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POLICE**

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TERRITORIAL POLICING

The Licensing Authority
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Your ref: licence application 11806
Our ref: 01QK/122/18/965

**Brent Borough
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Date 25th May 2018

Police representations to the application for a new Premises Licence for Virago Ventures T/A Two Doors Down, 17 Walm Lane, London, NW2 5SJ'

I certify that I have considered the application and I wish to make representations that the likely effect of the grant of the application is detrimental to the Council's Licensing Objectives for the reasons indicated below. I am of the opinion that the risk to the Council's objectives can be mitigated by changing the closing times and attaching conditions to the Licence as shown below.

Officer: Gary Norton
Licensing Constable PC 965QK

An officer of the Metropolitan Police, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003. The application has been made for a new premises licence under section 17 of the act.

The Police representations are primarily concerned with crime and disorder, public nuisance and the protection of children from harm.

These representations follow a meeting on Thursday 17th May 2018 with Ms Annie Walsh and Ms Naimh McBride in which we discussed the premises licence application. Also present at this informal meeting was PC Darren Cowley. We discussed several areas of concern, these points are recorded below.

Willesden Green/Mapesbury wards have prevalent Anti-Social Behaviour (ASB) problems, drug dealing/user issues and other crime related problems. Due to these ongoing issues, it was necessary for the Metropolitan Police Service to authorise a temporary dispersal zone in an attempt to prevent and disrupt ASB and criminal activity in early 2018. The access and rear alley that runs beside and behind the venue has long been a hotspot for the issues mentioned. Both the applicant and intended DPS are keenly aware of these issues and even broached their concerns about it themselves when PC Cowley

and I meet them. On that occasion, the alley had evidence of fly-tipping, street drinking (lots of high strength empty beer cans and some alcoholic spirit bottles), a used syringe and burnt foil (indicating class A drug use). Two males could be seen drinking alcohol out of beer bottles further up the alley. There was also a strong aroma of cannabis smoke wafting through the alley on occasion, although the exact source of the smell could not be established.

The applicant and DPS stated their intention to take a self-imposed responsibility for this alleyway to help improve and regenerate it. However, they have no formal arrangements in place with the private landowner to use the area for commercial purposes. Other areas of the alleyway are owned by a number of other parties. Regardless of the ongoing issues of using the alley, the comments made in the application ("description of the premises") on page 4 stating they would make "use of private land to the side" is not shown in the actual licensable area indicated on the architect plan.

It was clarified with the applicants that no licensable activity in the alleyway area was being applied for in this application and wouldn't be conducted at this time. This would fall in line with the pdf plan showing the licensable activity footprint to be contained within the buildings premises line itself.

We also discussed the issues of using third party delivery services, such as "Deliveroo" and "Uber Eats" to facilitate the delivery of alcohol along with food orders. The applicant appreciated the concerns for protecting children from the possible abuse of such a service and declared they would not sell alcohol other than for consumption on the premises. i.e. no off premises sales.

The applicant and DPS stated the premises would be used as a café during the day, bar and restaurant throughout out the afternoon and evening. However, it is clear that after 2300hrs through until 0300hrs, the primary function would be as a bar, as the late night refreshments are not planned beyond 2300hrs.

The proposed late night 0300hr closing time is a major concern in the prevention of crime and disorder and public nuisance and would likely exacerbate existing problems in the area.

Customers who drink alcohol over potentially longer periods are likely to become more inebriated. This often leads to increased drunken disorder and noise. Even if customers have no intention to commit crime or cause ASB, they may find themselves a vulnerable victim of criminality; robbed, assaulted or involved in an affray in a hot spot area already known for such issues. Criminals often target and prey upon the vulnerable, such as those heavily intoxicated out late at night. If the bar were open until 0300hrs, it would likely increase the chances of unsavoury clientele attempting to search out the only bar in the area they know to be open.

The venue intends to play music into the early hours and this will likely result in noise complaints. Added to this, inebriated customers who go out to smoke in the alley and out on the street might cause a noise disturbance to residential neighbours who may also have young families.

Given these concerns, I would therefore make representations to have a closing time of 0100hrs on Thursday to Saturday, rather than 0300hrs, with supply of alcohol and other licensable activity to stop at 0030hrs. This gives customers a suitable time period to finish their drinks without conflict with staff. The bar is situated on a parade, with housing directly above/behind it and across the street in a residential inner city area.

Due to the concerns over noise disturbance, I recommend the licensable activity and closing times regarding Seasonal variation (namely Christmas Eve and New Years Eve), also be limited to 0030hrs and 0100hrs, respectively.

Police require the following points be included in the operating schedule or added as conditions on the premises licence;

Closed Circuit Television (CCTV)

Good quality CCTV is essential as a deterrent for the prevention of crime and the detection of offenders. It allows for both covert and overt monitoring of the premises. With proper signage, this reassures both staff and clientele, that this is a safe environment where illegal activities are not tolerated.

All cameras and recording equipment will be installed and maintained in accordance with Home Office Guidance and the manufacturers instructions and will be fully operational when the premises are open to the public.

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 or authorised officers from Brent Council upon request.

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.

CCTV cameras shall be installed to cover the entrance of the premises and offer coverage of the side and rear of the premises exposed to the alleyway.

Operating Hours to be displayed on Premises

A notice displaying the opening hours, the type of licensing activity and licence conditions should be clearly displayed and visible to anyone outside the premises. This may be incorporated in the summary of the licence, which must be displayed, or take the form of a separate item. This will allow the Police and other responsible authorities to readily identify the licence details. Clearly displayed opening hours will also reduce any confusion for customers prior to entering the premises and possible conflict when the premises close.

A Summary of the Premises Licence will be displayed at the public entrance to the premises.

Revised opening and licensing activity times as set out above. i.e. Thursday to Saturday: All Licensable activities to cease by 0030hrs and premises to close at 0100hrs.

Further to my review, I would also ask that these additional conditions to be added to the premises licence. If the these conditions were agreed in full, I would withdraw my representations.

A suitable number of Door supervisors, of appropriate gender mix, shall be employed from 2100 hours on any day when the premises are open for licensable activities past 0000 hours (midnight).

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,

- (a) all ejections of patrons
- (b) any incidents of disorder
- (c) all seizures/findings of drugs or offensive weapons
- (d) any faults in the CCTV system
- (e) any refusal of the sale of alcohol
- (f) any visit by a relevant authority or emergency service.
- (g) record the names, badge numbers, dates and times of duty of security staff.

Customers using the exterior licensed area are to have alcoholic drinks served in suitable plastic open topped drinking vessels only.

The exterior licensed area shall cease to be used from 2100 hours to the time the premises closes to the public.

From 2100hrs, the entrance/exit sliding doors are to be kept closed, except when people are entering or leaving the premises.

After 2300hours, customers who wish to smoke should total no more than 10 at any one time and advised to do so in a designated smoking area in front of the premises to allow door supervisors to monitor them.

Customers shall not be permitted to take open topped drinking vessels outside the premises licensable area.

There shall be no entry or re-entry in to the premises after 2300 hours except those customers using the smoking area.

The total number of people on the premises including customers, staff and performers shall not exceed (number set by Local Authority Public Safety Team).

Yours Sincerely,

Gary Norton 965QK
Brent Licensing Team
Wembley Police Station