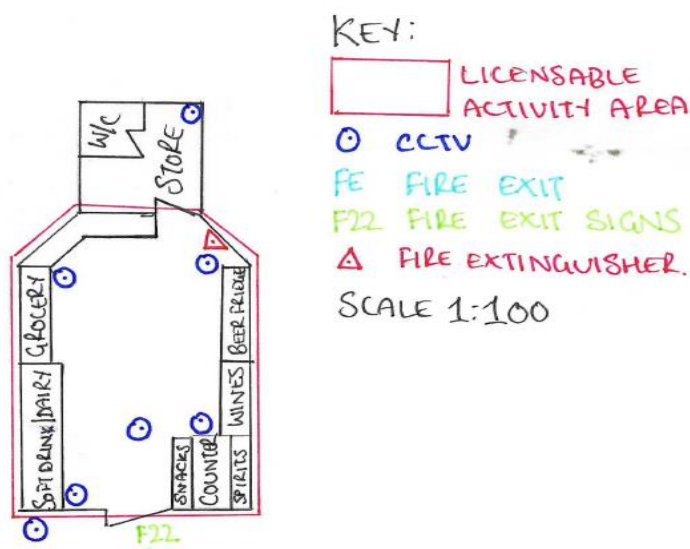
However, there are no specific conditions that are mentioned in the application to address the likes of such things outside of the premises that could be directly linked back to the premises. This includes items such as the clearing up of litter which may be left outside the premises by

customers, the labelling of alcohol with the premises name in order to link street drinkers back to the premises or measures to discourage street drinkers from loitering outside the premises.

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

### The Plan

The premise is a relatively small premises which appears to be a traditional proposed off licence.



On the 31<sup>st</sup> December 2021, I spoke with the applicant and proposed DPS Mr Mohammad Aslam Bhatti via telephone to obtain further information related to the application.

The following questions were asked and recorded below:

Esther Chan(LA): Are you aware that the premises fall in a ClZ and do you know what that means?

**Mr Bhatti: there are a lot of shops there, problem is everywhere.**

Esther Chan (LA): Are you aware of the issues in the area?

**Mr Bhatti: i know area very well for over 25 years. I have friends in the area**

Esther Chan (LA): Do you intend to sell high strength beers, ciders and lagers over 6% abv?

**Mr Bhatti: No**

Esther Chan (LA): When did you undertake a personal licence course?

**Mr Bhatti: Over 20 years ago. I am experienced.**

Esther Chan (LA): Explain the 4 licensing objectives?

**Mr Bhatti: Police, can't serve to drunk people, under 18.**

Esther Chan (LA): Can you explain the age verification policy that you intend to adopt?

**Mr Bhatti: Check ID, check passport, check driving licence and citizens card. Check anyone under 18.**

Esther Chan (LA): How staff will you employ?

**Mr Bhatti: No one because it's a very small shop. Maybe my partner may help. His name is Mr Nathan Blight (leaseholder). I am the manager.**

Esther Chan (LA): Why is Mr Blight who is your business partner and leaseholder, not named as the second applicant?

**Mr Bhatti: We are partners, I will be managing the shop everyday.**

Esther Chan (LA): Who pays the Business Rates?

**Mr Bhatti: Save and Food Ltd - Director Nathan Blight.**

Esther Chan (LA): What will you sell shop?

**Mr Bhatti: Grocery, crisps, off licence goods.**

Esther Chan (LA): There are many existing off licences in local area, why do you want to open another off licence?

**Mr Bhatti: We opened a milkshake shop last year and it was not successful. We have 15 years lease and need to pay rent.**

Esther Chan (LA): Is the shop currently open?

**Mr Bhatti: No, the shop is closed until we have a licence.**

Esther Chan (LA): If the application is refused, will you continue to trade and what will you sell?

**Mr Bhatti: If I don't have licence, I can't open, as it difficult to survive with only grocery goods. We will only make £50 per day, we need to sell bottles.**

Esther Chan (LA) – Do you experience running an off licence?

**Mr Bhatti: I have experience in running restaurants, grocery shops in Harrow and Wembley, which I have sold.**

Based on my conversation with Mr Bhatti, I am not confident that he will be able to uphold the licensing objectives.

He appears to have limited understanding with regards to the CIZ and could not provide definitive answers to the four licensing objectives and the age verification policy.

There is nothing to suggest that the premise will offering any niche products other than typical goods you would expect to find at an local off licence baring in mind, there are many existing grocery and off licence premises located in the area.

Mr Bhatti stated that without the premise licence, he cannot operate as he is relying on alcohol sales to promote his business. Harlesden is a challenging area of the Borough fuelled with anti social behaviour including street drinking, therefore adding another off licence in the area will not benefit the wider community in my opinion.



## 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 eight that already exist in the immediate area, will no doubt be detrimental to the local area.

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

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

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council.
2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
3. A CCTV camera shall be installed to cover the entrance to the premises and further cameras to cover the entire 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 “Challenge 25” policy shall be adopted and adhered to at all times.
6. A sign stating “No proof of age – No sale” shall be displayed at the point of sale.
7. 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.
8. Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo regular training (every 12 months) of Licensing Act

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

9. 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.

10. All alcoholic drinks shall be clearly labelled or marked with the name of the premises.

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

12. A single incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

13. No high strength beers, lagers, and ciders above 6% ABV shall be stocked or sold at the premises.

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

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

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

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

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'Esther Chan', with a stylized, cursive script.

Esther Chan  
Licensing Inspector  
Regulatory Services