

With reference to section 3 of the main report, Mr Shilan Ganatra, the proposed DPS, has now been granted a personal licence by Watford Borough Council.

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M & G Alliances Ltd**(the “Applicant”)****Application for a new Premises Licence****Stanmore Place Food Market, Retail Unit 5, Stanmore Business and Innovation Centre HA7 1FW (the
“Premises”)****Statement of Case**

This statement is made in support of an application for a new Premises Licence with the intention of outlining the Applicant’s case and seeking to address the concerns of those maintaining representations.

Amplification of the points made below, together with further submissions, will be made orally at the licensing sub-committee hearing.

The Applicant

The Applicant is a family company which already operates a coffee shop, a newsagent and a coffee van at Transport of London sites. The shareholders and their experience are as follows:

Shilan Ganatra

Degree qualified with 10 years of experience as a Business and Finance Analyst in Financial Services, Retail and Telecommunications. A successful entrepreneur for the last 5 years managing the day-to-day operations of a portfolio of existing retail businesses. Will be the day-to-day manager and Designated Premises Supervisor.

Shreya Ganatra

Private Banking Manager with 10 years’ experience managing a portfolio of high net-worth individuals. Strong retail experience with 4 years at Boots the Chemist in the Harrow area.

Ameesh Manek

MBA Qualified with over 22 years' experience in the retail, financial services and sport industries. Specialising in both large corporate and small business environments with a background in category management, procurement, strategy and corporate development.

Sikesh Manek

Qualified Management Accountant with over 25 years' experience in Financial Services and retail.

The Premises

The Premises is part of the new Stanmore Place development comprising over 800 new homes and over 60 retail/business units. The Applicant opened the Premises on Saturday 17 April 2021 as an artisan food market selling high end British, Afro Caribbean, East Asian, South Asian and Persian food. A selection of pictures is at **annex 1**. The hope is to offer a limited range of alcoholic products to compliment the food on offer. These are to be located towards the back of the Premises, next to the tills to aid supervision. Attached at **annex 2** is a proposed list of alcoholic products the Applicant wishes to sell. Due to space limitations, these products will not necessarily all be stocked at the same time. The prices of the wines start at approximately £7.50 with the most expensive sparkling wines being more than £50.00. The average price for a still wine is projected to be £12.00. Only international bottled beers will be sold including the likes Hoegaarden, Kingfisher, Asahi and Tusker with prices starting at £1.80 a bottle. Whilst the financial projects only predict that 10% of total profit will come from alcoholic products this is still an important source of revenue.

Amendments to the Application

Before lodging the application, the Applicant met with representatives of the Licensing Team at Harrow Council to discuss the application and once lodged, conditions were discussed with the Metropolitan Police.

The agreed conditions (which are in the Committee Report) are as follows:

1. CCTV shall be installed to Home Office Guidance standards, covering all entrances and exits, capturing clear facial images. This system shall be maintained & recordings shall be kept for 31 days and shall be made available to police and licensing officers immediately upon request. A member of staff fully conversant with the use and operation of the CCTV system and how to provide footage to police or local authority requests shall be present throughout the permitted hours for sale of alcohol. Suitable CCTV signage regarding the use of CCTV must be displayed.

2. A sign stating “No proof of age - No sale” shall be displayed at the point of sale.

3. A “Challenge 25” policy shall be adopted and adhered to. Signage to be displayed at point of sale.

4. An incident/refusal book shall be kept at the premises, and made available for inspection on request to an authorised officer of Harrow Council or the Police; Which will record the details (including day, date, time, summary of incident) of any of the following:

-all crimes reported to the venue

-all ejections of patrons

-any complaints received

-any faults in the CCTV system

-any refusal of the sale of alcohol including ‘Off Deliveries/sales of alcohol’

-any visit by a relevant authority or emergency service.

5. Any staff directly involved in selling alcohol for retail to consumers, staff who provide training, and all managers, will undergo regular training of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.

6. Any staff directly involved in delivering alcohol to consumers will undergo regular training of Licensing Act 2003 legislation. This training must be completed before the staff member can conduct deliveries. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant

authorities upon request.

7. Any staff directly involved in selling and/or delivering alcohol must be authorised to do so in writing by the Premises Licence Holder. A record of the authorisation for each member of staff will be kept on the premises and made available for inspection by police and relevant authorities upon request.

8. Promotions that encourage irresponsible drinking shall not be permitted.

9. No beers, lagers, and ciders above 6% ABV shall be stocked with the exception of premium beers.

10. No single cans of beer, lager or cider to be sold.

11. No miniatures to be sold – (5cl or 50ml).

12. Alcohol will be kept by the till area (as per the plan of the premises).

13. A suitable intruder alarm complete with panic button shall be fitted and maintained.

14. The store will be well lit to ensure clear visibility for staff.

15. Notices asking customers to leave quietly shall be displayed at the exit.

16. The app or internet site for the remote sale of alcohol and cigarettes must contain the information that these sales are only for people aged 18 or over. The buyer should confirm on the app or internet site that they are aged 18 or over. When the alcohol or cigarettes are delivered to an address, the person delivering them must confirm that the persons they give the goods to are aged 18 or over.

Representations

The Applicant is pleased that no representations have been made by the statutory authorities: the 'independent experts'. Whilst thirty-five representations have been received, as the Committee Report correctly highlights, the vast majority are identical. The Applicant has had several cordial conversations

with Vice-Chairs of the Stanmore Place Residents' Association and is particularly keen to engage with its Chairman who has been left voicemail and text messages.

Rather than addressing each representation separately, this report will instead comment on the concerns raised in turn:

Proximity of a Nursery

The Protection of Children from Harm licensing objective is, as the Section 182 Guidance explains, usually engaged when children are at risk from moral, psychological or physical harm. For example, a pub or off-licence next to a Sixth Form College or where a premises is offering adult entertainment. This is not the case here. Nursery children are in no way close to drinking age and the application is for an artisan food market. Licensed premises and nurseries commonly sit on the same parade of retail units without concern. Crucially, there is no representation from the Area Child Protection Service, nor the nursery itself. Their staff have actually taken the children into the Premises to explain how a shop works.

On the broader issue of the Protection of Children from Harm, as can be seen above, onerous conditions have been agreed with the Metropolitan Police to avoid underage sales.

Risk of Public Nuisance and Anti-Social Behaviour

As with the concern about the nursery, it is unclear why a grant of a premises licence will lead to public nuisance and anti-social behaviour in the new estate. If the concern is that cheap alcohol will be purchased and consumed on the street nearby, there is no reason to suspect that this will be the case. Given the conditions agreed with the Metropolitan Police the Premises will not be attractive to people wishing to purchase cheap, strong alcohol and the price of products will be higher than other licensed supermarkets in the nearby area including Tesco next to Cannons Park Station.

Increased Traffic

Traffic flow is generally considered at the planning, rather than licensing level, and the Premises does have E (a) planning use to sell goods. The purpose of the Premises is to serve residents of Stanmore Place who

can access the Premises on foot. If any customers from other surrounding areas wish to shop at the Premises, they can use the excellent local bus and tube services. There is no reason for customers to drive into the residential part of Stanmore Place.

Litter

The premium alcohol the Premises wishes to sell is not designed for immediate consumption and thus the Applicant does not anticipate that the Premises will generate litter. No single cans will be sold. Bottled beers and wines usually require a bottle opener or corkscrew to open.

Harrow Licensing Policy (the "Policy") and Case Law

The Premises is not located within a Cumulative Impact Area, hence there is no presumption to refuse the application if a grant is likely to add to cumulative impact and as suggested, advice was sought from the Licensing Authority.

Whilst a relevant argument Pre-Covid, the consideration of economic factors is now even more important. The Applicant wishes to remind the licensing sub-committee of the case of *R (o/a/o Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others* [2011] EWCA Civ 31, and the observation of Toulson LJ that:

*"Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, **the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand**, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on."*

A considerable amount of money has already been invested in the Premises and to be left without a premises licence would leave with Applicant in a difficult financial position.

Conclusion

The Applicant wishes to be a 'good neighbour' and is desperately keen to be seen as an asset to Stanmore Place. If it is not, the business will fail. It has hired employees who live in Stanmore Place and the intention is to be in business for the long term. It is pleased to have received several positive messages from its residents who have been pleasantly surprised about the quality of the fitout and the products on offer. As a responsible operator the Applicant has liaised with the statutory authorities and agreed appropriate conditions to uphold the licensing objectives. It would also welcome further discussions with those that have made representations. The writer of this statement can be contacted at niall.mccann@keystonelaw.co.uk.

Niall McCann
KEYSTONE LAW

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APPENDIX 1







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APPENDIX 2

Fine Wines	RRP £
Campo Viejo Rioja Tempranillo Red Wine 75cl	£ 10.49
Casillero del Diablo Carbenet Sauvignon 75cl	£ 7.49
Casillero del Diablo Merlot 75cl	£ 7.49
Casillero del Diablo Malbec 75cl	£ 7.49
Yellow Tail Malbec 750ml	£ 8.00
Yellow Tail Merlot 750ml	£ 7.49
Yellow Tail Cabernet Sauvignon 750ml	£ 7.79
Yellow Tail Jammy Red Roo 750ml	£ 7.49
Oyster Bay Hawkes Bay Merlot 750ml (£10.79)	£ 10.79
Oyster Bay Pinot Noir 750ml	£ 12.29
Oyster Bay Marlborough Sauvignon Blanc 750ml	£ 10.79
19 Crimes Red Wine 750ml	£ 9.00
19 Crimes The Banished Dark Red 750ml	£ 10.09
Dark Horse Malbec 750ml	£ 9.55
Dark Horse Merlot 750ml	£ 9.55
Wolf Blass Yellow Label Cabernet Sauvignon 750ml	£ 9.29
Wolf Blass Yellow Label Shiraz 750ml	£ 9.29
Freixenet Chanté 75cl	£ 10.00
Calvet Châteaueu Saint-Germain Bordeaux Supérieur 75cl	£ 8.69
Campo Viejo Rioja Reserva Red Wine 75cl	£ 13.09
Prasauer Desingens Côtes du Rhône 75cl	£ 8.69
Villa Maria Pinot Noir Private Bin 750ml	£ 13.55
Casillero del Diablo Reserva Especial Cabernet Sauvignon 75cl	£ 9.99
Prasauer Desingens Beaujolais 75cl	£ 8.69
Chateausud Du Pape Cablet	£ 23.99
Barossa Ink Shiraz 750ml	£ 10.49
Calvet Collection Saint-Emilion 75cl	£ 9.99
Faustino VII Tempranillo Rioja 75cl	£ 9.99
Faustino I Gran Reserva Rioja 75cl	£ 21.49
Sangre de Toro Original 75cl	£ 8.39
Clos des Four Cauquennia Jata Valley 750ml Bottle	£ 15.99
Flora and Fauna Reserve Red Wine, Grenache, Merlot & Mourvedre 750ml	£ 9.99
Le Lieux Minerois Syrah Red Wine, Syrah 750ml	£ 11.99
Pette Immortelle Cote de Roussillon Villages Red Wine, Grenache, Syrah, Mourvedre & Carignan 750ml	£ 12.99
Immortelle Cote de Roussillon Villages Red Wine, Grenache, Syrah, Mourvedre & Carignan 750ml	£ 24.99
El Gato Tinto 2019 750ml	£ 19.99
Fincher & Co The Show of Hands Red Wine, Pinot Noir 750ml	£ 29.99
Bodega Garzon Estate Tannin/Merlot 750ml Bottle	£ 15.99
Chardonnay Villavieja, Lanes of Malbec, Vauv, Shiraz 750ml Bottle	£ 14.99
De Loach Heritage Collection Zinfandel 750ml Bottle	£ 14.99
Casillero del Diablo Sauvignon Blanc 75cl	£ 7.49
Kumala Chenin Blanc 75cl	£ 8.99
Lindeman's Bin 65 Pinot Grigio 750ml	£ 8.99
Oyster Bay Marlborough Sauvignon Blanc 750ml	£ 10.79
Oyster Bay Marlborough Chardonnay 750ml	£ 10.79
Yellow Tail Chardonnay 750ml	£ 7.49
Yellow Tail Pinot Grigio 750ml	£ 7.49
Hardy's Stamp Sauvignon Blanc Semillon 75cl	£ 6.99
Wolf Blass Red Label Chardonnay Semillon 750ml	£ 9.99
Villa Maria Private Bin Sauvignon Blanc 750ml (£10.99)	£ 10.99
Villa Maria Private Bin Pinot Grigio 750ml	£ 11.29
Dark Horse Chardonnay 750ml (£9.55)	£ 9.55
Prasauer Desingens Chablis 75cl (£10.99)	£ 10.99
Wolf Blass Yellow Label Chardonnay 750ml (£9.29)	£ 9.29
LaCheteeu Sancerre 75cl (£17.29)	£ 17.29
Brancott Estate Sauvignon Blanc 750ml (£11.99)	£ 11.99
Campo Viejo Rioja Viano-Tempranillo Blanco 750ml	£ 11.99
Innocent Bystander Moscato 750ml Bottle	£ 11.99
Kalken Terror Series Catayata Torrontes 750ml Bottle	£ 11.49
Mandragrossa Le Seme' Viegnier 750ml Bottle	£ 11.99
Mandragrossa Cosa Bianca Fiano 750ml Bottle	£ 11.99
Flora and Fauna Blanc White Wine, Grenache Blanc & Sauvignon Blanc 750ml	£ 9.99
L'Abelle Picpoul de Pinet White Wine, Picpoul 750ml	£ 11.99
Immortelle Bissacelles Grand Sweet Wine, Grenache & Syrah 500ml	£ 24.99
Fincher & Co Wairau Valley White Wine, Sauvignon Blanc, 750ml	£ 14.99
Fincher & Co The Dividing Line White Wine, Sauvignon Blanc, 750ml	£ 24.99
El Gato White Wine, Grenache Blanc 750ml	£ 21.99
Blanc Carnes Marlborough Riesling 750ml Bottle	£ 16.99
Innocent Bystander Yarra Valley/King Valley Pinot Gris 750ml Bottle	£ 16.99
Blanc Carnes Marlborough Gruner Veltliner 750ml Bottle	£ 16.99
Boschendal Pavilion Rose	£ 7.99
Calvet Rosé D'Anjou 75cl	£ 8.69
Calvet Sauvage Côtes de Provence 75cl	£ 9.99
Mud House Marlborough Sauvignon Blanc Rosé 750ml	£ 9.45
Wateau Rose	£ 7.55
Campo Viejo Rosé Wine 750ml (£10.49)	£ 10.49
Flora and Fauna Rosé Rosé Wine, Grenache Noir 750ml	£ 9.99
Bodega Garzon Estate Pinot Noir 750ml Bottle	£ 15.99
Innocent Bystander Moscato 750ml Bottle	£ 11.99
Freixenet Prosecco 75cl (£11.99)	£ 11.99
Franci Prosecco Spumante Extra Dry Millesimato 75cl (£9.99)	£ 9.99
Mott & Chandon Imperial Brut Champagne 750ml	£ 49.99
Oyster Bay Sparkling Cuvée Rosé 750ml (£12.29)	£ 12.29
Tattinger Champagne Brut Réserve 750ml (£36.99)	£ 36.99
Moet Rose Champagne	£ 50.99
International Beers	RRP
Beck's Beer	1.8
Beck's German Pilsener Beer Bottles (Pack of 4)	6
Heineken Premium Lager Beer Bottle	1.8
Heineken Premium Lager Beer (Pack of 4)	6
Kronenbourg 1664 Lager Beer (Pack of 12)	15
Stella Artois Lager Beer Bottles	1.8
Stella Artois Belgium Premium Lager Bottles (Pack of 12)	15
Asahi Super Dry 620ml	2.5
Asahi Super Dry (Pack of 4)	6
Birra Moretti Lager Beer 330ml Bottle	1.8
Birra Moretti Lager Beer (6 x 500ml Bottle)	10
Corona Extra Lager Beer Bottles	1.8
Corona Lager Beer Bottles (Pack of 4)	6
Tusker Imported Medium Beer 500ml	2.15
Crabbie's Alcoholic Ginger Beer Scottish Raspberry 500ml	2
Crabbie's Rhubarb Alcoholic Ginger Beer 500ml	2
San Miguel Premium Lager Beer (Pack of 12)	15
Peroni Nastro Azzurro 330ml	1.8
Peroni Nastro Azzurro (4 x 330ml)	6
Red Stripe Jamaican Lager Beer (6 x 330ml Bottles)	10
Leffe Blonde Abbey Beer Bottle 330ml	1.8
Kopparberg Premium Cider Strawberry & Lime 500ml	2.5
Kopparberg Premium Cider with Mixed Fruit 500ml	2.5
Bombardier British Hopped Amber Beer 500ml	2.1
Fuller's Honey Dew Organic Golden Ale 500ml	2
Guinness Original Extra Stout Beer +500ml Bottle	2
Guinness Foreign Extra Neutron Stout 660ml	3.2
Guinness West Indies Porter 500ml	2.5
Beck's Blue Alcohol Free Beer Bottles 6 x 275ml	4.6
Cobra Premium Beer 660ml	2.0
Cobra Premium Beer 4 x 330ml	6
Cobra Zero Premium Alcohol Free Beer 4 x 330ml	3.5
Sharp's Doom Bar Amber Ale 500ml	2.1
Sharp's Doom Bar Amber Ale 4 x 500ml	7.5
Old Speckled Hen Distinctive English Pale Ale 500ml	2
Old Speckled Hen Distinctive English Pale Ale 4 x 355ml	6
BrewDog Punk IPA, Post Modern Classic 330ml	1.95
Desperados Tequila Lager Beer 5 x 330ml Bottles	8
Kingfisher Premium Lager Beer 650ml	3.2
Tiger Asian Lager Beer 640ml Bottle	2.6
Hop House 13 Lager 12 x 455ml Bottle	2.5
Hop House 13 Lager 4 x 330ml Bottle	7.5
Hooigaarden Belgian Wheat Beer Bottle 330ml	1.8
Artisan Spirits	RRP
Chivas	35.99
Glenfiddich	20.65
Glenmorangie	39.99
Jonny Walker Black	29.15
Jonny Walker Blue	TBC
Jameson's	24.99
Jameson's 170 No. 1 Tennessee Whiskey 750ml	19.99
Makers Mark	TBC
Rose Tequila	17.75
Francisco Blanco Tequila 75cl 6	45
Couvousteier XO	27.99
Belvedere	35.03
Ciroc Snap Frost Vodka 70cl	31.99
Au Vodka Fruit Punch 70cl	34.99
Au Vodka Black Grape 70cl	34.99
Au Vodka Blue Raspberry Flavoured Vodka Spirit Drink 70cl	34.99
Malts	
Hatters Emence Blended Aged White Rum 70cl 6	13.79
Captain Morgan's	37.5
Red Borroy Dark Rum 70cl 6	18.99
Bombay Sapphire	27.49
Hendrick's	22.99
Whitley Neill Parma Violet Gin 70cl	32.50
Whitley Neill Blood Orange Gin 70cl	24.99
Whitley Neill Raspberry Gin 70cl	24.99
Whitley Neill Rhubarb & Ginger Gin 70cl	24.99
Di Antonio Amaretto Liqueur 70cl	8.99
Balle's Liqueur	11.99
Aelder Elder Wild Elderberry Liqueur 50cl 6	25.95
Amaroso Aromatic Rosehip Rum Liqueur 50cl 6	25.95
Akashi Japanese Whiskey	TBC
Bees	TBC

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