

Business Licence
Regulatory Services
Brent Council
Engineers Way
Wembley
HA9 0FJ

17 March 2025

Ref: 34443

Dear Business Licence,

**Licensing Representation – Application to vary the premises licence
Malar Cash & Carry, 541-543 High Road, HA0 2DJ (Premises licence number: 175105)**

The above application has been made pursuant to section 34 of the Licensing Act 2003.

I confirm that I am the delegated officer of the Licensing Authority, in whose area the above-mentioned premises is situated, and authorised for the purposes of exercising its statutory function as a Responsible Authority under the Licensing Act 2003.

I have carefully reviewed the above application, and wish to make a representation on the grounds that, if granted in full, it may undermine one of the four licensing objectives below:

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

Licensing History

The premises licence is held by Kandasamy Manimaran in an individual capacity. He has been both the premises licence holder and the designated premises supervisor since the initial grant in March 2006.

Complaints

The Licensing Authority is aware of the following incident:

On 4 October 2022, the premises failed a test purchase operation carried out by the Metropolitan Police, during which alcohol was sold to a person under 18. A Fixed Penalty Notice was issued to the seller on the same day. Prior to this, on 12 September 2022, the Licensing Authority had also conducted an inspection at the premises and a number of compliance issues were found.

Following on from this, a meeting was held on 2 November 2022 at Brent Civic Centre between Mr Manimaran, the Licensing Authority (Esther Chan, Licensing Enforcement Officer), and the Metropolitan Police (Wembley Town Centre Police Team). A warning letter was subsequently issued to Mr Manimaran, outlining the outstanding issues and what steps he would need to take to resolve these concerns.

It was agreed that no further enforcement action would be taken, if Mr Manimaran submitted an application to vary the premises licence. Mr Manimaran consequently submitted an application as requested shortly afterwards.

[Annex A – Warning Letter Issued by the Licensing Authority 02.11.2022]

Operating Schedule

The current premises permits the following licensable activities and opening hours:

Late night refreshment (on and off the premises): Monday to Sunday, 23:00 – 00:00

The supply of alcohol (off the premises): Monday to Sunday, 00:00 – 00:00 (24 hours)

The opening hours: Monday to Sunday, 00:00 – 00:00 (24 hours)

Proposed Variation

The application proposes the following changes to the Annex Two Conditions:

Amend Condition 6:

From “6. No high strength beers, lagers, and ciders above 6.0% ABV shall be stocked with exception of Lion Stout (7.5%).”

To “6. No high strength beers, lagers, and ciders above 6.0% ABV shall be stocked with exception of Lion Stout, Dragon Stout & Guinness”.

Remove Condition 8:

“No single cans of beers, lagers and ciders shall be sold at the premises.”

Cumulative Impact Zone (CIZ)

In 2022, Brent Council retained its Cumulative Impact Zones (CIZs) in specified areas, as outlined in the current Statement of Licensing Policy (2025 – 2023), following a review of crime data and alcohol-related incidents.

Cumulative impact refers to the pressure placed on local services and public spaces by a high concentration of licenced premises. Evidence shows a strong link between the density of off-licences and alcohol-led anti-social behaviour. The purpose of the CIZs is to address ongoing issues such as crime, disorder, and anti-social behaviour stemming from street drinking.

The CIZ policy establishes a rebuttable presumption that applications which seek to increase the availability of alcohol, including variations to existing premises licences, will be refused, unless the applicant can demonstrate that the proposed changes will not add to the cumulative impact in the local area.

Further details on the Council's CIZ policy can be found in 'Appendix 6: Cumulative Impact Zones' (page 50 – 65) within the Council's Statement of Licensing Policy.

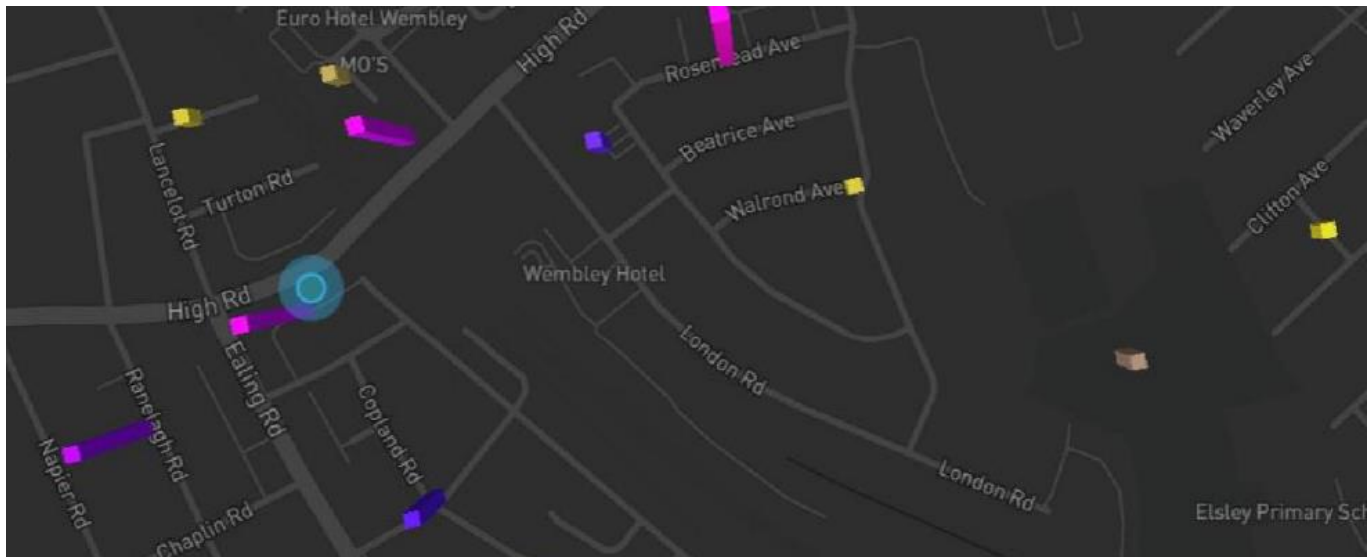
Wembley Central

The High Road in Wembley falls within the Wembley Central CIZ. Brent Council's Statement of Licensing Policy describes this area as having low to medium levels of deprivation and is considered a hotspot for alcohol related calls to the Police relating to crime and anti-social behaviour.

Between July 2019 and June 2022, there were:

- 204 reports to the Police
- 118 related to anti-social behaviour
- 39 related to public order offences
- 18 related to robbery
- 104 categorised as violent/sexual offences.

The below image, available on pages 59 of Brent Council's Statement of Licensing Policy, provides an overview of crime locations within this area.



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 if a person 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

While the PSPO provides enforcement tools, the availability of the police and council resources limits day-to-day enforcement. As such, there is a greater responsibility on off-licence premises not to contribute to street drinking. Without the sale of alcohol from off-licences, the prevalence of street drinking would likely decline.

Location

The premises is situated on the ground floor of a commercial unit at 541 - 543 High Road, Wembley, HA0 2DJ. It forms part of a busy parade of shops which sit beneath a residential block in a high-footfall area.



Summary

The Licensing Authority has no objection to the proposed amendment to Condition 6 to include Dragon Stout and Guinness alongside Lion Stout. This is a minor adjustment to an otherwise robust condition and is unlikely to negatively affect the licensing objectives.

However, the Licensing Authority objects to the proposed removal of Condition 8, which prohibits the sale of single cans of beer, lager, and cider. The availability of single cans could facilitate further street drinking and contribute to crime and disorder within the local area. As such, removing this condition could risk undermining the licensing objective of the prevention of crime and disorder and may be detrimental to the aims that the CIZ policy was introduced to mitigate.

Beyond commercial considerations, the applicant has not provided sufficient evidence to demonstrate that the removal of this condition will not add to the cumulative impact in the local area. Therefore, the Licensing Authority respectfully requests that the Licensing Sub-Committee refuse the proposed removal of Condition 8.

Should the applicant agree to retain Condition 8, the Licensing Authority would be willing to withdraw this representation and permit the proposed amendment to Condition 6.

Many thanks,

Yours sincerely,

Handwritten signature of E. Maldoom in black ink, with a horizontal line underneath.

Edwin Maldoom
Licensing Enforcement Officer