Re: Zebu Butchers Ltd – Application to Vary Premises Licence No. 31765
Premises: 38 Sapcote Trading Centre, High Road, London NW10 2DJ
Objector: Bar Simprao Ltd, trading as Recanto Kings

I write on behalf of Zebu Butchers Ltd ("my client" or "Zebu") in response to the further correspondence submitted by Bar Simprao Ltd, trading as Recanto Kings ("Bar Simprao"), confirming that it intends to maintain its representations against the variation of Zebu's premises licence.

This letter sets out my client's formal position following the withdrawal of the Metropolitan Police's representations and the confirmation that the Unit 38 private car park will not form part of the present variation application.

1. Legislative Framework and Scope of the Revised Application

The application was made pursuant to section 34 of the Licensing Act 2003. The determination of that application must be undertaken in accordance with the statutory framework, the applicable section 182 Guidance and Brent Council's Statement of Licensing Policy.

Pursuant to section 4 of the Licensing Act 2003, the Licensing Authority must exercise its functions with a view to promoting the four licensing objectives:

a) The prevention of crime and disorder;
b) Public safety;
c) The prevention of public nuisance; and
d) The protection of children from harm.

My client confirms that the Unit 38 private car park is no longer being pursued as part of this variation. Any future proposal to extend the licensed area into that car park will be addressed through a separate application, if pursued.

Accordingly, the present application must be determined by reference to the activities and hours remaining within its scope. Representations concerning the excluded car park, insofar as they have no material bearing on the remaining proposed activities, should not be treated as a basis for refusing the revised application.

The applicable statutory guidance requires representations to be relevant to the likely effect of the proposed variation on the licensing objectives. The question is therefore not whether Bar Simprao objects to my client's commercial development, but whether its remaining objections identify a properly evidenced risk to any of the statutory objectives arising from the activities now sought.

2. Withdrawal of the Metropolitan Police's Representations

My client notes that the Metropolitan Police has withdrawn its representations following confirmation that the proposed car park will be dealt with, if pursued, through a separate future application. Also, on previous letter, an explanation of each of the 4 points relevant to an application of this aspect were addressed.

My client welcomes this development and considers it important that the revised scope is accurately reflected in the Licensing Authority's records and the papers prepared for the hearing on the 21st October 2026.

For the avoidance of doubt, my client does not suggest that the withdrawal of the Police representations automatically determines the application in its favour or prevents other parties from maintaining relevant representations. However, the withdrawal is a material procedural development which should be reflected in the determination of the present application.

Bar Simprao's continued reliance on concerns relating specifically to the excluded car park must therefore be considered in that context. My client invites Bar Simprao to identify the precise grounds that remain relevant to the revised application and the evidence upon which it relies in support of each ground. According to their last representation as to how my client will handle each point, response is below, to be considered, as desired, on its own merits.

3. Prevention of Crime and Disorder

My client recognises the importance of the prevention of crime and disorder under section 4 of the Licensing Act 2003 and remains committed to operating its premises responsibly and in accordance with its licence conditions.

Zebu maintains appropriate management arrangements, including responsible alcohol-sales procedures, staff supervision, incident recording and cooperation with the Police. My client has also provided assistance to the Police in connection with incidents in the surrounding area. Rules are set by my client as how to deliver its business and protect from crime and disorder. Conversations about specific aspects as politics, religion and football will be restricted and monitor to its minimum to avoid possible conflicts. Bets gaming are forbidden if it becomes acknowledge of the staffs. Customer refusal to entry will be handled to the use of restrictive clothes that could arise any internal conflict. Loud voice and nuisance will be dealt with immediate expulsion from premises. Possession of arms is completely forbidden and will be treated as a serious offence that will be handled accordingly with the law. This measures are already in place and will continue on the same.

Any objection alleging that the revised variation is likely to increase crime or disorder should identify the factual basis of that alleged risk and explain its connection to Zebu's premises and the activities now proposed. My client is actually known by the Metropolitan Police as a business who has provided help on investigations that the Met Police needed. My client has never been involved on any incident concerning safety of the population or any business around. This should be treated as a proper evidence of how my client is handling the prevention of crime and disorder and any variation should not be a reason to speculate that possible crime or disorder might arise from the variation. 3 years of continued compliance with this first point of licencing should reflect the way that my client considers its seriousness.

Generalised references to incidents elsewhere within Sapcote Trading Centre cannot, without evidence establishing a relevant connection, be treated as proof that my client's proposed operation will undermine this licensing objective. As previously stated, previous incidents that occurred within the Sapcote Trading Centre, puts my client in a good position

as every time that the Police has sought help or access to CCTV, my client has provided everything needed.

My client invites the Licensing Sub-Committee to assess the application by reference to Zebu's own operating arrangements, relevant history and the evidence relating specifically to the premises, rather than assumptions arising from the conduct or management of independently operated neighbouring businesses.

Considering the history and the measures taken by my client's business during their business life, any representation concerning the prevention of crime and disorder should be carefully and objectively assessed against the available evidence before any allegation or implication of wrongdoing is made against my client.

4. Public Safety

The proposed extension into the Unit 38 private car park has been removed from the present application. Consequently, concerns relating exclusively to the proposed use of that area, including its fencing, vehicle movements and the positioning of customers within that area, should not determine the outcome of this variation.

The remaining application should be assessed against the actual premises layout, existing safety arrangements, emergency procedures, staff supervision and any additional proportionate conditions considered necessary to promote public safety.

My client remains willing to comply with reasonable, clear and enforceable conditions which are appropriate to the activities remaining within the application.

In the absence of evidence identifying a material public-safety risk arising from those remaining activities, my client submits that generalised concerns relating to the excluded car park should not be relied upon to justify refusal of the variation in its entirety.

Measures for Public Safety should not only be considered as to what could happened on the external area but also on how the business is run. As a Food business, is in the interest of the Public safety all measures in relation to food and drinks. My client is in possession of all accurate and up to date certificates for food handling. Allergenic information is displayed within the food area and staffs are properly trained to treat this issue as part of the safety measures of the business as a priority.

Any person who is seen as to be drunk will be refused from further alcohol drinking in the premises.

Installation of step-free access is been set for installation by the 1st of November 2026. Hazards inside the premises have been addressed and any risks of accidents have been taken into consideration for any appropriate work needed. BBQ and fire areas are set with the appropriate extinguisher for the "in case of" an accident occurs.

Again, on this matter, appropriate training has been done by all staff members.

Therefore, based on works carried out and training accordingly done, the Public Safety concern for the licence, should not be an objection on its own.

5. Prevention of Public Nuisance

My client recognises its responsibility to prevent unreasonable noise and disturbance associated with its licensed activities.

The application proposes live music indoors only, with outdoor recorded music ceasing by 22:00. My client is prepared to operate appropriate management controls concerning music volume, customer behaviour, complaint handling and orderly dispersal.

Any remaining representation concerning public nuisance should identify the particular activity said to create a risk, the likely effect of that activity and the evidence supporting the objection.

Speculative concerns, or objections dependent upon the use of the excluded car park, should not be treated as sufficient in themselves to justify refusal of the remaining application.

My client respectfully submits that any evidenced risks can be assessed against the proposed operating arrangements and, where necessary, addressed through appropriate and proportionate licence conditions.

As previously stated for both the Crime Prevention and Public Safety concerns, the history of the management of my client's business does not show any risk to further breach of the nuisance and therefore should be considered as that. Same treatment is to be made regardless of opening times.

In terms of customers risen voice, is a matter that in case this occurs, will be treated accordingly if happens. The premises are doubled glass, which already restricts the noise to be an issue in the area. My client is happy to be tested by an authorised equipment to check whether the outdoors music is above the limits of the law or not. It is not the intention of my client to modify any music systems in the outdoors.

Again, this matter of the licence should not be an objection.

6. Protection of Children from Harm

My client takes seriously its obligations concerning the protection of children from harm.

Zebu operates a Challenge 25 policy and maintains procedures concerning age verification, responsible alcohol sales and staff training. Its proposed operation should be assessed in the context of these arrangements and the actual activities remaining within the variation.

Any objection alleging that the revised application would undermine this licensing objective should be supported by evidence relevant to the premises and the activities now proposed.

My client submits that this objective should be assessed on its actual operating arrangements and the evidence available, rather than on hypothetical risks associated exclusively with an area no longer included in the application.

My client currently takes into serious account the safety not only the children but the anyone in the premises, controlling distancing from the BBQ to the public and controlling children playing in the premises and the outside. Nonetheless, the main responsibility for

children's behaviour lasts to their parents or responsible adult at the time. Notice displaying this request to adults are inside the premises.

7. Relevance and Evidential Weight of Bar Simprao's Representations

My client acknowledges that Bar Simprao is entitled to make representations under the Licensing Act 2003. However, the existence of that right does not mean that every allegation advanced must automatically be accepted or afforded substantial evidential weight.

The Licensing Authority must assess the relevance, factual basis and evidential support of the representations, having regard to the licensing objectives and the revised scope of the application.

My client is particularly concerned that Bar Simprao continues to maintain objections which substantially rely upon the proposed car park despite that area having been removed from the present variation. My client therefore requests that Bar Simprao identify the precise remaining issues it intends to pursue and explain how each relates to the likely effect of the revised application on a statutory licensing objective.

My client further submits that unsupported allegations, speculation and matters which are no longer relevant to the variation should not be permitted to obscure the actual issues requiring determination.

My client remains concerned that the allegations and representations made by Bar Simprao are unsubstantiated and should be scrutinised carefully in light of the available evidence concerning Bar Simprao's own compliance with applicable licensing requirements. Whilst my client accepts that Bar Simprao's representations must be considered independently and on their own merits, this should not preclude proper scrutiny of the factual basis, credibility and evidential weight of those representations.

Accordingly, my client reserves the right to invite the Licensing Authority and the Licensing Sub-Committee to consider what weight, if any, should reasonably be attached to representations made by Bar Simprao where there is credible evidence of any failure by that business to comply with its own licensing obligations. Any such assessment should, of course, be based on relevant and verifiable evidence and should be undertaken consistently with the statutory licensing objectives.

8. Concerns Regarding Potential Bad Faith and Commercial Motivation

My client maintains its concern that Bar Simprao's representations may be influenced, at least in part, by an improper commercial motive.

To my client's knowledge, Bar Simprao is the only neighbouring business to have submitted representations against this application, notwithstanding the number of other businesses operating within the surrounding trading centre. Bar Simprao also operates in the same general sector as my client and may therefore be regarded as a commercial competitor.

My client accepts that neither the fact that Bar Simprao is the sole objector nor the fact that it operates a competing business is, individually, sufficient to establish bad faith. Nevertheless, my client considers that these circumstances, when considered alongside the nature and breadth of the restrictions sought and the further evidence available, give rise to a legitimate concern that the representations may extend beyond the genuine

promotion of the licensing objectives and may have the effect of restricting my client's legitimate commercial development. It is seriously concerned the fact of lack of evidence from the objector on their representations. It is aware to the objector and all agencies as Metropolitan Police, Brent Council, Home Office and even HMRC, that the objector has failed to comply with all minimum and reasonable measures to avoid Crime, Disorder, Nuisance, Illegal workers, and Tax Evasion.

My client therefore maintains its position that the possibility of an improper commercial motive should be considered when assessing the factual basis and evidential weight of the representations. This is not an invitation to disregard Bar Simprao's representations merely because it is a competitor; it is an invitation to scrutinise them objectively and to distinguish genuine, evidenced licensing concerns from assertions which are speculative, irrelevant or unsupported.

My client respectfully asks the Licensing Sub-Committee to consider whether the restrictions sought by Bar Simprao are justified by evidence of a likely adverse effect on the licensing objectives, rather than by commercial opposition to the proposed development of a neighbouring business.

9. Evidence Concerning Bar Simprao's Own Management and Operation

My client holds documentary and photographic material concerning Bar Simprao's management and operation, including its external arrangements, the positioning of its CCTV cameras, and matters relating to incidents and regulatory concerns.

To the extent that this material is relevant and properly admissible, my client reserves the right to submit it in order to test the consistency, reliability and evidential weight of the allegations advanced against Zebu.

In particular, my client considers that evidence which materially contradicts assertions made by Bar Simprao concerning responsible management, public safety, nuisance or compliance may be relevant to the weight that should properly be attached to those assertions. My client does not contend that unrelated allegations automatically invalidate Bar Simprao's representations; rather, it asks that any demonstrated inconsistency be assessed objectively and in its proper context.

My client also holds material concerning its own assistance to the Police in relation to incidents in the surrounding area. Where relevant to an allegation advanced by Bar Simprao, this material may be submitted to demonstrate the steps taken by Zebu to cooperate with the authorities and to address concerns relating to the licensing objectives.

Any concerns regarding CCTV positioning, data protection, immigration or right-to-work compliance, or other regulatory matters will be presented only to the extent supported by reliable evidence. My client reserves the right to provide relevant information to the Police, the Home Office and the Council for consideration within their respective statutory functions.

No allegation is advanced as an established finding merely because a complaint has been made or an investigation may be ongoing. Equally, where reliable evidence is available and directly relevant to a factual assertion made in these proceedings, my client reserves the right to rely upon that evidence in accordance with the applicable procedure.

In these circumstances, my client respectfully invites the Licensing Sub-Committee to consider what evidential weight should properly be given to assertions made by Bar Simprao where the available evidence may demonstrate material inconsistencies between the standards it seeks to impose on Zebu and the conduct or management reflected in the evidence concerning its own premises.

10. Request for Withdrawal or Particularisation of the Remaining Representations

In light of the revised scope of the application, my client invites Bar Simprao, once again, to reconsider its position and withdraw any objections which are no longer relevant to the activities now being pursued.

Should Bar Simprao maintain its opposition, my client requests that it identify:

a. Each remaining ground of objection;
b. The licensing objective to which that ground relates;
c. The factual basis and supporting evidence relied upon; and
d. The specific adverse effect alleged to arise from the activities remaining within the variation.

This request is made to ensure that the issues before the Licensing Sub-Committee are properly defined and that the hearing is directed towards the matters which genuinely require determination. The request to the objector is not to write concerns and dispose the same, but to evidence by facts, each of their own concerns to support their representations on each point of the licencing objections.

My client further invites the Licensing Authority to give appropriate weight to the relevance, reliability and evidential support of each representation, rather than treating all allegations as equally substantiated.

My client reserves the right to submit, separately from the present licensing application, any relevant evidence in its possession concerning the premises at Unit 25, in support of any ongoing or future investigations that the Council, the Home Office, HMRC or the Police may consider necessary or appropriate.

Much of this information has already been brought to the attention of the relevant authorities. Given the potentially sensitive nature of the material and the need to protect the identity and security of those who have provided it, my client intends to tre at such information as confidential and will not disclose it as part of the present application. Any disclosure to the relevant authorities will be considered separately and handled through appropriate channels, subject to any applicable legal obligations.

11. Determination on the Merits and Proportionality of Conditions

My client respectfully submits that the application should be determined on its own merits, by reference to the actual activities sought, the evidence concerning Zebu's premises and the steps proposed to promote the licensing objectives.

Where a properly evidenced risk is identified, the Licensing Sub-Committee should consider whether it can be adequately addressed through clear, enforceable and proportionate conditions consistent with the statutory framework.

My client remains willing to engage constructively with the Licensing Authority and to accept reasonable conditions appropriate to the activities remaining within the application. It does not, however, accept that the entire variation should be refused on the basis of speculative concerns, objections relating exclusively to the excluded car park or unsupported allegations concerning its proposed operation.

My client accordingly invites the Licensing Sub-Committee to determine the application by reference to the evidence, the four licensing objectives and the applicable statutory framework, without allowing unsupported allegations or potentially competitive considerations to substitute for a proper assessment of the revised application.

Lastly, my client requests that any representations arise from trustful business or agencies and that the representations are properly funded and not speculated.

12. Formal Requests and Conclusion

For the reasons set out above, my client respectfully requests that the Licensing Authority:

a. Assess the relevance, reliability and evidential support of Bar Simprao's remaining representations;
b. Ensure that any evidence submitted by the parties is considered fairly and in accordance with the applicable procedural requirements; and
c. Determine the application on its own merits, considering whether any properly evidenced risks can be addressed by proportionate and enforceable conditions.
d. Request Unit 25 to provide with the right ICO fee to be recording my client's premises instead of public area.

My client remains willing to cooperate with Brent Council and the relevant authorities to ensure that the premises are operated responsibly and consistently with the licensing objectives.

Zebu Butchers reserves all its rights, including the right to submit further relevant evidence and written representations in accordance with the Council's procedural timetable.

I look forward for confirmation of the revised scope of the application and the applicable timetable for the submission of further evidence.

Patricia de Farias Jimeno
patricia@pfjconsultancy.co.uk
NALP 12588
CIOL 92599