
ADM Training Services
8 Oxford Road
Harrow
HA1 4JF

4 December 2024

Our Ref: 33338

Dear Sir/Madam,

Licensing Representation to the Initial Application for the Premises Licence at Martin News, 217 Cricklewood Broadway, NW2 3HS

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 has established twelve (12) Cumulative Impact Zones (CIZs) in Brent. The purpose of these CIZs is to address levels of crime and disorder, and anti-social behaviour, particularly associated with street drinking. Therefore, the CIZs will specifically relate to new applications and variations for off-licences.

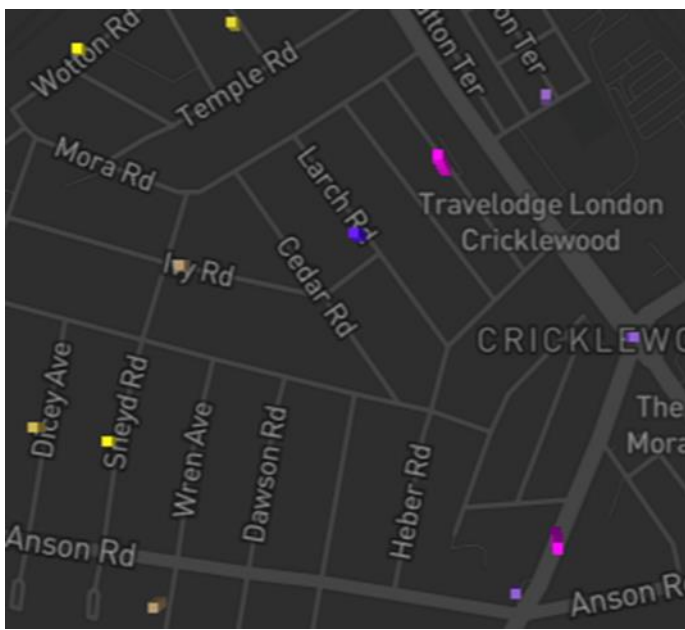
Cricklewood Broadway

Cricklewood Broadway is a busy High Street with a variety of shops on one side of the Broadway which is in Brent. The data shows that there is a high level of ASB.

This is a new CIZ for Brent.

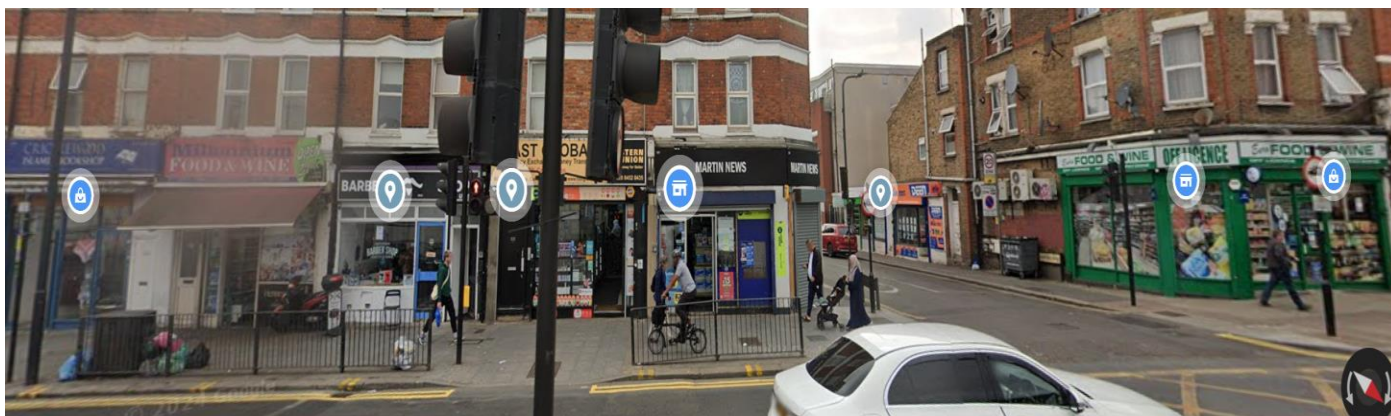
Between 1 July 2021 and 30 June 2022 there were 238 reports to the police, including 149 relating to anti-social behaviour, 2 relating to public order breaches and 81 reports relating to violence.

The below map shows violence with injury crimes.



The Premises

The premises, namely, Martin News, 217 Cricklewood Broadway, NW2 3HS, falls within one of Brent's CIZs.



Off Licences in the Vicinity

Trading Name/ Address	Hours for the Supply of Alcohol	Distance
Millennium Food & Wine, 211 Cricklewood Broadway, London NW2 3HS	Sunday to Thursday - 07.30 to 02.00 Friday to Saturday - 07.30 to 03.00	1min walking distance (33 ft)

Euro Food & Wine, 219 Cricklewood Broadway, London NW2 3HP	Monday to Saturday - 08.00 to 23.00 Sunday - 10.00 to 22.30	1 min walking distance (62ft)
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Public Space Protection Order (PSPO)

The entire Borough of Brent is subject to a Public Space Protection Order for street drinking and it is an offence for a person to fails to comply with a request to cease drinking alcohol by an authorised officer.

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

In practice, the enforcement of such measures is constrained by the limited availability of police resources. This highlights the increased responsibility of establishments selling alcohol for off-site consumption. It is evident that the absence of off-licences would lead to a reduction in the number of street drinkers.

Operational Plan & Conditions

On Wednesday 27 November 2024, Mr Shamoon Chaudhary and I had a telephone conversation to discuss the nature of the application for a new premises licence. The followings questions were asked.

Business Information

1. Please confirm who is the business rate payer?

SC – *I am the leaseholder, I pay the business rates.*

2. How long have you had the business?

SC – *Before the pandemic but I signed the lease for 25 years in 2023.*

Operating Schedule/Licensable Activities

3. Did you read the application and happy with the content?

SC- Yes

4. Are you aware that the premises fall in a CIZ and do you know what that means?

SC – *The whole of Brent has a lot of issues, I live in Brent and know the issues.*

5. Are you aware of any issues in the area? Can you explain any specific ASB issues near the premises?

SC – *I never experienced any issues. The premises had a licence, I brought the shop in goodwill. When I paid the deposit, my solicitor informed me that the licence was surrendered.*

6. What sort of products and services do you offer at the moment?

SC - *It's a small newsagent, we offer newspaper rounds, tobacco. I want to convert shop into a mini supermarket.*

7. There are many existing off licences in local area, why do you want to open another off licence?

SC – *This shop used to generate £15,000 on Oyster Card services and £12,000 on lottery. After the pandemic, the other shops applied for both Oyster Card and Lottery services. I've lost £6000 on Oyster Card and £3000 on lottery services.*

8. What sort of alcoholic beverages will you supply?

SC – *Fine wines, drinks not associated with street drinkers. My customers are delicate. Street drinkers drink beers and ciders at high alcohol volumes from my experience.*

9. Do you intend to supply single can/bottle of alcohol beverages?

SC - *The buying power has been influenced by inflation, therefore I would like to offer single cans.*

10. Do you intend to supply beers, ciders and lagers over 6%abv?

SC – *No.*

11. When did you obtain your personal licence?

SC – *Around 2011/2012.*

12. Explain the 4 licensing objectives?

SC – *Prevention of crime and disorder, not sell to street drinkers. Public safety. Public nuisance, put policies in place and notices to request customers to respect the neighbourhood. Protection of children from harm, children must be accompanied by an adult and only two children in uniform permitted in the premises at all times.*

13. What age verification policy will you adopt.

SC – *Challenge 25 policy.*

14. Do you experience running an off licence?

SC – *Yes, I have 12 years of experience and run another shop in Enfield.*

15. How many staff will you employ?

SC – *At present, I employ 1 staff. If the premises is licensed, I can employ up to 7 staff members.*

16. How many hold a PLH?

SC – *The manager hold a personal licence.*

17. Who will be responsible for the training?

SC – *The manager will be responsible for training.*

Opening Hours

Having discussed the proposed hours with the applicant, Mr Chaudhary is happy to reduce the hours for the supply of alcohol to:

Monday – Friday from 08:00hrs to 12:00hrs
Saturday – Sunday from 08:00hrs to 02:00hrs

Mr Chaudhary emphasised that the premises is located in the 'Broadway', customers will visit the premises after work in the later hours, therefore he needs to retain the customers by providing alcohol at later hours.

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 and in this case the applicant has not provided such information to support this.

Mr Chaudhary stated that he intends to provide evidence in support of his future plan to convert the premises to a mini supermarket, should the application be granted. This in turn, would generate more employment.

On 29 November 2024, Mr Chaudhary submitted the following documents in support of his application via email.

- Pictures of the shop
- Petition in support of application for a new premises licence
- Proposed Plan (Mini Supermarket) drawn on 04/09/24
- Activ Quote for the internal changes.

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.

While Mr Chaudhary was able to explain the licensing objectives, I am mindful that the area is saturated with off licences. Furthermore, there is no evidence to support that the applicant is offering anything niche in the market.

It is on this basis, that the Licensing Authority ask that the application for a new application of the premises licence is **refused** by the Licensing Sub-Committee.

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 server 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, lager 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. All deliveries shall take place during the normal working day (i.e. 09:00 to 18:00 daily).
18. A lockable safe with deposit slot and anti-fishing mechanisms must be used at the counter till area in order to prevent crime.
19. A suitable intruder alarm and panic button shall be fitted and maintained.
20. 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.
21. All alcoholic drinks shall be clearly labelled or marked with the name of the premises.
22. An electronic till prompt should be used for all alcohol sales.
23. The premises shall be staffed by a minimum of two persons at all times.

Supply of Alcohol (Changed)

Monday – Friday from 08:00hrs to 12:00hrs
Saturday – Sunday from 08:00hrs to 02:00hrs

Opening Hours (No Change)

Monday to Sunday – 06:00hrs to 02:00hrs

Yours sincerely,



Esther Chan
Licensing Inspector

