

London Borough of Brent

Decision of the Alcohol and Entertainment Licensing Sub-Committee following a hearing on 23rd April 2025 at Brent Civic Centre, Engineers Way, Wembley HA9 0FJ

NOTICE OF DECISION

PREMISES

Just Cravings
150 Willesden Lane,
Kilburn,
NW6 7TH

1. Members of the Sub-Committee

Councillors Ahmed (Chair), Clinton and Hylton.

2. The Application

The application is for a new premises licence for the provision of Late-Night Refreshment and to remain open from 3.00pm until 2.00am Monday to Sunday.

The Licensing Authority and Police had withdrawn their representations as a result of the applicant agreeing their proposed conditions.

Representations remained outstanding from a number of local residents who opposed the granting of the application. The concerns highlighted in the written representations centred on anti-social behaviour ('ASB') and crime and disorder in the area, namely unacceptable levels of noise and littering.

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

3. Preliminary matter

During the course of the hearing the Applicant agreed to take immediate steps to remove the image of one of the residents from the business' social media page. The said resident had not given her permission for this image to be used and believes its presence on the site had made her the target of what could be construed as harassment. The Applicant apologised for any misunderstanding caused, he was originally of the view that his actions were justifiable. The Applicant agreed to remove the image with immediate effect.

4. Representation

Applicant

The Applicant was represented by:

Roma Awes - Representative
Mustafa Ahmed- Applicant
Hanan Mohamed – Assistant Manager
Mukthar Hassan – Assistant Manager
Omar Hassan - Investor

Six residents / customers who were in support of the application were in attendance and made oral submissions at the hearing.

Objectors

Three of the residents who opposed the application also attended and made oral representations at the hearing.

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.

The residents expressed their dismay at the high levels of noise and littering. Some residents complained about the business' litter found in their front garden, their bins and on the road and areas around their homes.

Some asserted that they have been deprived of sleep during the night owing to the persistent noise from the customers of the business. An issue which is of some grave concern for residents who have to go to work the next day.

Some residents have experienced customers congregating outside their homes late and during the early hours of the morning. The Police have been called on a few occasions to assist with moving the perpetrators on.

The unsightly state of the streets caused by the littering in the morning is also a cause of distress to the residents and their families.

The area is a Conservation Area. One resident said he moved in to have proper quiet enjoyment of his property and he was finding that impossible to achieve owing to the ASB associated with customers to the business.

Two of the residents confirmed that the ASB was aggravated and worse during the certain religious periods.

All residents confirmed that, whilst they were in favour of economic growth of the local businesses, it cannot be done at the expense of their right to the peaceful enjoyment of their property or whilst being constantly confronted with ASB.

Residents acknowledged that the Applicant has since put out bins and there were notices in place to inform people to dispose of their litter responsibly.

In answer to questions from the Councillors and Applicants, the residents confirmed that:

- The business had been operating up to 2 am prior to the licence / TEN being granted.
- The ASB was worse during certain months of the year.
- Things have been quite bad over the last 3-4 months.
- None of the ASB has been seen to occur inside the premises.
- The key concern of the residents were the noise and the littering.
- The residents were of the firm view that it was not a business that was suitable for the area owing to the number of customers that frequented the premises.

Submissions and representations from the Applicant on all objections raised and questions asked:

The Applicant and his representatives asserted that, they were operating a family business. They were unaware until contacted by the Council that they needed a licence for the provision of late-night refreshments after 11pm. They have been operating from 11pm to 2am for over a year but started applying for Temporary Event Notices (TENS) in 2024 after being advised by the Council to do so.

The Applicant stated that once he was made aware that he needed a licence to sell hot food and drinks after 11 pm, he applied for TENs and when there were no TENs in place, he served only cold food after 11 pm.

The Applicant accepts there is problem with littering and have agreed conditions with the Police and the Licensing Authority to alleviate this. They do not believe it is fair to be held responsible for the actions carried outside of the remit of their premises but have none the less agreed to take proactive steps to keep the surrounding areas clean.

They do not play music inside the shop and as such cannot be deemed to be the source of unacceptable levels of noise.

They feel they have been targeted and discriminated against. Yellow liquid was put through their letter box as another way to harass them.

They have been unfairly accused of selling drugs.

The Police have never been called out for incidents on the premises.

They see themselves as part of the community and would like to work with the community to find a solution to some of the concerns raised.

They have already engaged in productive and amicable conversation with some members of the community.

In answer to questions from Councillors and residents, the Applicant (and his representatives) confirmed that:

- The business has a commercial waste transfer contract with Veolia.

- There was no overflow of bins outside the shop as there were two bins outside the shop and three bins inside/ at the back of the shop.
- The toilet in the business is used by staff only. It is not available to members of the public or delivery drivers.
- The Applicant employed five employees.
- The Applicant acknowledged the premises was busy during the fasting period. He already has plans in place to take extra steps next year to address the influx. This would include extra security staff if needed.
- The Applicant accepts that mistakes have been made. He believes he has learnt from them.
- If he is compelled to shut the business early, it will affect the business.
- A sizeable proportion of the business consist of the online orders.
- It is difficult to ascertain when the business is busier, but there was some indication that weekends will attract more traffic of consumers.

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 namely:

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

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.

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.

The sub-committee also took full account of the agreement of the Applicant to adhere to all the conditions set by the Police and Licensing Team.

The sub-committee also decided to add the following condition to the ones that have already been agreed:

“No customers shall be allowed into the venue or collect any products from the venue from 00.00 hours (midnight): Sunday- Thursday. Any orders from 00.00hrs (midnight) to 01.45am on Sunday-Thursday shall be by delivery service only. “

In these circumstances, the sub-committee decided that it was appropriate to grant the licence sought subject to the conditions set by the Police, the Licensing Authority and the sub-committee.

The sub-committee were of the view that adherence to the said conditions and other undertakings given by the Applicant will promote the licensing objectives. Further, the sub-committee believe these conditions will assist in alleviating some of the concerns raised by the residents.

Details of the said conditions are shown below.

8. Conditions

- 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. The CCTV system shall show the correct date and time.
- 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 servery area and till.
- 4 Sufficient competent persons should be authorised by the premises licence holder to ensure that at all times the premises is open to the public, a member of staff is available to show the Police and Brent Council Officials, when formally requested to do so, any images / footage from CCTV system with a minimum of delay.
- 5 Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV data (footage and / or images) in an appropriate recorded format (disc, memory stick or data file sent electronically) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.
- 6 Commercial waste shall not be collected from the premises between the hours of 22.00hrs and 06.00hrs on any day.
- 7 A notice asking Customers to leave quietly from the premises shall be displayed by the exit/entrance.
- 8 A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity upon request.
- 9 An 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:
 - Any complaint against the premises in respect of any of the licensing objectives.
 - Any crime reported at the premises.
 - Any faults in the CCTV system.
 - Any temporary or permanent exclusion from the premises of customers
 - Any visit by a relevant authority or emergency service

Any entries into the log shall be made within 24 hours of any incident and shall contain the time/date of the incident, the nature of the incident, a description of the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. All external doors to the premises shall remain closed after 23.00hrs except for entrance and egress, to prevent noise escaping from the premises.

- 10 Staff shall actively discourage patrons from congregating around the outside of the premises after 23.00hrs and shall actively attempt to move them away from the premises.
- 11 Notices shall be displayed at the premises asking delivery drivers to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.
- 12 Drivers shall not deliver to any person anywhere other than that at the residential / business address given when the order was placed. There shall be NO deliveries made to any open/public spaces.
- 13 Unaccompanied children under the age of 18 years shall not be permitted on the premises after 00.00 on any day.
- 14 A suitable intruder alarm and panic button shall be fitted and maintained.
- 15 No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 16 The licensee shall ensure all public areas within 3 metres of the premises are cleared of litter arising from the premises daily.
- 17 A clear and unobstructed view into the premises shall be maintained at all times.
- 18 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.

9. 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 Brent Magistrates' Court within a period of **21 days** starting with the day on which the Council notified you of this decision.

2 May 2025