

APPENDIX 4



**METROPOLITAN
POLICE**

TOTAL POLICING

With compliments

LICENSING OFFICE
SOUTH HARROW POLICE STATION

London Borough of Harrow
Licensing Team
Central Depot
Forward Drive
HA3 8NT

Date: 4th July 2019

Our ref:

CC: London Borough of Harrow

Police Make Representations to the following application made under

| | | | | | | |
|------------|----|--|--|--|--|--------------------|
| Section(s) | 34 | | | | | Licensing Act 2003 |
|------------|----|--|--|--|--|--------------------|

Application Given To Police On: 20th June 2019

Premises: Food City, 71 Station Road, Harrow, HA1 2TY

Representations

| | |
|--|---|
| a) plays (box A) | |
| b) films (box B) | |
| c) indoor sporting events (box C) | |
| d) boxing or wrestling entertainment (box D) | |
| e) live music (box E) | |
| f) recorded music (box F) | |
| g) performances of dance (box G) | |
| h) anything of a similar description to that falling within (e), (f) or (g) (box H) | |
| i) making music (box I) | |
| j) dancing (box J) | |
| k) entertainment of a similar description to that falling within (i) or (j) (box K) | |
| l) late night refreshment (box L) | |
| m) alcohol sale by retail (box M) | X |
| n) adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (box N) | |
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| | |
|--|--|
| o) Hours premises are open to the public (box O) | |
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The Police concerns are primarily related to the prevention of crime and disorder, although the 3 other licensing objectives are likely to be affected if these premises are allowed to sell alcohol 24 hours a day.

The premises is situated in Marlborough ward, on busy main road between the areas of Wealdstone and Harrow Town Centre. Both areas suffer anti-social behaviour and crime, with street drinking being a particular issue.

Since the end of 2018, the licensing team and ASB teams have been working closely with the neighbourhood policing teams to tackle alcohol related anti-social behaviour, with regular visits to off licences being conducted. The purpose of these visits is to check compliance and remind premises licence holders of their responsibilities to promote the licensing objectives. Neighbourhood policing teams put considerable effort into enforcing the Public Spaces Protection Order in Harrow, which includes stopping drinking on the street. The police are concerned that the availability of alcohol 24 hours a day, will further exacerbate the issue of street drinking and undermine the efforts of the neighbourhood policing teams.

Premises that operate 24 hours a day attract higher than average incidents of crime and disorder, and although the venue already has a premises licence, there is not enough information in the application to indicate what additional measures the applicant will take if granted a 24 hour licence.

A compliance visit was conducted at the premises on Tuesday 2nd July 2019, whereby the DPS Mr Kalia was spoken to. The premises currently has a licence comprising of only four conditions. One of those conditions is:

CCTV will be installed, maintained and operated according to the specification of the Metropolitan Police Crime

Prevention Officer: images will be securely stored, kept for a minimum of 31 days and be made available to officers of the police or local authority upon request.

When asked to playback some footage from 31 days prior, it was found that the system had only stored images for 20 days. Mr Kalia was unaware of this fault in the system and was unsure for how long it had been that way.

A further walk around of the shop revealed that the fire exit towards the back, was covered by metal railings and completely padlocked. I informed Mr Kalia that a fire exit should be accessible and kept clear for the safety of the public and his staff in the event of an emergency. The current set up presents a clear danger should there be fire at the premises. It appeared to me that the metal railings had been there for some time and were not a temporary measure.

The above may only be minor breaches/offences, however it is a concern that the premises licence holder and DPS are unable to comply with even the most simple of conditions. It does not instil confidence that the licensing objectives would be promoted if the applicant were to be given the privilege of a 24 hour licence.

For these reasons, the police respectfully request that the application is not granted.

Kind Regards

PC Frankie Downes 1529NW

Ash Waghela

From: Rinal Patel
Sent: 18 July 2019 11:18
To: Ash Waghela
Subject: Licensing Act 2003 - Diya Food and Wine, 71 Station Road, Harrow, Middlesex, HA1 2TY

Good morning,

I would like to make a representation in response to the application made by Diya Food & Wine seeking 24 hour operation on the grounds of public safety. My concern is that if the application is granted, 24 hours sale of alcohol will lead to an increase in crime and disorder in the area of the premises therefore having an impact to public safety. I would like the following conditions to be attached to the license if the application is granted:

- The condition relating to CCTV to be amended to - The premises shall install and maintain a comprehensive CCTV system to the satisfaction of the police. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer in accordance with the Data Protection Act 1998 throughout the preceding 31 day period. A CCTV monitor screen shall be displayed in full view of customers.
- The Licensee shall comply with all reasonable crime prevention and/or public safety measures that may be required by the Licensing Authority and/or the Environmental Health Officer and/or the Metropolitan Police and which are consistent with the premises operating schedule
- The Premises must implement a "Challenge 25" policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence or Proof of Age Scheme (P.A.S.S) approved identification before being allowed to enter the Premises whilst licensable activities are taking place.
- (1) The Designated Premises Supervisor shall be responsible for maintaining a record for at least 12 months of "Significant Incidents" that occur on the Premises whilst licensable activities are being provided.
- (2) " Significant Incidents" to be recorded include (but are not limited to):
 - (a) failures of or faults with the electronic identification system
 - (b) failures of or faults with the CCTV system
 - (c) refusals of alcohol sales
 - (d) calls to the police arising from illegal drugs on the Premises
 - (e) other matters that may affect the licensing objectives
 - (f) assaults or other injuries whether or not police or medical assistance is required
 - (g) CCTV and electronic identification system records supplied to Police and Licensing Authority officers
 - (h) seizures of false identification
 - (i) records of reasonable requests from authorised officers in accordance with condition [110].
- Customers will not be permitted to drink outside the premises save for in any seated area authorised under a pavement licence.
- There must be at least 2 members of staff present at the premises between the hours of 11pm and 7am .
- There must be at least one member of staff present at the premises at all times who holds a personal licence.

Kind regards,

Rinal Patel
Environmental Health Officer
Commercial Safety Team
Community Directorate

