

APPENDIX 2



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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:

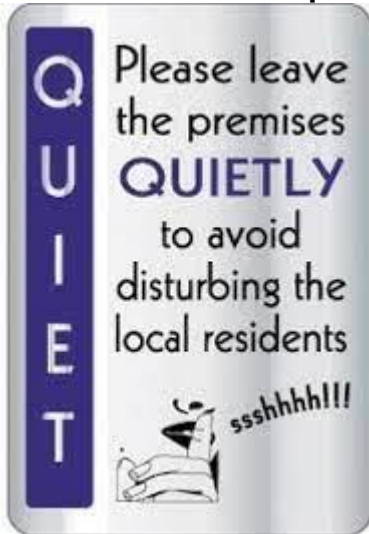
- **Relevant age restrictions in respect of products.**
- **How to refuse service including recognising signs of drunkenness, refusal skills, etc.**
- **The premise duty of care.**
- **Managing and resolving conflict.**
- **Company policies and reporting procedures.**
- **Action to be taken in the event 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