

**From:** Kelcher, Councillor Matt  
**Sent:** 29 August 2022 20:18  
**To:** Esther, Chan <[Esther.Chan@brent.gov.uk](mailto:Esther.Chan@brent.gov.uk)>  
**Cc:** Business Licence <[business.licence@brent.gov.uk](mailto:business.licence@brent.gov.uk)>; members enquiries <[members.enquiries@brent.gov.uk](mailto:members.enquiries@brent.gov.uk)>  
**Subject:** FW: Licence Variation West Supermarket 248-250 High St

Hi Esther,

I would like to register my objection to the below application. In addition to the point raised by [REDACTED], my ongoing concern is that selling cheap alcohol at this location – near a club with long opening hours, a park and several residential streets – can encourage revellers to come out of the club and purchase cheaper drinks in the shop, then drink these in public bringing associated ASB issues.

Best wishes,

Matt

**Cllr Matt Kelcher**

**Labour Councillor for Harlesden and Kensal Green Ward**

*Chair, Planning Committee*

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**Sent:** 23 August 2022 11:27  
**To:** Chan, Councillor Jumbo; Kelcher, Councillor Matt  
**Cc:** Cumberbatch, Ashley McGann, John  
**Subject:** Licence Variation West Supermarket 248-250 High St

Hi Jumbo and Matt

The minimarket at 248-250 High St Harlesden NW10 4TD is applying for a licence variation to allow them to sell beer and cider. Since you have previously objected to alcohol licensing at this premises will you object to this variation before 5 September? The shop, known as West Supermarket Ltd (previously Westfield Food and Wine) obtained a licence via committee decision on 18 May 2021. At the hearing the applicant said (as per attached transcript) that: 'They recognised that it's in a CIZ and that's why they decided not to sell beers, lagers, ciders and miniatures. They just want to sell wine and spirits. It's only going to be a small part of the business. They don't mind if MUP [minimum unit pricing] is imposed.

The applicant was also questioned about their deliveries and trade waste disposal because vehicles had been seen parking illegally and evidence had been provided of trade waste dumping. The applicant said that deliveries: 'were done in the early morning, around 7am to 8am. They often stop in Clifton Road and use a trolley'

Please note that the street outside the shop is very busy (a cyclist was killed last year) and is thus designated as having no parking, waiting or loading. The applicant acknowledged this at the hearing and promised that loading only occurred on Clifton or Furness Rds. In truth this has never occurred and loading continues via illegally parked vehicles as per photos below which indicate a reckless and dangerous public nuisance which will only increase if there are new beer/cider deliveries as well.

You may also like to know that in October 2020 alcohol was found on display for sale before any licence was granted. In July 2021 (just weeks after gaining a licence) a warning letter had to be issued for several breaches of conditions. These breaches are detailed below:

On Sunday morning 20 June 2021 at 9:15am I entered Westfield Food and Wine, walked around, then picked up a bottle of Wray and Nephew Overproof Rum 63% ABV to examine it in full view of the counter clerk\* who was the sole member of staff on duty. None of the alcohol on display had the required store markings. I then left the store.

Later I re-entered the store, picked up a bottle of Wray and Nephew Overproof Rum 63% ABV, took it to the counter and purchased it at 9:40am.

At 1:55pm a female colleague entered the store and attempted a test purchase, asking the counter clerk: "I would like to buy a homeless man in the park something to drink, what's your cheapest wine?". The clerk suggested a small tonic wine for £3.50. This is a high strength wine favoured by Harlesden street drinkers

### **Breach of Conditions**

- a. The store is not licensed to sell alcohol before 10am
- b. The rum bottle purchased was 20cl size, licensing condition 8 stipulates nothing smaller than 35cl
- c. A premises licence summary is not visible at the entrance
- d. Outside of the authorised hours, alcohol should be locked behind grill/screen/cabinet to prevent access by staff or customers
- e. No alcohol products were marked with the store name (including the rum bottle purchased)
- f. According to condition 13, if a member of staff suspects that a person is attempting to purchase alcohol on behalf of a street drinker (proxy purchasing) they should immediately call the senior staff member and appropriate enquiries will be made to determine whether the sale can be made. This did not happen
- g. I suspect the sole member of staff on duty was not a personal licence holder nor had he undergone basic training of Licensing Act 2003 legislation

### **Breach of Promise**

a. In the Notice of Decision attached, the transcript shows Cllr Long asked how many staff there would be and Mr Raza promised "three at any time".

b. At the hearing, when asked what's the minimum price you would charge for a bottle of wine, Mr Raza said it would be £7 or £8.

c. The transcript shows Mr Raza say he knew how to present trade waste. However, at 6:03pm 14 June 2021 a stout white male (\*same man who sold rum at 9:40am) left the store carrying two black bags and dumped them on the pavement outside 242 High St, he then returned to the supermarket. Dumping of the unmarked trade waste was caught on Brent's CCTV camera number 10. The shop was further reported for trade waste on several occasions in March and April 2022. It is believed that FPNs for trade waste dumping have been issued to the store, as cllrs you could probably obtain confirmation of this from Ashley or the Enviro team. This would be material evidence as to whether the store is causing public nuisance under the licensing objectives.

This store has continually failed to keep its promises and we can have no faith that they will maintain the licensing objectives if they are granted relaxed conditions

Photos taken 9:50am 23 Aug 2022 show large delivery truck parked in the mouth of the junction and pallets being pulled across the carriageway to the shop



