

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

10 July 2025

Ref: 35403

Dear Business Licence,

Representation in support of the review for Essentials, 383 Church Lane, NW9 8JB (Premises licence number: 162470).

The above-mentioned review has been made pursuant to section 167 of the Licensing Act 2003 following a closure order made under section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014 which was obtained by Metropolitan Police Service at Willesden Magistrates Court on 2 July 2025.

As the delegated officer of the Licensing Authority, acting as a defined 'Responsible Authority' under the Licensing Act 2003, I confirm my representation in support of the review initiated by Metropolitan Police Service.

This representation is made on the grounds that the continued operation of this premises licence, without further intervention, could undermine one out of the four below licensing objectives:

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

Licence History

The current premises licence is held by Mr Mahesh Hamraj Shah, who has been the premises licence holder in an individual capacity since November 2005. Mr Mahesh Hamraj Shah is also the designated premises supervisor.

Review History

The premises licence has been subject to two previous review hearings:

28 February 2017 – This review application was submitted by the Licensing Authority on the grounds that the licensing objectives of the prevention of crime and disorder and the protection of children from harm were being undermined. This followed an allegation that a 15-year-old child had been sold vodka. Subsequently, during the investigation of this allegation, several non-compliance issues surfaced, including Mr Shah failing to provide CCTV to the Licensing Authority upon request. As a consequence of the review hearing, the Licensing Sub-Committee imposed a number of conditions and curtailed the hours of licensable activity.

March 2011 – This review application was submitted by the Metropolitan Police Service on the grounds that the licensing objective of the prevention of crime and disorder was being undermined. This followed an allegation made by the Metropolitan Police Service that the premises was being used to sell controlled drugs. The Metropolitan Police Service asserted that the son of the premises licence holder and designated premises supervisor was responsible for this. Consequently, the Licensing Sub-Committee imposed further conditions on the premises licence, including one that was specifically intended to exclude the son of the premises licence holder from being on the premises.

Complaints

27 January 2007 – During a joint test purchasing operation between Brent Council's Trading Standards and the Metropolitan Police Service, the premises failed a test purchase after a volunteer aged 14 purchased a bottle of Bacardi Breezer. Consequently, the company was convicted for an offence under section 149 of the Licensing Act 2003 and was fined £275 and ordered to pay £200 in costs.

Summary

The Licensing Authority fully supports the Metropolitan Police Service's grounds for triggering a review of this premises licence.

This review has been made pursuant to section 167 of the Licensing Act 2003 following a closure order made under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014. This closure order would have had to be signed off by a Justice of the Peace at Willesden Magistrates Court.

It should be pertinent to note that the evidence presented to the Magistrate must have been compelling enough to satisfy the statutory threshold to sign off on the closure order itself, which prohibits access to the premises to anyone for the maximum period of three months on the grounds that:

*“(a)that a person has engaged, or (if the order is not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premises, or
(b)that the use of the premises has resulted, or (if the order is not made) is likely to result, in serious nuisance to members of the public, or
(c)that there has been, or (if the order is not made) is likely to be, disorder near those premises associated with the use of those premises,
and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, recurring or occurring.”*

Given the above, the Licensing Authority has significant concerns that the licensing objective of the prevention of crime and disorder is being undermined to such an extent that the Metropolitan Police deemed it necessary to obtain a closure order for three months.

The Licensing Authority refers the Licensing Sub-Committee to paragraphs 11.27 and 11.28 of the Section 182 Guidance. Paragraph 11.27 sets out that certain criminal activities connected with licensed premises should be treated particularly seriously. Furthermore, paragraph 11.28 states that where reviews arise and it is determined that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence, even in the first instance, should be seriously considered.

Therefore, the Licensing Authority requests that the Licensing Sub-Committee take the above paragraphs into consideration when making its determination.

Other factors to consider include the two historical review hearings over the years, including one involving very similar circumstances, and whether the premises licence holder has taken every possible step to go above and beyond to ensure that the four licensing objectives are being actively promoted at all times.

In addition to this, the Licensing Authority also requests that the Sub-Committee consider the reasoning and context as to why the Metropolitan Police felt obliged to obtain a closure order to mitigate against the current issues associated with the premises.

As such, the Licensing Authority would support any decision to revoke the premises licence, if the Licensing Sub-Committee deems this appropriate based on the evidence provided both in advance and on the day of the hearing.

Yours sincerely,



Edwin Maldoom
Licensing Enforcement Officer