London Borough of Brent

Decision of the Alcohol and Entertainment Licensing Sub-Committee following a hearing on 15 October 2025

NOTICE OF DECISION

PREMISES

Sanjit Express,
327 Harrow Road,
Wembley, HA9 6BA

1. Members of the Sub-Committee

Councillors Ahmed (Chair), Hylton and Clinton

2. The Application

The application is for a new premises licence to provide: the Sale of Alcohol and to remain open from 9am to 11pm Monday to Sunday.

3. Background and the presumption applicable to Cumulative Impact Zones ("CIZ" s) within the borough

This application falls within a CIZ within the borough**.**

The review of the Statement of Licensing Policy has introduced Cumulative Impact Zones for all new or variation applications for 'Off' licences in the borough.

The presumption is that any new licence or variation to an existing licence that increases the scope for the sale of alcohol will not be granted unless the applicant can evidence that the licence will not negatively impact on the licensing objectives.

This Notice is not and does not purport to be a verbatim record of the hearing.

4. Representation

Applicant

The Applicant was represented by:

- Applicant: Mrs Swatiben Thakkar
- Solicitor: Mr Zeeshan Mian

Objector

- PC Phil Graves
- Rhea Vagarwal (Licensing Authority)

5. The Hearing

Cllr Ahmed opened the meeting, and all attendees introduced themselves. Declarations of interests were dealt with, and Ms. Legister introduced the application.

Submissions made on behalf of the Police

PC Graves opposed the application on a number of grounds.

The premises is located on one of the busiest parts of the borough within a CIZ.

PC Graves reminded the sub-committee that within a CIZ, there is a presumption of refusal for applications unless the applicant can demonstrate that the proposed licensable activity will not adversely affect the licensing objectives—particularly those factors that resulted in the area's designation as a CIZ.

The area is problematic and rife with antisocial behaviour and has a high crime rate.

The types of offences reported in the area include (a) antisocial behaviour, (b) violence and sexual offences, (c) shoplifting, and (d) theft. Additionally, not all incidents are documented.

PC Graves presented photographs of the area to the sub-committee in support of the Police's objection. The images demonstrate that there is an existing significant issue with littering and street drinking within the triangle where the applicant's business is situated.

In addition, the venue is located within the area of Wembley Stadium. Sporting and music events at the stadium draw significant crowds to the area, where alcohol consumption has been linked to incidents of crime and antisocial behaviour.

The police and local authorities allocate considerable time and resources to managing street drinking and enforcing Public Spaces Protection Orders (PSPO) on event days. The introduction of another off-licence within the Wembley area may increase street drinking and require additional monitoring by police and local authorities.

There are four other off-licences nearby, and there is no substantial evidence that the Applicant intends to sell types of alcohol different from those offered by the existing four businesses.

PC Graves noted that the application in question did not explicitly address the business's location within a CIZ, nor did it outline any measures intended to address the presumption associated with a CIZ designation.

The supplementary evidence provided by the applicant prompted additional questions from the Police. PC Graves noted that the content appeared to be assembled from various sources. Several of the conditions mentioned in the supplied evidence did not appear relevant to the venue, referencing restaurants rather than an off-licence, with conditions such as crowd control, managing odours, and keeping doors closed, none of which applied to this type of establishment.

According to the Police, there was insufficient consideration given when the application was submitted, which raises concerns about the applicant's preparedness and competence regarding the proposed business.

The Police stated that permitting the application, regardless of any conditions imposed, could result in increased alcohol availability, street drinking, antisocial behaviour, and crime in the area. Therefore, they recommended that the application be refused.

In answer to questions from Councillors and the Applicant's Solicitor, PC Graves gave the following responses**:**

- An increase in the number of licences permitting alcohol sales in a given area may result in reduced alcohol prices due to heightened business competition. This could potentially attract a larger customer base, which in turn may lead to an increase in street drinking and related antisocial behaviour.

- Any increase in the number of street drinkers may require additional attention from police and licensing officers. On event days, this could result in increased responsibility for both the Police and the licensing authority.

- The quantity of bottles discarded by street drinkers in the area currently has a cumulative effect that is comparable to fly-tipping.

Submissions made by Ms R Vagarwal on behalf of the Licensing Authority

Ms Vagarwal clearly stated at the outset that she would be seeking refusal of the application. She reminded the sub-committee that the Council's Statement of Licensing Policy specifies that any new premises licence application within a designated Cumulative Impact Zone (CIZ) will not be granted unless there is compelling evidence demonstrating that the proposal will not contribute to cumulative impact in the local area, particularly regarding alcohol-related anti-social behaviour and street drinking.

In this case, no supporting evidence has been presented. Additionally, the application does not acknowledge the CIZ or propose any substantive measures to address the concerns that led to its establishment. Furthermore, several of the proposed conditions are either irrelevant, insufficiently defined, or appear to have been adapted from applications pertaining to other types of premises.

If there is no sufficient evidence to support a departure from the Statement of Licensing Policy, the Licensing Authority recommends that the application be refused.

If the sub-committee concludes that adequate evidence exists to justify a departure from the Statement of Licensing Policy and determines that the application would not contribute to cumulative impact, the Licensing Authority requests that the conditions outlined in its representation are imposed.

In answer to questions from Councillors and the Applicant's agent, Ms R Vagarwal gave following responses:

- The Licensing Authority has noted concern regarding the apparent lack of thorough consideration in the application.

- Approval of the application is likely to contribute to further saturation of alcohol-related businesses within a CIZ, without assurances of any mitigating measures.

- The Licensing Authority maintains that the applicant has not sufficiently demonstrated their business would avoid negative impacts in the CIZ area or effectively reduce such impacts.

Additional evidence submitted by the Applicant on 14th October 2025

One day prior to the hearing, the Applicant's solicitors submitted two signed statements: one from the Applicant and another from her husband.

The signed statement from the Applicant asserted that: *"I have some years (three) of experience working in off-licence environment" From this experience and with the experience of my husband I am confident that I will be able to run this business and comply with the suggested conditions."*

The signed statement from the Applicant's husband asserted that: *"I have five years of working in an off- licence store which has provided me with the skills and knowledge to manage the sale of alcohol responsibly."*

Submissions made on behalf of the Applicant 's by Solicitor : Mr Mian .

Mr. Mian stated that the applicant possesses years of experience and intends to sell alcohol originating from the subcontinent.

He stated that while his client acknowledges the presumption inherent in a CIZ, it is important to note that this presumption can be rebutted.

Mr Mian is of the opinion that adherence to the proposed conditions will enable the applicant to rebut the presumption.

Mr Mian initially questioned the grounds for the Police objection, but upon review of the relevant documentation, acknowledged that the four licensing objectives were points of concern to the Metropolitan Police Service.

Mr. Mian confirmed that his client had retained an agent to provide assistance with her application.

Extra time

The Applicant and her Solicitor were granted additional time prior to the conclusion of the proceedings, as the sub-committee observed that the applicant had not fully addressed the shop's location within a CIZ. The extra time was used, and the applicant made further submissions consistent with the information previously provided.

In answer to questions from Councillors, Licensing Authority and PC Graves, the applicant/Mr Mian gave the following responses:

- The applicant stated a willingness to comply with the conditions set by the Licensing Authority.

- The applicant confirmed awareness of, and agreement with the content in both the statement and the application submitted on her behalf.

- The applicant was unable to provide a credible explanation regarding why several of the conditions proposed by her representatives were unrelated to off-licence operations, nor could she clarify why this issue was not addressed prior to their submission to the licensing authority.

- When asked about her signed statement, she clarified that she had not worked in an off-licence. Her experience was in the food industry, specifically at Subway, where no alcohol was sold. She explained that her signed statement referred to her having worked in an environment near off-licences, which allowed her to be aware of some issues associated with operating such businesses, despite not having direct experience inside one.

- She has owned the business for approximately three to four months and is currently engaged in grocery sales. She stated that the business's long-term viability may be compromised without revenue from alcohol sales.

- She confirmed that she obtained her personal licence approximately six weeks ago and was able to articulate the four licensing objectives.

- She was asked how she would address anti-social behaviour commonly associated with aggressive street drinkers. She responded that she would request these individuals not be served if they appeared intoxicated. However, she was unable to provide a comprehensive response regarding the management of aggression or indicate where she would seek support.

- She was questioned about her intentions to sell beverages originating from the sub-continent. When asked to identify some of the alcoholic drinks from that region she intended to offer, she was able to specify only one drink ("Cobra") and was unsure of the name of others.

- When questioned regarding her husband's experience, it was clarified that his background consists of stocking shelves at Sainsbury's supermarket and operating the till. His responsibilities involved handling a wide range of items rather than regularly overseeing alcohol sales.

- It was stated to the applicant that the signed statements submitted contained inaccurate information. The Applicant and Mr Mian both denied this assertion.

6. Determination of the Application

Pursuant to section 18(3) of Licensing Act 2003, the sub-committee had regard to the representations and considered which of the steps listed in section 18(4) (if any) it considered appropriate for the promotion of the licencing objectives.

In making its decision the sub-committee also had regard to the Home Office Summary Review Guidance and Brent's licensing policy. In addition, the sub-committee took account of its obligations under section 17 of the Crime and Disorder Act 1998.

The sub-committee expressed a number of concerns regarding the application, as well as the supporting evidence and information provided during the hearing, including the following:

The applicant did not provide a substantive response regarding her approach to addressing potential challenges associated with operating a business in a CIZ, an area known for street drinking and documented incidents of anti-social behaviour.

The applicant demonstrates a limited understanding of off-licence operations and the associated processes; for example, she equated tasks such as till operation and shelf stocking with managing an off-licence. Additionally, it appears that the applicant did not observe that her application contained several irrelevant conditions.

The sub-committee also concluded that the signed statements submitted regarding the applicant and her husband's experience in working in or around the off-licence business were misleading.

The applicant has not provided evidence that she or any other individual employed by the business possesses the requisite experience necessary to operate an alcohol-selling establishment within a CIZ.

The sub-committee further observed that four additional nearby businesses are involved in the sale of alcohol. Police evidence substantiates the occurrence of street drinking and significant littering involving alcohol bottles in the vicinity.

The sub-committee noted that the licensed premises is in a CIZ, where expanding alcohol sales is generally not approved. Applicants must show that their proposed licence would not harm/ negatively impact the licensing objectives.

The sub-committee determined that the applicant had not submitted sufficient evidence to support their case. In particular, the application did not provide adequate detail regarding how the licence holder intended to proactively address the concerns raised by both the licensing Police and the licensing authority.

7. Decision

The sub-committee had regard to the need to reach a decision that was proportionate and justified on the evidence presented to it. The sub-committee listened carefully to the representations made by the parties in person at the hearing and all written representations submitted.

After careful consideration of all relevant factors, the sub-committee has concluded that granting the application would undermine the following licensing objectives:

- Prevention of crime and disorder;
- Public safety; and
- Prevention of public nuisance.

Therefore, the sub-committee refused the application to grant the application.

8. Right of Appeal

The applicant and any person who made relevant representations has the right to appeal against this decision pursuant to section 181 and schedule 5 of the Licensing Act 2003.

If you wish to appeal you must notify Willesden Magistrates' Court within **21 days** from the date the Council informed you of this decision.

20 October 2025