



Alcohol and Entertainment Licensing Sub-Committee (C) Supplementary

Tuesday 13 December 2016 at 10.00 am
Board Room 5 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

Long (Chair)
Hylton
McLeish

Substitute Members

Councillors:

Allie, Daly, Harrison, Jones,
Mahmood and Perrin

For further information contact: Joe Kwateng, Governance Services Officer
(020) 8937 1354; joe.kwateng@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

democracy.brent.gov.uk

The press and public are welcome to attend part of this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

Item	Page
5 Application by the Metropolitan Police for the review of a premises licence held by Mr Farooq Khan and Mr Mahshooq Naz at the premises known as "Supersave" (68 Craven Park Road NW10 4AE), pursuant to the Licensing Act 2003.	67 - 144

Conduct of the Hearing:

The hearing shall proceed as follows:

- General introduction by the Regulatory Services Manager
- Case for the Responsible Authority – Police/Regulatory Services
- Questioning of the Responsible Authority by Applicant and Members
- Representations by interested parties (if any)
- Case for the Applicant
- Questioning of the Applicant by the Responsible Authority and Members
- Summing up by the Responsible Authority
- Summing up by a representative of interested parties (if any)
- Summing up by the Applicant

Members' Deliberation

The Chair will then ask the representatives of the Responsible Authority and the Applicant to leave the meeting room whilst the panel goes into close session to deliberate the application. The applicant and the representatives of the responsible authority will be recalled to the meeting room when the Sub-Committee has made its decision. The decision will be confirmed in writing to the applicant within 7 days



Please remember to switch your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.

LICENSING ACT 2003

Application for the Review a Premises Licence

Name of Applicant:	Metropolitan Police
Name & Address of Premises:	Supersave 68 Craven Park Road NW10 4AE
Applicants Agent:	

1. Application

The application is for the review of a premises licence held by Mr Farooq Khan and Mr Mahshooq Naz. The premises are known as Supersave 68 Craven Park Road NW10 4AE

2. Grounds for Review

The grounds for review are the prevention of crime and disorder, the prevention of public nuisance.

3. Relevant Representations

Representation has been received from PC Michael Sullivan of Metropolitan Police and Licensing Officers.

4. Background

These premises are currently licensed for the sale of alcohol and to remain open from 06:00hrs to 01:00hrs Monday to Sunday

The Designated Premises Supervisor is Mr Farooq Khan.

The premises were previously reviewed by the Police in April 2016 and heard by the licensing committee on 20 June 2016. The licensable hours were reduced from 24hrs Monday to Sunday to 06:00hrs to 01:00hrs Monday to Sunday and additional conditions were attached to the licence.

5. Associated Papers

- A. Copy of Review Application and supporting documents
- B. Copy of Current Licence
- C. Decision Notice of June 2016 Hearing
- D. OS Map

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**APPLICATION FOR A REVIEW OF A
PREMISES LICENCE OR CLUB PREMISES CERTIFICATE
Under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in **block capitals**. In all cases ensure that your answers are inside the boxes and written in **black ink**. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Police Constable Michael Sullivan on behalf of the Commissioner of the Metropolitan Police Service

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description SUPERSAVE 68 CRAVEN PARK ROAD HARLESDEN

Post town London

Post code NW10 4AE

Name of premises licence holder or club holding club premises certificate - Mr Farooq Khan, and Mr Mahshooq Naz

Number of premises licence or club premises certificate 178182
--

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Michael Sullivan PC368QK Brent Police Licensing Wembley Police Station 609 High Road Wembley HA0 2HH
Telephone number (if any) 0208733206
E-mail address (optional) michael.sullivan3@met.police.uk

This application to review relates to the following licensing objective(s)

- Please tick one or more boxes ✓
- | | |
|---|----------|
| 1) the prevention of crime and disorder | X |
| 2) public safety | |
| 3) the prevention of public nuisance | X |
| 4) the protection of children from harm | |

Please state the ground(s) for review (please read guidance note 1)

In April 2016 I on behalf of Brent Police Licensing submitted a Premise Licence review application relating to all four licensing objectives.

The licensing Committee heard this application on 20th June 2016 and their decision to enable the premises licence holder and designated premises supervisor to promote the licensing objectives was to add numerous conditions to the premises licence.

The conditions added to the licence were -

- 1 CCTV shall be installed and maintained in a working condition.
- 2 All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.
- 3 A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
- 4 Suitable and sufficient fire fighting equipment shall be installed and properly maintained.
- 5 The premises licence holder shall ensure that the areas outside the premises are monitored regularly to ensure that any persons loitering outside the premises disperse quickly and do not congregate.
- 6 The premises licence holder shall ensure that alcohol purchased from the premises is not consumed in the near vicinity.
- 7 The premises licence holder shall ensure that reasonable and adequate staff training shall be carried out and documented in relation to:
 - Dealing with incidents and the prevention of crime & disorder
 - The premises duty of care
 - The responsible sale of alcohol (i.e. how to refuse sale, preventing sales to underage persons or persons over 18 years of age purchasing for underage persons, recognizing signs of drunkenness) prior to being allowed to sell alcohol.
 - Within six weeks of any appointment of a member of staff, as a sales person, the appointee receives adequate training to Responsible Alcohol Retailing standards or equivalent
 - Understanding of the hours and conditions of the licence
- 8 The premises licence holder shall ensure that refresher training shall be completed every six months for all relevant staff.
- 9 The premises licence holder shall ensure that documented records of training completed shall be kept for each member of staff trained and records shall be retained for no less than twelve months and made available for inspection to the Police and authorised officers of Brent Council upon request.
- 10 The premises licence holder shall operate a 'Challenge 25' scheme at the premises whereby anyone who appears to be under 25 shall be asked to provide proof of age that he/she is over 18. Proof of age shall only comprise of a passport, a photo-card driving licence or an industry approved proof of age identity card.
- 11 The premises licence holder shall ensure that notices shall be displayed in the premises advising the following:
 - CCTV is in operation
 - A 'Challenge 25' scheme operates in the premises
 - 'No proof of age - No Sale'
 - Patrons shall respect the needs of local residents and leave the area quietly
 - The hours of licensable activities
- 12 The premises licence holder shall not sell miniature bottles of spirits (5cl or less)
- 13 The premises licence holder shall ensure that any persons highlighted by the Police as a 'street drinker' and any person who is known as or appears to be a 'street drinker' shall not be sold alcohol.
- 14 The premises licence holder shall ensure that 'drop-top' safe or other similar product is installed in a covert position at the premises in order that excess cash is removed periodically from the till.
- 15 The premises licence holder shall ensure that any refusals of age-related products are recorded in a refusals log. The log shall show:
 - The date and time of refusal

- The product(s) attempted to be purchased
 - A description of the customer
 - The name and signature of the staff member who made the refusal.
- 16 The premises licence holder shall ensure that the refusals log is checked and signed monthly by the designated premises supervisor or the premises licence holder. The refusals log shall be made available for inspection upon request by the Police or a local authority officer.
- 17 The premises licence holder shall ensure that the designated premises supervisor shall attend a formal training course on - avoiding under-age sales/responsible alcohol sales, such as the National Certificate for DPS or the BIIAB Award for Responsible Retailing and provide evidence of attendance on request.
- 18 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 crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any visit by a relevant authority or emergency service.
- 19 The premises licence holder shall ensure that single cans or bottles of beers, ciders or lagers are not sold.
- 20 The premises licence holder shall ensure that all sales must take place at the counter inside the shop only. The hatch and/or window shall not be used at any time.
- 21 The premises licence holder shall ensure no high strength beers, lagers or ciders above 6% ABV shall be stocked at the premises with the exception of the following ales : (a) Warka Strong :6.5% ABV, (b)Zubr: 6.5%ABV, (c) Dragon Stout bottle :7.5%ABV, (d)Nigerian Guinness :7.5%ABV and (e) Dublin Guinness:7.5%ABV or as contained in a list of products as agreed with the police ;the said ales shall be kept behind the servery counter with spirits and shall be labelled with the name of the shop

Please provide as much information as possible to support the application (please read guidance note 2)

On Thursday 15th September 2016 I conducted a licensing visit at Supersave, 68 Craven Park Road NW10, on entering the shop I identified myself to the male member of staff working behind the counter. I then asked him if he was a personal Licence holder, he mumbled yes and I asked him for his personal licence, at which point he picked up his phone and made a call, I again asked him for his personal licence, to which he replied 'He's Coming'. I said 'do you hold a personal Licence?' to which he eventually replied 'No I don't, but he's coming now'. I asked him if there was anyone else currently in the shop that he had a personal licence, he replied 'No he's outside'. I asked him who he was referring too, he replied by saying 'the owner' I walked outside and looked up and down the street, but could not see the Owner Mr Khan, I walked back into the shop and said 'where is he, he's not outside' the male replied 'He's coming now he's just parking up the van' I stood and waited for Mr Khan to arrive. As I was waiting I noticed a black male at the counter, the male is very well known to me as he is a male that frequents Craven Park on a daily basis street drinking. This male can be found most days with other street drinkers in and around the Craven Park area, he is very well known and also suffers with mental health problems.

As I waited I saw the male being sold a miniature bottle of alcohol, the male turned and saw me and said 'Hello Guv' he then turned to the male behind the counter and said 'Do you know who he is' before walking out of the shop, I then looked behind the counter and saw several boxes on the floor with Miniatures in them, I asked the male behind the counter if he was aware that the shop had a condition on it's licence that stated that Miniature spirits could not be sold, he just shrugged his shoulders and said 'speak to the boss' I then told him not to sell anymore alcohol until a personal licence holder was in the shop as this was another condition on the licence. He replied 'he's here now'. A few minutes later Mr Khan pulled up outside the shop in a van and entered the shop. I asked Mr Khan why the shop was selling alcohol when there was no Personal Licence holder present, he stated that he had been to the Cash & Carry and that his son had been there earlier but had left. I then informed him that I had witnessed the male behind the counter selling a Miniature bottle of sprits to a known street drinker. I asked him why he was still selling Miniatures when he was fully aware that the shop had a condition on its licence that stopped him from selling them, he said that they were stock left over and that other shops nearby sell them. I then looked in the fridge where I found several high strength beers on the shelves, namely Warka Strong and Nigerian Guinness, which were not labelled and Dragon Stout which was labelled. The shop has a condition that reads - ***The premises licence holder shall ensure no high strength beers, lagers or ciders above 6% ABV shall be stocked at the premises with the exception of the following ales : (a) Warka Strong :6.5% ABV, (b)Zubr: 6.5% ABV, (c) Dragon Stout bottle:7.5%ABV, (d)Nigerian Guinness :7.5% ABV and (e) Dublin Guinness:7.5%ABV or as contained in a list of products as agreed with the police ;the said ales shall be kept behind the servery counter with spirits and shall be labelled with the name of the shop.***

I asked Mr Khan why the high strength beers were in the fridge, and the Warka Strong was not labelled and situated behind the counter. He said that he did not know the beers needed to be behind the counter and that he thought the only beer that needed to be labelled was the Dragon Stout.

Finally I saw a couple of white plastic cups on the counter; I asked Mr Khan why these were there. He replied that they only give them to people for their drinks if they are in their cars, and not to people that stand about outside. I asked him to remove these and stop giving them to people who buy alcohol as this is allowing people to drink in the street.

A review of the shops licence was put before the committee in April of this year after police gathered evidence that the premises was being managed inadequately and not promoting all four of the licensing objectives. Staff were found selling to drunken customers, staying open past the authorised times, failed a test purchase where a child was sold alcohol, and allowing ASB outside the front of the premises.

At the hearing the Premise Licence Holder and Designated Supervisor Mr Khan along with his solicitor accepted the majority of the evidence presented.

Prior to that hearing Mr Khan and his solicitor consulted with the police and both parties agreed on the majority of conditions proposed in the review, furthermore Mr Khan and his solicitor proposed further conditions to help the shop in promoting the licensing objectives, namely they suggested that -

1. The premises licence holder shall not sell miniature bottles of spirits (5cl or less)
2. The premises licence holder shall ensure that any persons highlighted by the Police as a 'street drinker' and any person who is known as or appears to be a 'street drinker' shall not be sold alcohol.

The police asked for a condition that read - **No high strength beers, lagers, and ciders above 6.0% ABV shall be stocked.**

The committee agreed and added the condition to the licence, the owner appealed the condition and applied to the court for an appeal to be held, however before the court date an agreement was reached and a condition that reads - **The premises licence holder shall ensure no high strength beers, lagers or ciders above 6% ABV shall be stocked at the premises with the exception of the following ales : (a) Warka Strong :6.5% ABV, (b)Zubr: 6.5%ABV, (c) Dragon Stout bottle:7.5%ABV, (d)Nigerian Guinness :7.5%ABV and (e) Dublin Guinness:7.5%ABV or as contained in a list of products as agreed with the police ;the said ales shall be kept behind the servery counter with spirits and shall be labelled with the name of the shop.**

As stated above conditions 1, and 2 were proposed by Mr Khan and his solicitor, and both were being breached. Mr Khan was well aware of these conditions. Furthermore the condition regarding high strength beers being labeled and kept behind the counter was agreed after consultation with Mr Khan and his Solicitor, all the conditions should have been fresh in his mind and implemented fully.

More worryingly Mr Khan left the shop to go to the Cash & Carry leaving no personal Licence holder in the shop, this appears to be a reoccurring breach.

04/10/2016

Meeting with Mr Khan and solicitor Mr Aylott (legal representative) regarding breaches on the 15/09/2016

Mr Khan admitted all the breaches but stated that everything was now correct at the shop; Mr Ayott confirmed he had completed a compliance check on the shop and all conditions were now being complied with.

Mr Khan suggested that after a phone call with me he was under the impression that it was ok for him to continue selling miniatures, I explained that at no time did I say that, to which he then agreed with.

He said that he did not realise that all high strength beers needed to be labelled and kept behind the counter.

Regarding the condition that a personal Licence holder should be on the premises when the shop is open for the sale of alcohol, Mr Khan said that he was just outside parking the van however on the day he admitted that he had been to the Cash & Carry, but then conceded that he had been to the Cash & Carry but went on to say that his son had just left a few minutes prior to my arrival.

He also changed his account as to why there were plastic cups on the counter by saying they were for staff, but on the day stated that they were for customers.

Mr Khan also gave me a copy of the CCTV from my visit on the 15/09/2016 which I had requested in writing, on viewing the footage it appears that the CCTV is not working correctly and the footage quality is very poor, The shop has a condition that reads - CCTV shall be installed and maintained in a working condition.

On the 11/10/2016 Mr. Paul Lee conducted a test purchase at the shop to see if they were complying with condition number 19 which reads - *The premises licence holder shall ensure that single cans or bottles of beers, ciders or lagers are not sold.*

Mr Lee is a Brent and Harrow Trading Standards Officer, he entered the store and selected a single can of beer from the fridge and was allowed to purchase a single can of beer.

On the 12/10/2016 a second test purchase was conducted by Mr. Al-Nawaz Bandukwalla a Brent and Harrow Trading Standards Officer, again he entered the shop and selected a single can of beer before being allowed to purchase it and leave the shop.

This shows a clear disregard for the licence conditions that were imposed by the committee , this condition along with the no sale of Miniatures was implemented to prevent street drinkers from being allowed to buy single cans of beers and miniature spirits and consuming them in the street.

And again these breaches come shortly after a meeting with Mr Khan and his Solicitor Mr Aylott, where I was assured that all conditions on the licence were now being complied with in full.

I have spoken to Mr Aylott about the above breaches, and he has informed Mr Khan.

I have attached a copy of the original review, and a statement from a local Harlesden Police Officer, (PC Weedon) who confirms that the male who is known to me that I saw in the shop purchasing a Miniature bottle of spirits on the 15/09/2016 is a local street drinker; I have redacted the males name from the statement.

A further statement from Police Community Support officer (PCSO Perrett) also outlining street drinking problems and making reference the male I refer to as being sold a miniature bottle of alcohol.

Further documents include - CCTV Request letter dated 28/09/2016

A statement from Mr Paul Lee (Trading Standards Officer)

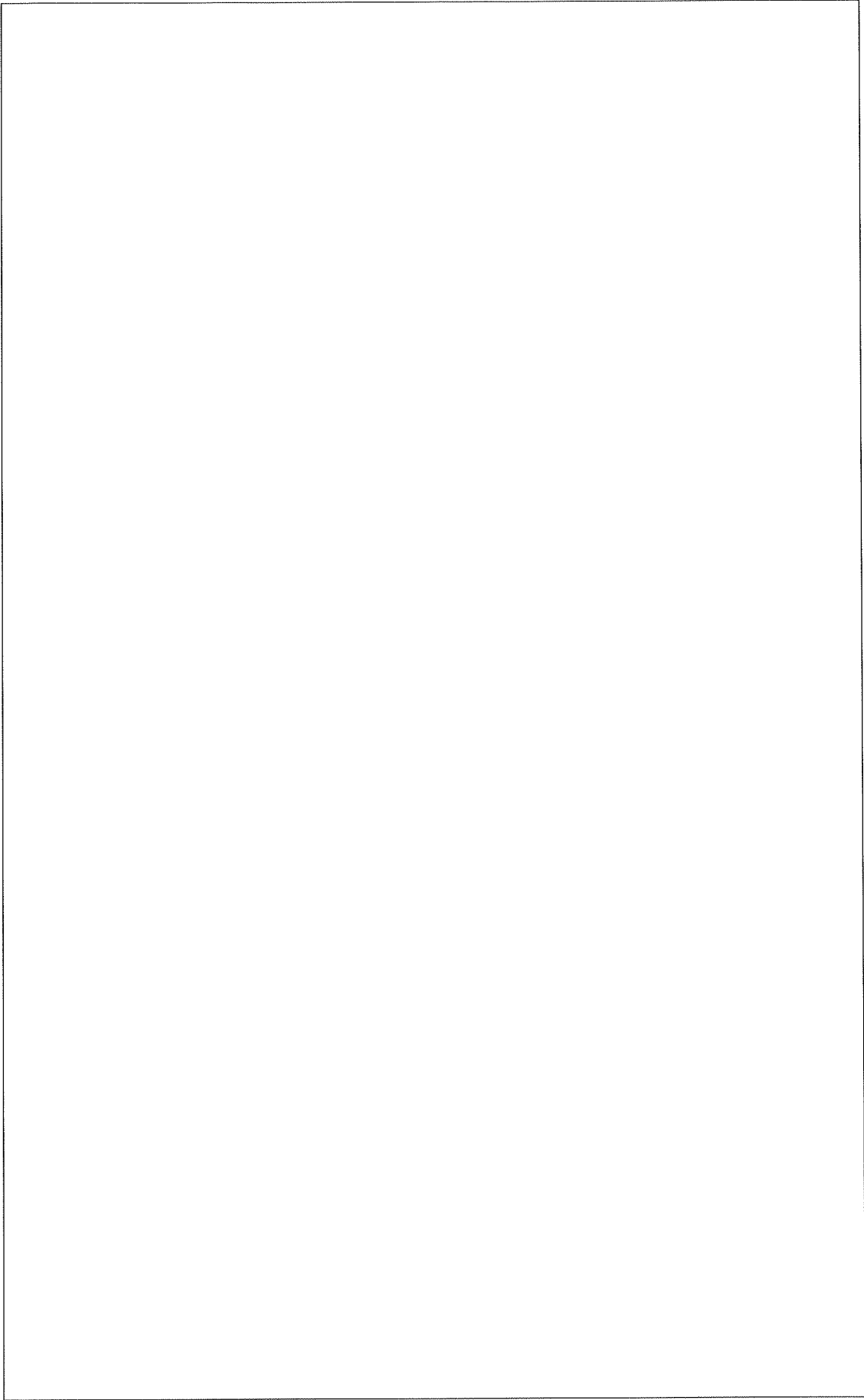
A statement from Mr Al-Nawaz Bandukwalla (Trading Standards Officer)

Pictures taken by me on the 15/09/2016

Summary

The police have tried working with Mr Khan to improve the running of the business and to assist him in complying with the licensing Objectives. The recent history of poor management and practices left the police with no other option but to bring this premise to the attention of the Licensing Authority through the review application. Mr Khan eventually conceded that the premises was being run inadequately and stated that improvements were needed. He and his staff were trained in all aspects of general licensing conditions, however just a few short weeks after all the conditions were agreed, he has started to return to bad habits again and is allowing the shop to slip back to its poor practices to the detriment of licensing objectives. It appears that Mr Khan is trying to outdo his local competitors and doesn't seem to mind bending the rules in order to do this.

Mr Khan has constantly failed to promote the licensing objectives, and has had no regard for the committee's decision at the first hearing; I feel that there is no other alternative but to ask the committee to revoke the Premises Licence, as all other attempts to make this shop operative responsibly have failed.



Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
20	06	2016

If you have made representations before relating to the premises please state what they were and when you made them

On the 22nd April 2016 Brent Police Licensing Team submitted a review asking for numerous conditions to be added to the licence.

A hearing was held on the 20th June 2016 and the below conditions were added to the licence.

1. The opening hours of the premises shall be reduced as follows: 06.00 hours until 01.00 hours the following morning every day of the week.
2. That the following conditions shall be added to the Premises Licence:
 - a) The premises licence holder shall ensure that the areas outside the premises are monitored regularly to ensure that any persons loitering outside the premises disperse quickly and do not congregate.
 - b) The premises licence holder shall ensure that no alcohol purchased from the premises is consumed in the near vicinity.
 - c) The premises licence holder shall ensure that reasonable and adequate staff training shall be carried out and properly documented in relation to:
 - I. Dealing with incidents and the prevention of crime and disorder;
 - II. The premises duty of care;
 - III. The responsible sale of alcohol (i.e. how to refuse a sale, preventing sales to underage persons or persons over 18 purchasing for underage persons, recognising signs of drunkenness) prior to being allowed to sell alcohol;

- IV. Within six weeks of any appointment of a member of staff, as a sales person, they receive adequate training to Responsible Alcohol Retailing standards or equivalent;
- V. Hours and conditions of the premises licence.
- d) The premises licence holder shall ensure that refresher training shall be completed every six months for all relevant staff.
- e) The premises licence holder shall ensure that documented records of training completed shall be kept for each member of staff trained and records shall be retained for no less than 12 months and made available for inspection to police and authorised officers of Brent Council upon request.
- f) The premises licence holder shall operate a 'Challenge 25' scheme at the premises whereby anyone who appears to be under 25 shall be asked to provide proof of age that he or she is over 18. Proof of age shall only comprise of a passport, a photo-card driving licence or an industry approved proof of age identity card.
- g) The premises licence holder shall ensure that notices shall be displayed in the premises advising:
- I. CCTV is in operation;
 - II. A 'Challenge 25 scheme operates in the premises;
 - III. 'No proof of age – No sale';
 - IV. Patrons should respect the needs of local residents and leave the area quietly;
 - V. The hours that licensable activities may take place;
- h) The premises licence holder shall ensure that miniature bottles of spirits, 5cl or less shall not be sold.
- i) The premises licence holder shall ensure that any persons highlighted by the police as a 'street drinker' and any person who is known as or appears to be a 'street drinker' shall not be sold alcohol.
- j) The premises licence holder shall ensure that a drop-top' safe or other security product is installed in a covert position in order that excess cash is removed periodically from the till.
- k) The premises licence holder shall ensure that any refusals of sale of age-related products are recorded in a refusals log. The log shall show:
- I. The date and time of refusal;
 - II. The product(s) attempted to be purchased;
 - III. A description of the customer;
 - IV. The name and signature of the staff member who made the refusal;
- l) The premises licence holder shall ensure that the refusals log shall be checked and signed monthly by the designated premises supervisor or premises licence holder. The refusals log shall be made available for inspection upon reasonable request to Police or a local authority officer.
- m) The premises licence holder shall ensure that the designated premises supervisor (DPS) shall attend a formal training course on –avoiding under-age sales/responsible alcohol sales, such as the National Certificate for DPS or the BIIAB Award for Responsible Retailing; to provide evidence of attendance if requested.
- n) The premises licence holder shall ensure that 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:
- (i) all crimes reported to the venue;
 - (ii) all ejections of patrons;
 - (iii) any complaints received;
 - (iv) any incidents of disorder;
 - (v) any faults in the CCTV system;
 - vi) any visit by a relevant authority or emergency service.
- o) The premises licence holder shall ensure that there shall be no single sales of cans or bottles of beers, ciders or lagers.

p) The premises licence holder shall ensure that all sales must take place at the counter inside the shop only. There shall be no use of a hatch or window allowing sales to take place whilst the customer is outside the premises.

q) The premises licence holder shall ensure that no high strength beers, lagers or ciders above 6% ABV shall be stocked at the premises with the exception of the following ales: (a) Warka Strong :6.5% ABV, (b)Zubr: 6.5%ABV, (c) Dragon Stout bottle :7.5%ABV, (d)Nigerian Guinness :7.5%ABV and (e) Dublin Guinness:7.5%ABV or as contained in a list of products as agreed with the police; the said ales will be kept behind the servery counter with the spirits and will be labelled with the name of the shop

3. As a consequence, the following conditions are removed:

- i) The premises shall be closed to the public between 23.00 hours and 07.00 hours the following morning and all sales during these hours shall be via the window only.
- ii) The Portman Group proof of age scheme or similar such scheme shall be adopted.

4. There will be no order as to costs

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature 

Date **20th October 2016**

Capacity **Licensing Officer on behalf of the Chief of Police**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

***Data Protection:** The London Borough of Brent will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine the application form on request. In addition, this information may be disclosed to the Police, The London Fire and Emergency Planning Authority, relevant ward Councillors and other Council departments.*

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with law enforcement agencies and other bodies responsible for auditing or administering public funds for these purposes

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Please return the completed form and any accompanying documents to the

following address with a copy to the premises licence holder / Club that the application relates to:-

Safer Streets (Licensing)
Brent Council
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

☎ 020 8937 5359

Email: environmentandprotection@brent.gov.uk

Cheques should be crossed and made payable to London Borough of Brent.

Please follow the instructions in the checklist on page 14 to submit the relevant copies to the responsible authorities. Contact details shown below:

Chief Officer of Police
Brent Licensing Department
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8733 3206

North West Area 1
London Fire Brigade
169 Union Street
London
SE1 0LL

Tel: 020 8555 1200 x38778

Trading Standards
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5555

Environmental Health
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5252

Children's Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Licensing Authority
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ
Tel: 020 8937 5359

Area Planning Service
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5210

Public Safety Team
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5359

DAAT
Public Health Directorate
Wembley Centre for Health
and Care
116 Chaplin Road
Wembley
HA0 4UZ



**APPLICATION FOR A REVIEW OF A
PREMISES LICENCE OR CLUB PREMISES CERTIFICATE
Under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in **block capitals**. In all cases ensure that your answers are inside the boxes and written in **black ink**. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I **Police Constable Michael Sullivan** on behalf of the **Commissioner of the Metropolitan Police Service**

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable).

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description SUPERSAVE 68 CRAVEN PARK ROAD HARLESDEN

Post town LONDON

Post code (if known) NW10 4AE

Name of premises licence holder or club holding club premises certificate (if known) Mr Farooq Khan, and Mr Mahshooq Naz
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Number of premises licence or club premises certificate (if known) 178182

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Michael Sullivan PC368QK Brent Police Licensing Wembley Police Station 609 High Road Wembley HA0 2HH
Telephone number (if any) 0208733206
E-mail address (optional) michael.sullivan3@met.police.uk

This application to review relates to the following licensing objective(s)

- Please tick one or more boxes ✓
- | | |
|---|----------|
| 1) the prevention of crime and disorder | X |
| 2) public safety | X |
| 3) the prevention of public nuisance | X |
| 4) the protection of children from harm | X |

Please state the ground(s) for review (please read guidance note 1)

SUPERSAVE, 68 Craven Park Road, London, NW10 4AE currently has a licence to supply alcohol from 00:00 to 00:00 Monday to Sunday.

The Premises Licence Holder (PLH) is Mr Farooq Khan and Mr Mahsooq Naz, the Designated Premises Supervisor is Mr Farooq Khan.

Police have no faith in Mr Farooq Khan and Mr Mahsooq Naz to operate the Premises responsibly and therefore wish to bring the matter before the Sub-Committee for consideration.

Information suggests that the shop is attracting a lot of Anti-Social Behaviour, and crime late at night into the early hours of the morning, the premises licence allows the shop to open until 23.00 hours daily then to operate from a hatch after this time.

The shop has been opening past their licensing times, allowing people into the shop, they are selling to drunks who regularly congregate outside the shop to drink their beers.

Police have witnessed and had to deal with Anti-Social Behaviour and crimes linked to this venue, the shop being open 24 hours a day, selling high strength beers, to street drinkers is a magnet for every undesirable to congregate and cause a nuisance.

Please provide as much information as possible to support the application (please read guidance note 2)

On the 09/02/2016 at 04.15 hours police were called to the shop by a drunk male who stated that he was going to harm himself, on police arrival they spoke to a male who is well known to police for drink and drug issues, it became apparent to the officers that the male was very drunk and he made his way to the front of the shop (Supersave) and became aggressive towards another street drinker and a member of the shops staff, officers advised the shop that they should not sell him anymore alcohol as he was already very drunk. Police then went inside the shop to speak to staff and determine what their licence conditions are, as they left the shop the drunk male they had been dealing with was seen with a carrier bag full of beer which he had just purchased from the shop through the hatch, officers then tipped away an open can of beer that he had in his hand. The shop was again warned about selling to drunks.

The officer goes on to say in his statement that he has worked on the Borough of Brent since 2003 and has seen the problems that this shop generates in this area, with street drinkers, Drug dealing and users along with prostitution.

11/02/2016 police received reports of a male with stab wounds after a fight outside the shop, on arrival police were met by a hostile crowd, and a male lying on the floor with numerous stab wounds, the victim stated that he had been at a party nearby and went to the shop with a group of people to buy more alcohol where he was approached by the suspect and attacked, officers that attended the scene described the group as being intoxicated and hostile to police, this incident happened at approximately 04.50 hours.

On the 05/03/2016 two officers from Brent Licensing team were out conducting licensing visits in the Harlesden area, at about midnight their attention was drawn two large groups of people, the first standing between Metro Supermarket and Supersave, and a second group standing on the opposite side of the road.

Police stopped and observed the groups who appeared to be in a party mood, there was music being played from a parked vehicle, most appeared to be drinking alcohol both groups were very noisy and several were very drunk.

One of the males in particular was drinking from a can of beer and was having to stand with his back to the shops shutters to keep himself upright, he was shouting incoherently, and on finishing his beer he threw it into the road just missing the unmarked police car officers were sat in, he then staggered into the road narrowly being missed by passing cars before walking into Supersave, followed by officers that witnessed the male stagger to the fridge select a single can of beer and then hand over one pound to a male behind the counter, there was a brief conversation between the pair before the male staggered out of the shop, whilst observing that sale officers became aware of two other drunk males at the counter with a substantial amount of beers and spirits on the counter paying, both males were very drunk one in particular was unable to stand without holding on to the counter and was barely able to speak due to being so intoxicated, again another member of staff served these two drunk males, when it was clear that they were drunk.

Police then identified themselves to the staff and asked why the shop was still open and allowing members of the public onto the premises when they have a condition to close the doors at 23:00 hours and serve through the hatch, a member of staff stated that the shop is busy and they have been told by the owner to stay open late to deal with customers.

The two males that were observed selling to the very intoxicated males were interviewed under caution and admitted the offence; both were later issued with £90 fines.

Both males expressed their concerns to police that they felt unsafe working at the shop in the evenings, saying that the people that came to the shop were always drunk threatening to staff and intimidating, they said that this happened on a nightly basis and that they had concerns for their own safety.

They asked if the police could speak to the owner about closing the shop earlier, as they did not feel confident enough challenging the owner. The males gave their names as Mr

Jamil Khan and Mr Mohammad Mahshooq NAZ, it was not until sometime later that police established that Mr NAZ was one of the people named as being one of the premises licence Holders, he made no reference to having more of an interest in the shop, more than being an employee.

On the 06/02/2016 I called and spoke to Mr Farooq Khan to inform him of what had taken place at the shop the night before, he said that the members of staff involved had told him what had happened and he was fully aware, he was asked why the shop was not abiding by its licence conditions and closing at 23:00 hours, he stated that the shop was very busy between 23:00 hours and midnight as the shop also sold bus passes and they stayed open to deal with the large amount of people that used the shop between these times so that there wasn't a queue outside the shop.

It was explained to him that the shop had a condition on its licence that the shop closes at 23:00 hours and uses the serving hatch; he stated that he is aware of the condition, and will start complying with it.

It was also explained to him that his staff feared for their safety, due to the threats from customers, again this was mainly down to the shops late opening times, and the sale of high strength alcohol.

On the 02/04/2016 Brent licensing police along with Harlesden Safer Neighbourhoods Team conducted a test purchase on the premises. A police cadet who is aged 17 years of age was sent into the shop to see if the shop would sell to the child; the cadet was able to purchase alcohol without being challenged.

The shop assistant was interviewed under caution and admitted to selling to the child without asking for any identification. The male serving the child gave his name as Mr Shahbaz Azam.

CCTV Evidence

Pc Shippey has written a statement outlining the sale of alcohol to a drunk person on the 09/02/2016 at 04.10 hours.

This incident was captured by Brent Council CCTV, the camera is situated on the opposite side of the road, and was focused on the front of the premises, Supersave 68 Craven Park Road, NW10. This shows a group of people standing outside the shop and using the serving hatch to place their beers on as if it is a bar. Some of the group appear drunk and are staggering around.

Officers arrive and enter the store, the shop continue serving alcohol to the males standing around outside drinking.

The male that called police can be seen drinking alcohol and purchasing more beer from the shop at 04.16 hours, whilst officers are inside talking to staff. Officers then leave the location after speaking with the male caller

At 04.30 officers return and again speak to the caller before removing an open can of beer from his pocket and throwing it away. They then leave only to return a short time later and escort the male away.

The next part of the CCTV footage obtained by police is dated the 17/02/2016, again it is a Brent council CCTV camera and is focused on the front of the premises, Supersave 68 Craven Park Road, NW10, the time is 00.40 hours and shows the shop is still open for business and has customers entering the shop, even though the shop has a condition on its licence that reads, *The premises shall be closed to the public between 23:00 hours and 07:00 hours the following morning and all sales during these hours shall be via the window only.*

At 04:41 hours a large black female enters the shop, and after a few seconds the female can be seen being ejected from the shop, and she appears to spit at the male before running off, being chased by the shopkeeper. She returns shortly after and bangs on the window, before again running off.

The next part of the CCTV footage obtained by police is dated the 18/02/2016, again it is a Brent council CCTV camera and is focused on the front of the premises, Supersave 68 Craven Park Road, NW10, it starts at 00.37 hours and again the shop is open and customers are entering and exiting the shop, there is a group of people outside drinking. At 00.54 hours the group start dancing, and it becomes apparent that a parked car is playing music as they congregate around it, the group go back and forth to the serving hatch buying items. At 01:24 hours two females from the group are at the hatch and start dancing, one of them then starts pole dancing on a nearby post.

The next part of the CCTV footage obtained by police is dated the 19/02/2016, again it is a Brent council CCTV camera and is focused on the front of the premises, Supersave 68 Craven Park Road, NW10, it starts at 00.40 hours the shop is open and people are still entering and exiting.

On the 1st April 2016 at about midnight officers from Brent Licensing team were conducting licensing visits in Craven Park Road, when their attention was drawn to a large group of people standing in the street drinking alcohol and singing, one male was playing the Bongos and there was a party atmosphere, people were seen entering Supersave, and other local shops and coming out and opening cans of alcohol before rejoining the party. A police sergeant was requested to disperse the group; however the group returned a short time later and continued partying

The above is just a snapshot of what the area is like on a nightly basis, people partying drinking and causing a nuisance.

The shops current setup is a large contributor to the problems associated with the area, as they are staying open beyond their allowed times, they are selling high strength alcohol to street drinkers and people with mental health problems, it appears that this location has become the meeting point for these people.

Numerous street beggars patrol the stretch of road waiting to pounce on people using the shop, either whilst at the shop or as they get in or out of their vehicles.

There is also a serious drugs problem in the vicinity which is being addressed by the local Safer Neighbourhoods team.

A meeting was held at the Civic Centre on the 07/04/2016, with the Premises Licence Holder, and DPS Mr Farooq Khan, shop assistant Mr Shahbaz Azam and Licensing agent Miss Debra Sylvester.

The meeting was held to deal with recent problems at the venue, namely the sale of alcohol to a 17 year old Cadet, on the 02/04/2016 as part of a test Purchase operation.

Mr Azam was informed that on this occasion he was going to be given words of advice for the sale to the Cadet.

Officers then discussed the issue in and around the shop, police outlined the problems identified, namely groups of street drinkers buying high strength alcohol and standing outside the shop drinking, also the shop staying open beyond its licensable hours

And the shop fact that two members of staff had recently been issued with £90 PND's

Mr Khan denied his shop sold to drunks and blamed other local shops, he stated that one of the males that police witnessed buying alcohol buys about 12 cans of beer a day from the shop, he went on to say 'he comes in when he gets money from begging and buys a can he's not drunk, he then stands outside the shop drinking'.

It was explained that the recent anti-social behaviour in and around the shop had become unacceptable and that Licensing team had come to the conclusion that a review of the shops licence was now inevitable.

Mrs Sylvester stated that the shop would be prepared to put in a minor Variation and accept some of the conditions that the police would be seeking to ask for at a hearing.

The shop and their agent Mrs Sylvester proposed numerous conditions; however some would have breached the current conditions that are already on the licence and would have allowed

the shop to open its doors longer into the night allowing customers into the shop.

Below are the conditions proposed by the shop and it's agent?

1. No beers, ciders or lagers above 6% ABV will be sold or available for sale at the premises
2. Challenge 25 will be operated and anyone appearing to be under the age of 25 will be asked to provide ID in the form of passport, driving licence or proof of age ID card with the PASS logo before being allowed to buy alcohol. Any refusals of alcohol will be entered in a refusals log.
3. Posters will be on display at the premises advising customers that Challenge 25 is in operation and that ID will be asked for.
4. All staff will be given training in the sale of alcohol with particular emphasis on the sale to street drinkers, drunken people and those suspected of buying for drunk people, and Challenge 25. Test papers will be given to staff and refresher training will be given every six months, and all training material will be kept in a training folder.
5. A sign will be put up outside the shop asking customers not to loiter outside and to keep any noise to a minimum when entering and leaving the premises to avoid disturbance to local residents.
6. Members of staff will go outside the shop on a regular basis during the evening to ask anyone congregating immediately outside the shop to move away during the hours that the premises are open to the public.
7. No known street drinkers or obviously drunk people will be served alcohol at any time and neither will alcohol be sold to persons who appear to be buying for drunk people, or anyone under the age of
8. No sales of alcohol will be made after midnight Sunday to Thursday or 2am Friday and Saturday until 7am the following day.
9. There will be window service only from midnight weekdays and 2am Friday and Saturday and no customers will be allowed to enter the shop after that time.

Although police welcome most of the conditions, some are not workable.

Condition 6 reads *that a member of staff will go outside the shop on a regular basis during the evening and move away people congregating*, this would only bring staff into confrontational situations and put their safety at risk, staff have confided in police that they already feel unsafe and are reluctant to challenge people that appear drunk as they fear being attacked.

Condition 8 reads, *No sales of alcohol will be made after midnight Sunday to Thursday or 2am Friday and Saturday until 7am the following day*. It is clear that the problems start late evening and crowds seem to start to gather from just before midnight, allowing the shop to open until 2am would not be promoting the licensing objectives.

Condition 9 reads, *There will be window service only from midnight weekdays and 2am Friday and Saturday and no customers will be allowed to enter the shop after that time*. The shop already has conditions on its license restricting the time it can open to the public and states, *The premises shall be closed to the public between 23:00 hours and 07:00 hours the following morning and all sales during these hours shall be via the window only*.

Police feel that the current management of the shop is non-existent and recommend that conditions be added to the licence, and some of the current conditions amended to bring the shop in line, and meet the licensing objectives.

The shop currently has 6 conditions. (Listed below)

1. CCTV shall be installed and maintained in a working condition

Police would ask that this condition remains

2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.

Police would ask that this condition remains

3. The premises shall be closed to the public between 23:00 hours and 07:00 hours the following morning and all sales during these hours shall be via the window only.

Police would ask for this condition to be removed.

4. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.

Police would ask that this condition remains

5. Suitable and sufficient fire fighting equipment shall be installed and properly maintained.

Police would ask that this condition remains

6. The Portman Group proof of age scheme or similar such scheme shall be adopted.

Police would ask for this condition to be removed.

Police would ask for the following conditions to be added to the licence

- a. A "Challenge 25" policy shall be adopted and adhered to.

This condition is necessary to promote the licensing objective, The Protection of Children from Harm.

- b. No high strength beers, lagers, and ciders above 6.0% ABV shall be stocked.

The shop has clearly demonstrated that it shows no regard to selling high strength alcohol to drunk street drinkers who use the shop as a meeting place to socialise, where they party into the early hours of the morning.

- c. The opening hours will be 07:00 hours to 23:00 hours Monday to Sunday

- d. The sale of alcohol will be between 09:00 hours to 23:00 hours Monday to Sunday.

- e. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.

The shop currently has a 24 hour licence, which as highlighted above attracts street drinkers, people partying until the early hours of the morning, the culture appears to be that groups

come out just before the early hours of the morning start drinking and socialising, this shop having a licence that allows them to open 24/7 and sell cheap high strength alcohol on a busy high road is a cocktail for crime and disorder, and Anti-Social Behaviour.

It appears that this shop and the surrounding area is being used as an open air night club which appears to be becoming more popular with undesirables that make life a misery for people that would have the unfortunate experience of either living, or visiting the area.

Adding conditions c, d, and e, would considerably reduce large groups of drunk people partying into the early hours of the morning, and having access to high strength beers.

No Single Sales of cans or bottles of Beers, Cider or Lagers

During a meeting with Mr Farooq Khan, he stated that one particular customer comes into the shop about 12 times a day and buys a can of alcohol then goes outside and drinks it, he begs and when he gets money he comes back in for another can, this shows the current attitude of the shops management which appears to be make money at any cost to the health and wellbeing of the local community, and I feel this condition would reduce the opportunity for street drinkers to purchase alcohol from this premises where there is clearly no consideration given to who they sell to.

f. The following crime prevention measures shall be implemented:

(1) A time delay safe with deposit slot and anti fishing mechanisms must be used at the Counter till area

(2) Regular robbery awareness and cash minimization training shall be given to all staff.

Staff have commented to officer about how unsafe they feel working in the shop due to the many aggressive people that frequent the premise, they have mentioned being threatened by people if they challenge them.

Finally the police would request that Mr Khan be removed as the DPS for the shop.

Mr Khan appears to have no regard for the licensing objectives, staff feel unable to approach him and voice their concerns, he seems unaware, or unconcerned of the problems that are occurring in and around the shop, police feel that him being removed and a new DPS being put in place will go a long way to improving the running of the shop.

Summary

This shop has had the privilege of having a licence to sell alcohol 24 hours a day seven days a week, but has decided to abuse this by keeping the shop open later than allowed, selling to drunks and young people, they appear to have no regard for the licensing objectives and the management appear to put profit before anything else, during a meeting with the Premise Licence holder Mr Farooq Khan he was reluctant to accept the shop was being run poorly and was more interested in what the other local shops were doing than sorting out his own. Police would ask that all the above conditions be implemented and ask that Mr Khan be removed as the DPS and a new person be put in place to oversee the new conditions are complied with.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

Muhammad Sultan

Date

22ND APRIL 2016

Capacity **Licensing Officer on behalf of the Chief of Police**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Data Protection: The London Borough of Brent will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine the application form on request. In addition, this information may be disclosed to the Police, The London Fire and Emergency Planning Authority, relevant ward Councillors and other Council departments.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with law enforcement agencies and other bodies responsible for auditing or administering public funds for these purposes

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Please return the completed form and any accompanying documents to the following address with a copy to the premises licence holder / Club that the application relates to:-

Safer Streets (Licensing)
Brent Council
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

☎ 020 8937 5359

Email: environmentandprotection@brent.gov.uk

Cheques should be crossed and made payable to London Borough of Brent.

Please follow the instructions in the checklist on page 14 to submit the relevant copies to the responsible authorities. Contact details shown below:

Chief Officer of Police
Brent Licensing Department
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8733 3206

North West Area 1
London Fire Brigade
169 Union Street
London
SE1 0LL

Tel: 020 8555 1200 x38778

Trading Standards
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5555

Environmental Health
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5252

Children's Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Licensing Authority
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ
Tel: 020 8937 5359

Area Planning Service
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5210

Public Safety Team
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5359

DAAT
Public Health Directorate
Wembley Centre for Health
and Care
116 Chaplin Road
Wembley
HA0 4UZ

WITNESS STATEMENT


CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **PC368QK Michael Sullivan**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer**.....

This statement (consisting of: ... **1**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:  Date: 22ND APRIL 2016

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable of nearly 12 years experience, all of which I have worked on the London Borough of Brent, I am currently attached to the licensing unit for the Borough, I have been authorised via a delegated authority to represent the Borough Commander of the London Borough of Brent and for the Commissioner of the Metropolitan Police Service to act on Licensing matters.

Supersave 68 Craven Park Road, Harlesden NW10 4AE is a convenience store which currently has a 24 hour licence to sell alcohol, on the 9th February 2016 PC Shippey completed a statement outlining the issues he had witnessed whilst dealing with a call to outside the shop, during the call PC Shippey told staff to stop selling alcohol to drunk street drinkers, only for them to carry on selling to them.

CCTV from a Brent Council camera has been obtained the camera was focused on the shop at the time PC Shippey attended and dealt with the male and told staff in the shop to stop selling to drunks.


Further footage dated 17/02/2016 shows the shop still open at 00:40 hours in the morning and a black female having an altercation with a member of staff from the shop, it appears that she is ejected from the shop before spitting at him and running off.

The next part of CCTV is dated 18/02/2016 and starts at approx 00:37 hours again it shows that the shop is still open and people are seen entering and exiting the shop, this footage is just under an hour long.

It shows a group of people outside the shop and they appear to be having a party, they can be seen drinking and dancing and at one point one of the females can be seen pole dancing around a post outside the shop, people from the group can also be seen purchasing and drinking what looks like cans of beer from the shop.

It also appears that there is a parked car outside the shop playing music as the group congregate around the vehicle and can be seen dancing, although this can not be verified as there is no audio.

There is further footage dated the 19/02/2016 which again shows the show still open and shows customers

Signature:  Signature witnessed by:

Continuation of Statement of **PC368QK Michael Sullivan**.....

entering at 00:40 hours, when the shop should be closed. All this CCTV has been placed on to a CD, and I exhibit this as MJS/01

On the 05/03/2016 officers witnessed two members of staff selling to drunks and both were issued with £90 Fixed Penalty Notices.

On the 01/04/2016 Licensing Police Officers were on patrol conducting Licensing visits when they witnessed a group of drunk people standing opposite Supersave, most were drinking alcohol and one male was playing a set on Bongos, whilst a woman was singing, members of this party were seen walking across the road and entering Supersave before returning with cans of alcohol.

Some of this incident was captured on my mobile phone, and I have transferred this on to a CD, which I exhibit as MJS/02

On the 02/04/2016 a test purchase was conducted, where a 17 year old Police Cadet when in to the shop and purchased alcohol, he was not challenged by staff.

I have held a meeting with the Premises Licence Holder and Designated Premises Supervisor Mr Farooq Khan, also present was his agent Mrs Sylvester, I explained to them that I was of the opinion that the shop was being run poorly and that the main focus was on making money and not adhering to the licensing objectives, Mr Khan wanted to blame other local shops rather than take responsibility for his own business but eventually accepted that his shop had issues that needed addressing.

Looking at all the evidence gathered I am of the opinion that the shop is facilitating the violence and Anti-Social Behaviour that is associated with the area.


I am of the belief that if this shop had a reduction in the high strength beers it sells, and its opening hours reduced, along with the other conditions being asked for, the area would become a better and safer place to work and live.

The shop is currently breaching all four of the licensing objectives and without enforcement will continue to do so as they have no regard for other people's welfare and see profit as their main goal.

Staff have raised concerns to officers that they feel unsafe whilst at work but do not have the confidence to tell the owner how they feel as they fear losing their jobs.

The conditions asked for in the review will go a long way to bringing the shop back under control and working within the licensing objectives.

I exhibit the photo copies of the tickets issued on the 05/03/2016 to members of staff as MJS/03/04

Signature: 

Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of PC STEPHEN SHIPPEY 993QK..... URN: 01 QD 16

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: POLICE OFFICER

This statement (consisting of: 3..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Handwritten Signature] PC993QK Date: 9th FEBRUARY 2016

Tick if witness evidence is visually recorded [] (supply witness details on rear)

The following statement relates to a breach of alcohol licensing regulations Section 141 Sale of alcohol to a person who is drunk or attempt to sell alcohol to a person who is drunk or allow alcohol to be sold to such person.

I am the above named, a police officer based at WEMBLEY Police Station in the London Borough of BRENT on a Emergency Response Team.

On TUESDAY the 9th FEBRUARY 2016 at 04:15 hours I was on duty in uniform posted as driver of a police response vehicle call sign Q1 Nights in the company of PC204QK Charlotte PATEMAN when I had cause to attend CRAVEN PARK NW10 in relation to a 999 call made by a male by the name of [redacted] date of birth [redacted] of [redacted] ROAD NW10 a regular caller who is often drunk and abusive when spoken to, this morning he had called making claims he would harm himself. (CAD 630 at 0321 hours and CAD 663 at 0336 hours), on arrival officers from EALING had been assigned to assist and found speaking with Mr [redacted] in ST MARYS RD NW10 off CRAVEN PARK.

Mr [redacted] was seen drinking from a opened can of beer labeled "STELLIO ARTOIS", he was standing in the road swaying from side to side and speech was slurred, his eyes were glazed and watery in appearance. Officers from EALING spoke to Mr [redacted] who informed them that he was fine and going home, he was telling officers to leave.

PC PATEMAN and I have had previous dealings with Mr [redacted] who is known to be violent towards female officers. we observed Mr [redacted] for a few minutes and told him not to do so.

Signature: [Handwritten Signature] PC993QK Signature witnessed by:

Continuation of Statement of **PC STEPHEN SHIPPEY 993QK**

Mr [redacted] ignored several requests and walked into CRAVEN PK NW10 saying he was going to buy more alcohol and disappeared from view for a few minutes before being seen again this time standing outside SUPERSAVE Convenience store at 68 CRAVEN PARK NW10 along with several others who are regular street drinkers. SP

Mr [redacted] was observed speaking with a BLACK FEMALE wearing a light blue rain jacket who also appeared to be under the influence of alcohol or drugs, Mr [redacted] was observed becoming threatening in his manner as well as verbally to another male and shop staff who were serving customers via a window hatch. SP

Mr [redacted] was approached and advised to go home, he refused several times often posturing as if for show to others standing around. I have approached the front of SUPERSAVE told staff that this male was drunk and should not be served anymore alcohol, a member of staff appeared to understand my requests continuing to sell non alcoholic items to customers outside via the serving hatch. SP

I asked to see their alcohol licence in relation to hours they could sell as I believed they had restrictions on times. Staff opened the main shutters and allowed myself and PC PATEMAN to enter where I spoke to a member of staff who gave his details as Mr Mubarik ALI date of birth 22/07/1983 ,on display was a licence it was dated 2005 ,licence number 178182 stating it was allowed to sell alcohol from 0000 hours to 0000 hours Monday to Sunday (7 days), the person who obtained the licence was a Mr Tariq NAZ, who was not present in the shop. SP

I informed Mr ALI that the male I know as Mr [redacted] was very drunk and should not be served anymore alcohol as he was very drunk and causing anti social problems and that others who were standing outside were also drunk and that the premises was a honeypot for them as they can buy alcohol anytime when drunk this caused ongoing problem resulting on occasions in violence to persons, criminal damage and anti social problems throughout the nights especially at weekends .

While speaking with Mr ALI another member of staff was serving via the hatch, I saw Mr [redacted] through the glass and noticed he had a black carrier bag, the same type the shop has. SP

After explaining the issues , Mr ALI agreed and highlighted he has ongoing issues with beggars harassing customers a point I made was this was due to serving alcohol to the street drinkers when they are drunk and loiter outside his shop, and if he stopped this practice problems would ease.

Signature: 

Signature witnessed by:

2003(1)

Continuation of Statement of PC STEPHEN SHIPPEY 993QK

On leaving the shop, Mr [redacted] was very open about the fact that he had just bought cans of beer from the shop while I was inside, I have told the staff that they have served alcohol to Mr [redacted] when he was drunk and that the matter would be passed onto the Licensing office. JS

Mr [redacted] was engaged several times leading to an open can being poured away and being moved away from the area eventually with the assistance of a female friend. JS

Mr [redacted] is a white male, medium to heavy build at the time was wearing a grey hooded top under a green raincoat. JS

I have been on the Borough of BRENT since 2003 originally based at HARLES DEN Police Station over time with increase of premises selling alcohol, this particular premises has been a focus of street drinkers and others who are involved in drug use / dealing as well as prostitution where they can obtain alcohol when drunk or under the influence of drugs. JS

I believe as a result of these premises having a 24 hour licence it has assisted in being a focus of anti social problems outside the premises and nearby streets. JS

The local Authority CCTV operators have a camera constantly focused on the front of the shop. JS

Stephen Shippey PC 993QK

6:20 HE 10 FEB'16 QD

6:20 HE 10 FEB'16 QD

Signature:

Stephen Shippey PC 993QK

Signature witnessed by:

2003(1)

Witness contact details

Home address: Postcode:
Home telephone number Work telephone number
Mobile/pager number Email address:
Preferred means of contact:
Male / Female (delete as applicable) Date and place of birth:
Former name: Ethnicity Code (16+1): Religion/belief:
Dates of witness non-availability 24/02/2016 - 08/03/2016

Witness care

- a) Is the witness willing and likely to attend court? **Yes**. If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? **No**. If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? **No**. If 'Yes' what are they? (Disability, healthcare, children, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

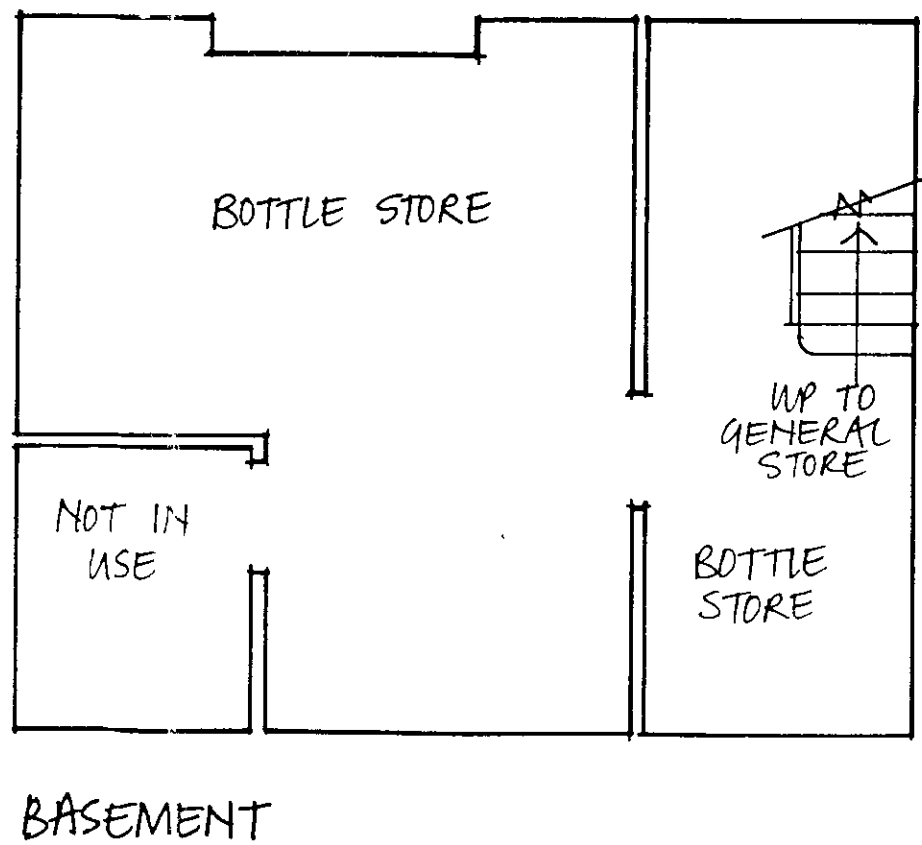
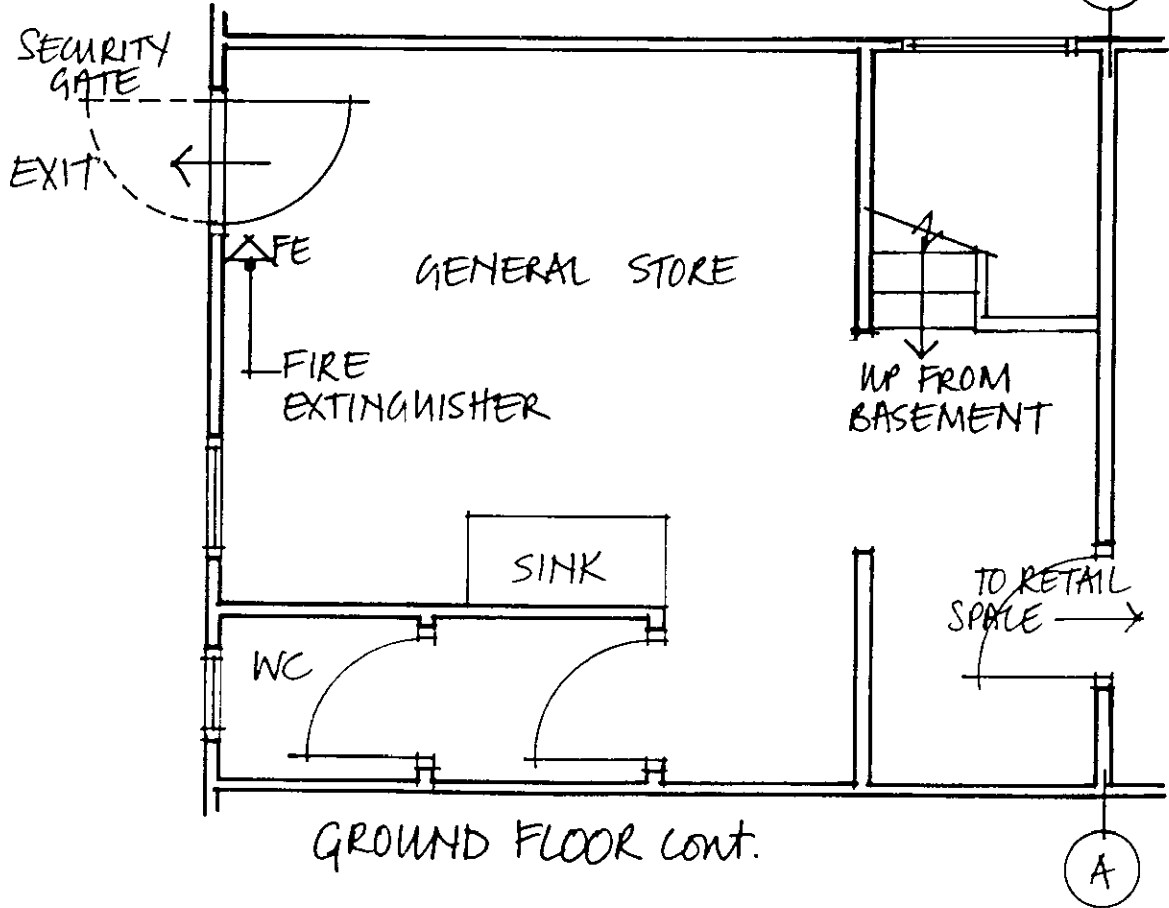
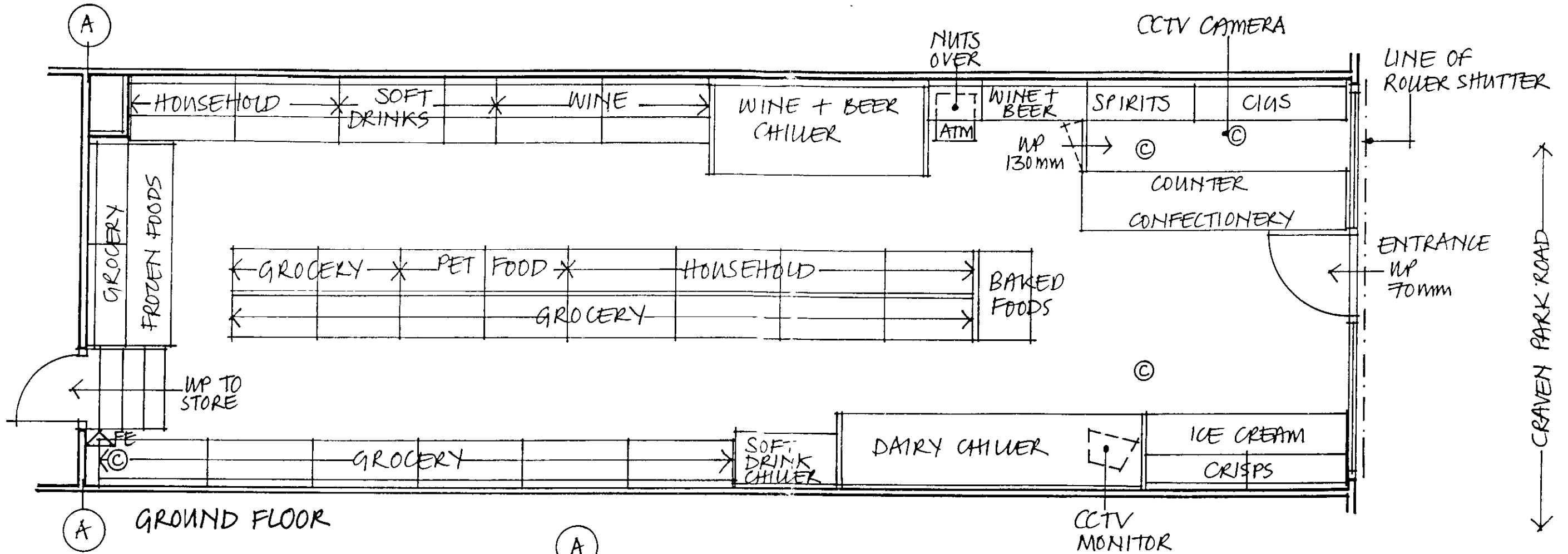
Witness Consent (for witness completion)

a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>		
b) I have been given the Victim Personal Statement leaflet	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>		
c) I have been given the leaflet 'Giving a witness statement to police — what happens next?'	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>		
d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice)	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
e) I consent to my medical record in relation to this matter being disclosed to the defence:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>		
g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to <u>decline</u> their services:				<input checked="" type="checkbox"/>		

Signature of witness: *[Signature]* Print name: *Shippey*
Signature of parent/guardian/appropriate adult: Print name:
Address and telephone number if different from above:

Statement taken by (print name): PC993QK 208713 SHIPPEY Station: WEMBLEY POLICE STATION

Time and place statement taken: *9th February 2016*



The Licensing Services Agency 16 Bengoe Street, Hertford, SG14 3ES			
Site 68 CRAVEN PARK ROAD, LONDON NW10 4AE			
Scale 1:50	Date JUNE '05	Drawn ACC	Dwg No LS-150
Notes			

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **PC368QK Michael Sullivan**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Staff**

This statement (consisting of: **3**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: **5th March 2016**

Tick if witness evidence is visually recorded (supply witness details on rear)

On Saturday 5th March 2016 I was on duty in plain clothes in company with PC782QK Whitcomb we were on mobile patrol in an unmarked police vehicle conducting Licensing visits at licenced premises, at about midnight we were travelling along Harlesden High street in to Craven Park Road when my attention was drawn to a group of males standing outside METRO supermarket and were being very noisy we parked our vehicle on the opposite side of the road and observed the group of males for a few minutes, I noticed that both METRO Supermarket 72 Craven Park Road NW10, was open and people were coming and going from the shop, and also SUPERSAVE EXPRESS, 68 Craven Park Road was open, its shutters were up and people were entering and leaving the shop, I am aware that SUPERSAVE EXPRESS have a condition on it's licence, namely that it should be closed to the public between 23:00 hours and 07:00 hours the following morning and all sales during these hours shall be via the window only. This was an obvious breach of this condition, I then became aware of another group of males standing near the Ladbrokes bookmakers on the opposites side of the road from the convenience stores and nearest to where we were parked, the males were drinking alcohol and all appeared to be drunk, one in particular seemed very drunk and aggressive, I would describe him as an IC3 male, approximately F6'0 tall dark complexion, and aged between 50 and 60 years of age, he was wearing a long dark coat and a dark woollen hat, he had a unkempt beard which had a large amount of white hair on it, (I will describe this male as Male 1) this male was considerably drunk he was drinking from an open can of alcohol, the beer was a brand called Debowe, this male was swaying around and shouting incoherently he was falling into the shutters of the shop and started arguing with the other males in his group, on finishing the can of beer he threw the empty can towards our vehicle and started shouting, he then spat on the floor, I was unable to make out what he was saying, HE WAS DRUNK,

Signature: Signature witnessed by:

Continuation of Statement of **PC368QK Michael Sullivan**.....

another member of the group then started to urinate up against the wall of the shop, they all appeared very hostile and agitated, Male 1 then started to walk across the road he was staggering around and walking into the road without even looking, I got out of our vehicle and followed the male, who walked directly into SUPERSAVE EXPRESS, this is a 24 hour convenience store that sells alcohol, food and drinks, I walked in behind him and observed him select a can of Perla Mochna alcohol from the fridge and stand in the queue at the counter, he was unsteady on his feet and talking in a loud voice to himself the shop was busy with other customers and there was two members of staff serving behind the counter, one of the members of staff a male I now know to be Mr Mohammad Mahshooq NAZ date of birth 27/09/1959 of [REDACTED] Maz called over Male 1 who handed him a pound before staggering out of the store with his can of beer, I was about one meter from the counter and my view was not obstructed, my attention was then drawn to two white males who were at the far end of the counter and being served by the other member of staff, a male I now know to be Mr Jamil Khan, date of birth 11/12/1975 of [REDACTED] I could see that the males were drunk and the shorter of the two males was very drunk and was using the counter to keep himself upright he was slurring his words and in a drunken confused state, I could see by this point they had a quantity of beers on the counter, and the small very drunk male was asking Mr Khan for spirits from behind the counter, Mr Khan then placed this on the counter with the beers, the second drunk male then went back to the fridge and selected six more beers and placed them with the other beers, the short drunk male then took out a fifty pound note and handed this to Mr Khan who took the money and gave him his change before putting the alcohol into black bags for the males to take away, again I was less than one meter from the counter and could clearly see the transaction take place, my view was not obstructed, both males speech was slurred and both were unsteady on their feet the shorter male who paid for the alcohol was very drunk and was finding it difficult to speak. Both males were Dunk, they then left the shop, I then identified myself to both Mr NAZ and KHAN by showing them my warrant card, PC Whitcomb then entered the shop, I asked Mr NAZ why he had just sold alcohol to the tall black male who was drunk, he said he's always like that if I don't serve him he becomes angry, I then informed PC Whitcomb about what I had just witnessed, I then asked them to close the shop as they were breaching the licence, and informed Mr NAZ that I needed to speak with him about what had just happened.

The shop was still allowing customers in, but eventually after several requests closed the front door, I then informed Mr NAZ that I would be asking him questions under caution about the sale of alcohol to a drunk person,

Signature: Signature witnessed by:

Continuation of Statement of **PC368QK Michael Sullivan**.....

I informed him that he was not under arrest and that he had the right to free independent legal advice, which he declined, I then cautioned him and explained the caution, I then conducted a PACE compliant interview, asked him several questions about the offence which I recorded in an EAB, at the end of the interview I read what I had written down to him and asked him if he agreed with what had been said and written down, he said it was correct and signed to say it was correct. I was aware that PC Whitcomb was speaking with Mr Khan and was conducting an interview under caution.

I then informed him that I would need to speak to him later as I needed to decide how to deal with the offence. Later the same day at 14.00 hours Mr NAZ attended Wembley police station, I was in full uniform and issued him with a £90 Penalty Notice for Disorder (PND) I explained to him that the ticket was being issued for the offence of selling alcohol to a person who is drunk, under section 141 of the licensing act 2003, I informed him that he had three options, the first to pay the ticket in full within 21 days, or ask for a court hearing and if he did neither the fine would increase by fifty percent, he signed his for his copy of the ticket and stated that he was going to pay the fine, he also went on to say that he was scared working at the shop as he is constantly threatened by people and he did not like working there, he asked me to speak with the owner to see if he could make it safer for him. He then left the police station.

PND number 001803 6513166 5 18 refers

Signature: Signature witnessed by:

2003(1)

Witness contact details

Home address: Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? **No.** If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): Station:

Time and place statement taken:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **PC 782QK Paul Whitcomb** URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer**.....

This statement (consisting of: **2**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: *P. Whitcomb PC 782QK* Date: **05/03/2016**.....

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the licensing constable for Brent borough police and currently work within the police licensing unit, based at Brent Civic Centre, Wembley. On SATURDAY 5th MARCH 2016, at around 0001 hours, I was on duty in plain clothes, in company with PC 368QK Mike SULLIVAN. We were on patrol in an unmarked police vehicle. At around this time we were driving along CRAVEN PARK ROAD, NW10 in the direction of CRAVEN PARK. I noticed a group of males on my left who appeared to be drinking from open canisters of alcohol. I could see it was alcohol because the cans were of around 500ml sizes. The group on my left were stood outside a closed shop, just up from Ladbrokes bookmakers. I also noticed a group on my right standing outside Metro Supermarket, 72 CRAVEN PARK ROAD, NW10. I pulled over into a parking space on my left so that I could further observe what these two groups were doing. Even with my windows closed it was extremely noisy with all the noise they were making. I was parked aprox five metres from the group on my left and approx thirty metres from the group on my right. There were 3-4 black males on my left; they were all very noisy shouting at each other. I witnessed one man walk to outside Ladbrokes and urinate on the floor. These men were all drunk. One male in particular, who was aged around late fifty years old, 6.0" tall, with a black beard and wearing a long black jacket was very unsteady on his feet, shouting and drinking from an open alcohol container. I saw him throw something towards our vehicle. PC SULLIVAN told me that he had just thrown his alcohol can on the ground. I then saw him spit onto the pavement. He was very drunk. Before we could go and speak to him about his behaviour, he quickly walked across CRAVEN PARK ROAD, without even looking out for traffic. As he did, PC Sullivan and I got out of our patrol car and followed him over the road and into SUPERSAVE, 68 CRAVEN PARK ROAD, NW10. Supersave is a small licensed premise selling alcohol, food, confectionary and soft drinks. PC Sullivan followed the male into SUPERSAVE. The shop is relatively small in size and was busy. I decided that it was unnecessary for us both to enter. I waited outside and paced up and down, just keeping my eye on PC Sullivan to ensure he was ok. About one minute later, the same male in the long black coat walked back out of Supersave. I saw him pull out a can of Debowe lager from his right pocket and walk off along CRAVEN PARK ROAD towards

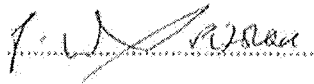
Signature: *P. Whitcomb PC 782QK* Signature witnessed by:

Continuation of Statement of PC 782QK Paul Whitcomb

CRAVEN PARK. A short while later I entered the shop and PC SULLIVAN informed me that he witnessed the shop keepers sell alcohol to the drunk black male we first observed and to two drunk white males who were served alcohol afterwards. PC Sullivan pointed out the two men responsible, who were stood behind the counter. I now know these men to be Mr. Mohammad MAHSHOOQ dob 27/09/1959 of [REDACTED] and Mr. Jamil KHAN dob 11/12/1975 of [REDACTED]. PC Sullivan asked both men to join us for a chat and for them to ask another member of staff to cover them at the till, which they did. PC SULLIVAN explained that he witnessed Mr. KHAN serving alcohol to two drunken white males and that Mr. MAHSHOOQ served the drunk black male who we first saw. I then carried out a PACE compliant interview with Mr. KHAN. I recorded full details of this interview in my evidence and action book (See page numbers 27-29). After the interview, I showed Mr. KHAN my record of interview and read it out to him, word for word. He agreed it was a correct record of what was said and signed my notes confirming this. After confirming his identification (he provided his UK passport, bank card and latest bank statement) and carrying out a satisfactory police national computer name check, he was suitable to be dealt with by way of penalty notice for disorder (PND). However, as I was in plain clothes, I was unable to issue the ticket at the shop. I invited Mr. KHAN to attend WEMBLEY police station at 1400 hours later that day to receive his ticket, which he agreed to do. I am aware PC SULLIVAN had interviewed Mr. MAHSHOOQ and also decided upon issue of a PND later that day, as he too was in plain clothes. We then gave words of advice on serving drunken customers and left the store.

At 1400 hours today, 5th March 2016, Mr. Khan attended WEMBLEY police station where I issued him a penalty notice for disorder (number 001803 65131673) for offence code DA16 (sells or attempts to sell alcohol to a person who is drunk, contrary to s.141 Licensing Act 2003).



Signature:  Signature witnessed by:

2003(1)

MJS/03

METROPOLITAN POLICE SERVICE
PENALTY NOTICE FOR DISORDER - PART 4 CTO COPY

001803 6513167 3 1 8

£ 90 VICTIM SURCHARGE (Tick if applicable - Police use) FPM AMOUNT CODE

TITLE MR SURNAME KUMAR

FORENAMES JAMES L

DATE OF BIRTH (ddmmyyyy) 11/12/1975 ADDRESS

25 BRISTOL ROAD LONDON

POST CODE W1A 1AA GENDER M F

OFFENCE TIME 0010 HRS. OFFENCE DATE 05032016

ISSUE TIME 1435 HRS. ISSUE DATE 05032016

AT (LOCATION) SUPERGRVE 66 LORNE PARK ROAD W1A 1AA

OFFENCE CODE 0116

YOU (offence particulars) 2016 ALCOHOL IN THE BREATH

CONTRARY TO (Act containing offence) S. 141 LICENSING ACT 2003

PLACE OF ISSUE: Street Custody

I acknowledge receipt of this Penalty Notice

Signature

ISSUED BY: Surname W. J. ...

Warrant/Pay No. 2017365 OCU 0100

MUST BE COMPLETED
ADDITIONAL DETAILS OF RECIPIENT

IC Code 4 SD Code Local Authority Code 47

Occupation MANAGER

I/D CHECKS MADE [e.g documents seen] Drivers' Licence Passport Bank/Credit Card National Insurance

Travel/Photo Card IND Card PNC Radio Other (specify) Specify Other: LATEST BANK STATEMENT

Record Details (e.g. driver/card/passport no.): UK PASSPORT

Fingerprints taken Photograph taken DNA taken CRIS No.

A/S No. 16000000/2538410

Custody (Pic) No.

9-3

MJS/04

METROPOLITAN POLICE SERVICE
PENALTY NOTICE FOR DISORDER- PART 4 CTO COPY

001803 6513166 5 1 8

VICTIM SURCHARGE (Tick if applicable - Police use) FPM AMOUNT CODE

TITLE MR SURNAME NAZ

FORENAMES NOHAMMAD MAHMOOD

DATE OF BIRTH (edmm/yyyy) 27/09/1959 ADDRESS

POST CODE W5 5EE GENDER M F

OFFENCE TIME 0010 HRS. OFFENCE DATE 05/03/2016

ISSUE TIME 1120 HRS. ISSUE DATE 05/03/2016

AT (LOCATION) SUPERSAVE 68 LEAVE

AT (LOCATION) PARK ROAD NW10

OFFENCE CODE DA16

YOU (offence particulars) You Said Alcohol is a drink made of water. I am expecting to have a drink.

CONTRARY TO (Act containing offence) S.141 of the LICENSING ACT 2003

PLACE OF ISSUE: Street Custody

I acknowledge receipt of this Penalty Notice

Signature Surname SULLIVAN Signature M. Sullivan

ISSUED BY: Warrant/Pay No. 220776 OCU DTQK Rank PC

MUST BE COMPLETED
ADDITIONAL DETAILS OF RECIPIENT

IC Code 4 SD Code A2 Local Authority Code 47

Occupation SHOP ASSISTANT

I/D CHECKS MADE [e.g documents seen] Drivers' Licence Passport Bank/Credit Card National Insurance Travel/Photo Card IND Card PNC Radio Other (specify)

Specify Other: HOSPITAL LETTER
Record Details (e.g. driver/card/passport no.) NHS NUMBER 630796 8427

Fingerprints taken Photograph taken DNA taken

CRIS No. A/S No. 16000000/2538480

Custody (Pic) No.

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Pc Gary Weedon 705qk..... URN: [] [] [] []

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police officer

This statement (consisting of: ... 2..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Pc G Weedon 705qk..... Date: 12-OCT-2016

Tick if witness evidence is visually recorded [] (supply witness details on rear)

My name is Pc Gary Weedon 705qk I am a serving Police officer in the Metropolitan Police Force where I am currently attached to the partnership unit in Harlesden and my current role is safer Schools officer .

This statement refers to the on going Street drinkers who congregate along Craven Park and Craven Park Road in Harlesden nw10.

Prior to my role as a Safer Schools officer I was a Police constable in the Harlesden safer neighbourhood unit where one of my roles was to gather and disseminate intelligence in relation to street drinkers linked or potentially linked to crime or ASB within Harlesden which throughout my time on Snt was one my most challenging roles.

During the five years as a safer Neighbourhood officer I regularly came into contact with the street drinkers who would regularly congregate at numerous venues / street corners around Harlesden. The most frequent areas that the community would comment on were Craven park and Craven park road and in particular outside the Asian Womens refuge centre on the junction with Fortunegate road where on a normal day / evening this area will attract between 7/8 street drinkers which inevitably attracts Anti social behaviour which then leads to fights / assaults / begging / urinating in the street / drug use and general littering on a daily basis.

Over the years our priorities have changed but the street drinkers still remain and are still considered by the community to be a main source of complaint. One of the males that has been a regular throughout my time on Brent is Mr [redacted] dob [redacted] who resides at [redacted]. Mr [redacted] is part of a small group of males who will regularly buy Alcohol from the surrounding off licences were they will then

Signature: Pc G Weedon 705qk..... Signature witnessed by:

Continuation of Statement of **Pc Gary Weedon 705qk**

consume these super strength lagers whilst standing on the junctions of roads which is intimidating and impacts the quality of life for those residents who live in the area which also has a major effect on the economic , cultural and social make up throughout.

Pc G W 705.

Signature: *Pc G W 705.* Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Richard PERRETT URN:

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Age if under 18 OVER 18 (if over 18 insert 'over 18') Occupation: PCSO 7124

This statement (consisting of: **1**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date:

Tick if witness evidence is visually recorded (supply witness details on rear)

My name is Richard PERRETT and I work as a POLICE COMMUNITY SUPPORT OFFICER out of HARLESDEN POLICE STATION and have been employed in this position for about twelve (12) years.

I have been asked to write this statement by Police Office Michael SULLIVAN. In the period of time I have worked in Harlesden NW10, I been informed on numerous occasions by residents and shop owners about the anti social behaviour that regularly take place out side the ASIAM WOMANS refuge centre CRAVEN PARK junction of FORTUNGATE ROAD HARLESDEN NW10. This entails drink fuelled fights, members of the public urinating on the street and using threatening behaviour towards members of the public as they go about there business. Residents of the centre and members of the public have complained to the council many times but nothing is ever done to rectify this problem. One of the main culprits involved in the Anti Social Behaviour is, an IC3 male who I know to be [REDACTED] who I have know for about (10) ten years. He regularly stands on the junction with a group of males and females drinking cans of beer and plastic cups of rum and gets very intoxicated and they a behave in an intimating manner to members of the public as they walk past.

Signature: Signature witnessed by:

Witness contact details

Home address:
 Postcode:
 Home telephone number Work telephone number
 Mobile/pager number Email address:
 Preferred means of contact:
 Male / Female (delete as applicable) Date and place of birth:
 Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter:
(obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
 Signature of parent/guardian/appropriate adult: Print name:
 Address and telephone number if different from above:

Statement taken by (print name): Station:

Time and place statement taken:

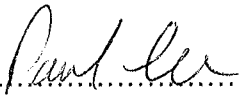
Witness Statement

(C.J.Act 1967 - S.9, M.C. Act 1980 – ss5A(3)(a) and 5B, M.C. Rules 1981 r.70)

Statement of: Paul Lee
Age if under 18: Over 18
Occupation: Senior Enforcement Officer

This statement (consisting of 2 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated 14th October 2016


Signature 

I am employed by the London Boroughs of Brent and Harrow Trading Standards Service as a Senior Enforcement Officer.

5 On Tuesday 11th October 2016, at the request of P.C. Michael Sullivan, from Brent Police Licensing Team I undertook a test purchase exercise at Supersave Food & Wine, located at 68 Craven Park Road, Harlesden, London NW10 4AE.

10 P.C. Sullivan had informed me that he wished to check the business for compliance with the Licensing Act 2003 and in particular licensing conditions relating to the sale of alcohol at the premise.

15 At 13.35 hrs. I entered the premise and observed an Asian male behind the till counter who was serving customers waiting in a queue by the entrance to the shop. I walked past the till to the open fronted refrigerated display cabinet. The display cabinet contained mainly alcoholic beverages with most being cans of beer and lager.

Signature 

E31 Sept 2003

Continuation of witness statement of: Paul Lee

I picked up a can of SVYTURYS 1784 TRADICINIS SVIESUSIS beer and took it to the counter. The Asian male was still behind the counter and there was one customer waiting to be served before me. I would describe the Asian male as being around 50 years of age,
20 he was wearing a baseball cap and was dressed in greenish grey top and was wearing casual style trousers.

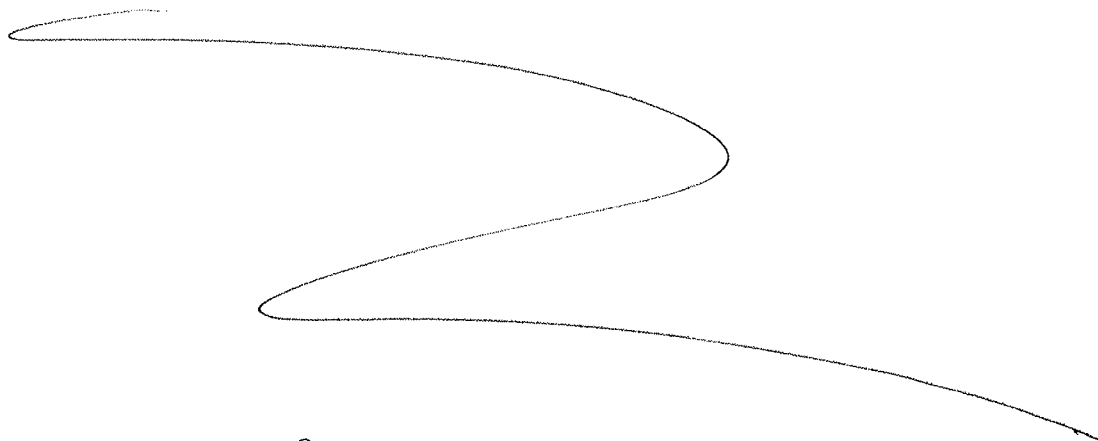
I placed the can of beer on the counter and he placed it in a blue carrier bag. The can had a Supersave label applied to it that indicated a price of £1.20. I gave the gentleman £1.20
25 in coins and he then handed me the plastic bag containing the beer. The time of the sale by my watch was 13.39 hrs.

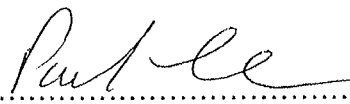
I returned to the Trading Standards Service vehicle where I exhibited the can of beer as PDL/SUPERSAVE/1 and placed it together with the blue carrier bag in an evidence bag that
30 I sealed with evidence seal 006114.

I returned to Brent Civic centre later the same day where I handed sealed bag 006114 to P.C. Sullivan.



35



Signature 

E31 Sept 2003

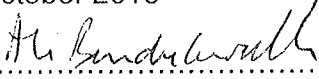
Witness Statement

(C.J.Act 1967 - S.9, M.C. Act 1980 – ss5A(3)(a) and 5B, M.C. Rules 1981 r.70)

Statement of: Ali-Nawaz Bandukwalla
Age if under 18: Over 18
Occupation: Assistant Enforcement Officer


This statement (consisting of 2 page(s) signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated 13 October 2016

Signature 

I am employed by the London Boroughs of Brent & Harrow Trading Standards Service as an Assistant Enforcement Officer as such I am authorised to assist warranted officers in their investigations.

- 5 On 12 October 2016, I was asked to carry out a test purchase of a single can of beer from a shop called Supersave at 68 Craven Park Road, Harlesden by Police Licencing Officer Mike Sullivan. I entered the shop at approximately 12.30pm bought a bottle of water and went to the beers and picked up a Becks can of beer, proceeded to the counter and was asked for £1.70, I asked how much the beer was and was told £1. I was served by a young
- 10 male Arabic looking, fair skin, dark hair, about 25-30 years old, medium build, wearing a grey top. There was also another male present Asian looking, again about 25 to 30 years old, strong build, more muscular, wearing a dark top about 5' 10" tall seemed well groomed. This man had a handful of cash and appeared to be handing it to someone over the counter and I jokingly remarked 'thank you' which drew laughter from both of them. I left and went

Signature 

E31 Sept 2003



**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

Mr. Farooq Khan, Mr Mashooq Naz

Supersave
68 Craven Park Road
London
NW10 4AE

Your ref:
Our ref: Supersave (368QK)

**Brent Borough Police
Licensing Department**

Wembley Police Station
603 Harrow Road
Wembley
HA0 2HH
Tel: 020 8733 3206
Mb: 07500993897
Email: michael.sullivan3@met.police.uk
www.met.police.uk

Date: 28th September 2016

Dear Mr. Khan, Mr Naz

I am writing this letter in response to my visit at the above premises on Thursday 15th September 2016, during my visit it became apparent that there was no Personal Licence holder in the shop, a member of staff sold a miniature bottle of spirits to a known street drinker, and high strength beers were on sale in the fridge and not labelled.

In accordance with the conditions of your premises licence, I am requesting a copy of the CCTV footage of your Premises from **15:30 hours** until **16:15 hours on Thursday 15th September 2016**

I am happy to collect the footage from your premises. Please confirm to the above email address upon receipt of this letter when the footage will be ready for collection.

Yours Sincerely,

Michael Sullivan PC 368QK
Licensing Constable
Brent Borough Police

Pictures taken on the 15/09/2016
At Supersave 68 Craven Park Road NW10







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TRADING STANDARDS SERVICE

Witness Statement

(C.J.Act 1967 - S.9, M.C. Act 1980 – ss5A(3)(a) and 5B, M.C. Rules 1981 r.70)

Statement of: Ali-Nawaz Bandukwalla
Age if under 18: Over 18
Occupation: Assistant Enforcement Officer

This statement (consisting of 2 page(s) signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated 13 October 2016

Signature Ali Bandukwalla


I am employed by the London Boroughs of Brent & Harrow Trading Standards Service as an Assistant Enforcement Officer as such I am authorised to assist warranted officers in their investigations.

5 On 12 October 2016, I was asked to carry out a test purchase of a single can of beer from a shop called Supersave at 68 Craven Park Road, Harlesden by Police Licencing Officer Mike Sullivan. I entered the shop at approximately 12.30pm bought a bottle of water and went to the beers and picked up a Becks can of beer, proceeded to the counter and was asked for £1.70, I asked how much the beer was and was told £1. I was served by a young
10 male Arabic looking, fair skin, dark hair, about 25-30 years old, medium build, wearing a grey top. There was also another male present Asian looking, again about 25 to 30 years old, strong build, more muscular, wearing a dark top about 5' 10" tall seemed well groomed. This man had a handful of cash and appeared to be handing it to someone over the counter and I jokingly remarked 'thank you' which drew laughter from both of them. I left and went

Signature Ali Bandukwalla

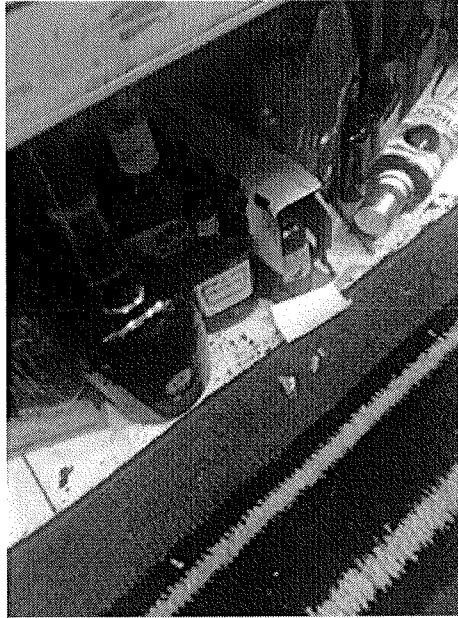
Continuation of witness statement of : Ali Bandukwala

15 to the van where I exhibited the Becks can as ANB/SUPERSAVE/1 and sealed it using seal cc0009780. I handed it to Officer Mike Sullivan on my return to the Office.



Signature *Ali Bandukwala*

E31 Sept 2003



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London Borough of Brent

Decision of the Alcohol and Entertainment Licensing Sub-Committee (C) following a hearing on 20 June 2016 at Brent Civic Centre, Engineers way, Wembley HA9 0FJ

Application by the police to review a premises licence relating to Supersave, 68 Craven Park Road, London NW10 4AE

Members of the Sub-Committee

Councillors Long (Chair); Mahmood and Harrison.

The application

The Sub-Committee has given careful consideration to an application by the police, under section 51 of the Licensing Act 2003, to review the premises licence relating to Supersave, 68 Craven Park Road, London. Mr Farooq Khan and Mr Mahshooq Naz are the premises licence holders. Mr Khan is also the designated premises supervisor (DPS).

The premises are licensed for the sale of alcohol (for consumption off the premises) seven days a week and 24 hours a day.

The grounds for review are the prevention of crime and disorder and public nuisance, the protection of children from harm and public safety.

More specifically, the police complained about anti-social behaviour (including street drinking, drunken behaviour, shouting and rowdy behaviour and aggressive begging) and crime and disorder (including violence and a drug and prostitution problem). The police said these issues were prevalent in the area but that there was also a link to the premises.

The police also complained about breaches of conditions of licence and the commission of licensing offences, namely, allowing customers to enter the premises after 23.00 hours, selling alcohol to drunks who regularly congregate outside the premises to drink the alcohol they have purchased and an underage alcohol sale.

The police expressed particular concern about the sale of high strength alcohol and the late opening times.

For these reasons the police asked for the opening hours of the premises and the times that alcohol can be sold to be reduced; the conditions attached to the premises licence to be varied and for Mr Khan to be removed as the DPS.

The Licensing Authority, acting in its capacity as a responsible authority, made a representation too and asked for additional conditions to be added to the premises licence.

The premises responded to the application by challenging the facts and evidence relied upon by the police, submitting their own evidence and a petition with 188 signatures in support of the premises and proposing operational and licensing improvements.

The application details and supporting documents considered by us are published on the Council's website and are not repeated in this decision notice.

The hearing

The police were represented at the hearing by PC Michael Sullivan and Mr Rory Clarke of Counsel.

Mr Khan attended the hearing and was represented by Mr Alan Aylott of Dadds LLP Licensing Solicitors.

Prior to the hearing, the Licensing Inspector had agreed certain conditions with the premises and on that basis, withdrew her representation.

At the start of the hearing, we were informed of the issues the parties had been able to agree upon and the remaining issues which we were asked to decide.

The parties had agreed that the opening hours of the premises be reduced as follows: 06.00 hours until 01.00 hours the following morning everyday of the week. In other words, a reduction of 5 hours.

It was agreed that Mr Khan undergoes training and not be removed as the DPS.

Further, the following additional conditions were either agreed or volunteered:

1. The premises licence holder shall ensure that the areas outside the premises are monitored regularly to ensure that any persons loitering outside the premises disperse quickly and do not congregate.
2. The premises licence holder shall ensure that no alcohol purchased from the premises is consumed in the near vicinity.
3. The premises licence holder shall ensure that reasonable and adequate staff training shall be carried out and properly documented in relation to:
 - I. Dealing with incidents and the prevention of crime and disorder
 - II. The premises duty of care
 - III. The responsible sale of alcohol (i.e. how to refuse a sale, preventing sales to underage persons or persons over 18 purchasing for underage persons, recognising signs of drunkenness) prior to being allowed to sell alcohol
 - IV. Within six weeks of any appointment of a member of staff, as a sales person, they receive adequate training to Responsible Alcohol Retailing standards or equivalent
 - V. Hours and conditions of the premises licence.
4. The premises licence holder shall ensure that refresher training shall be completed every six months for all relevant staff.
5. The premises licence holder shall ensure that documented records of training completed shall be kept for each member of staff trained and records shall be retained for no less than 12 months and made available for inspection to police and authorised officers of Brent Council upon request.
6. The premises licence holder shall operate a 'Challenge 25' scheme at the premises whereby anyone who appears to be under 25 shall be asked to provide proof of age that he or she is over 18. Proof of age shall only comprise of a passport, a photo-card driving licence or an industry approved proof of age identity card.
7. The premises licence holder shall ensure that notices shall be displayed in the premises advising:

- I. CCTV is in operation
 - II. A 'Challenge 25 scheme operates in the premises
 - III. 'No proof of age – No sale'
 - IV. Patrons should respect the needs of local residents and leave the area quietly
 - V. The hours' licensable activities may take place
8. The premises licence holder shall ensure that miniature bottles of spirits, 5cl or less shall not be sold
 9. The premises licence holder shall ensure that any persons highlighted by the police as a 'street drinker' and any person who is known as or appears to be a 'street drinker' shall not be sold alcohol.
 10. The premises licence holder shall ensure that a drop-top' safe or other security product is installed in a covert position in order that excess cash is removed periodically from the till.
 11. The premises licence holder shall ensure that any refusals of sale of age-related products are recorded in a refusals log. The log shall show:
 - I. The date and time of refusal
 - II. The product(s) attempted to be purchased
 - III. A description of the customer
 - IV. The name and signature of the staff member who made the refusal
 12. The premises licence holder shall ensure that the refusals log shall be checked and signed monthly by the designated premises supervisor or premises licence holder. The refusals log shall be made available for inspection upon reasonable request to Police or a local authority officer.
 13. The premises licence holder shall ensure that the designated premises supervisor (DPS) shall attend a formal training course on –avoiding under-age sales/responsible alcohol sales, such as the National Certificate for DPS or the BIIAB Award for Responsible Retailing; to provide evidence of attendance if requested.
 14. 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 crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.

[Copy conditions 1 -7; 9 – 15 on pages 27 and 28 of Supplementary 2]

There shall be no single sales of cans or bottles of beers, ciders or lagers.

All sales must take place at the counter inside the shop only. There shall be no use of a hatch or window allowing sales to take place whilst the customer is outside the premises.

As a consequence, the following conditions are removed:

“3. The premises shall be closed to the public between 23.00 hours and 07.00 hours the following morning and all sales during these hours shall be via the window only.”

“6. The Portman Group proof of age scheme or similar such scheme shall be adopted.”

In addition, the police asked us to prohibit the sale of alcohol between 06.00 hours and 09.00 hours and to impose a condition requiring alcohol to be secured behind locked grills etc. during this period. The police also asked for a condition to be imposed prohibiting the sale of high strength alcohol above 6.0% ABV as opposed to 6.5% ABV which is what the premises volunteered.

During the course of the hearing, the parties discussed the complaints and issues the review application raised and answered questions.

The decision

We have listened to all the representations and have read all the material.

We have had regard to the statutory guidance issued under section 182 of the Licensing Act 2003, and the Council’s own licensing policy.

We have taken into account our duty under section 17 of the Crime and Disorder Act 1998 to have due regard to the likely effect of the exercise of our discretion on, and the need to do all we reasonably can, to prevent crime and disorder in our area and the misuse of alcohol.

We confirm that in making our decision we have sought to promote the licensing objectives.

We also confirm that the decision we have taken is what we were satisfied was necessary, proportionate and appropriate in order to promote the licensing objectives and justified on the facts of this particular case.

On the facts of this application, it is particularly noteworthy that, according to statutory guidance, we should accept all reasonable and proportionate representations made by the police unless we have evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

We found the following.

- There was a clear causal link between the premises, the licensing objectives and the anti-social behaviour and crime complained of.
- The premises does attract or is the focal point of a lot of anti-social behaviour and crime.

- There have been persistent and serious breaches of licensing conditions and rules (including licensing offences).
- The police complaints were serious, credible and on the whole withstood the scrutiny they were subject to.

Having considered the issues in dispute in their factual context and taken into account our findings, we decided that the following was appropriate.

1. The opening hours of the premises should be reduced as agreed but that there was no justification to further reduce the start time for the sale of alcohol.

When the police were asked to justify preventing alcohol sales between 06.00 hours and 09.00 hours we felt they struggled to do so. The complaints and incidents of anti-social behaviour and crime and disorder we considered related to an earlier time period. We also felt that the additional regulation/safeguards we have approved and, in particular, a prohibition on sales using the window/hatch should alleviate many of the problems associated with customers congregating outside the premises. We noted that a neighbouring premises is only permitted to sell alcohol from 08.00 hours but, ultimately, we made our decision based on all the circumstances of this case.

2. All the agreed and volunteered conditions should be added to the licence.
3. In addition, we imposed the following condition:

“No high strength beers, lagers and ciders above 6.0% shall be stocked or sold at the premises.”

We agreed with the police that we should make our decision on the facts of this particular case and having regard to local licensing practice and experience of what works in Brent.

Narrative

As we have stated, the complaints made by the police were serious. In the recent past, there have been persistent breaches of licensing requirements and the management of the premises has been lax. Despite his recent re-fresher training, when asked Mr Khan was unable to name the licensing objective of preventing crime and disorder. It may well be that when put on the spot he forgot but we hope that he will take his responsibilities as the premises licence holder and DPS much more seriously in the future. The premises should note that if the issues reported by the police were to persist resulting in another review of the licence, additional regulation is likely.

The effective date of this decision

This decision does not take effect until the end of the period for appealing this decision or, if appropriate, the outcome of the appeal.

Right of Appeal

The parties have a right of appeal to Brent Magistrates' Court against this decision.

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.

London Borough of Brent

Premises Licence

PART A

*This Premises Licence was granted by Brent Council, Licensing Authority for the area of the Borough of Brent under the **Licensing Act 2003**.*

Signed.....
Operational Director, Planning and Regeneration

Date: 7 September 2016

Licence number 178182
Licence start date: 24/11/2005

Part 1 - Premises Details

SUPERSAVE, 68 Craven Park Road, London, NW10 4AE

Licensable activities and the times authorised by this licence

Supply of Alcohol:

Day	Start Time	End Time
Monday	06:00	01:00
Tuesday	06:00	01:00
Wednesday	06:00	01:00
Thursday	06:00	01:00
Friday	06:00	01:00
Saturday	06:00	01:00
Sunday	06:00	01:00

Whether alcohol is authorised to be supplied on or off the premises: **Off**

The Opening Hours of the Premises:

Day	Start Time	End Time
Monday	06:00	01:00
Tuesday	06:00	01:00
Wednesday	06:00	01:00
Thursday	06:00	01:00
Friday	06:00	01:00
Saturday	06:00	01:00
Sunday	06:00	01:00

Part 2

Details of Holder of Premises Licence:

Mr. Farooq Khan, [REDACTED]
Mr. Mahshooq Naz, [REDACTED]
Telephone: [REDACTED]

Details of Designated Premises Supervisor:

Name: Farooq Khan
Address: [REDACTED]
Personal Licence Number: [REDACTED]
Issuing authority: London Borough of Brent

Annexe 1 - Mandatory Conditions

Age Verification Policy

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Minimum Price of Alcohol

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) —duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) —permitted price is the price found by applying the formula—
$$P = D + (D \times V)$$
where—
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) —relevant person means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) —relevant personll means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) —valued added taxll means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (—the first dayll) would be different from the permitted price on the next day (—the second dayll) as a result of a change to the rat e of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Requirement for a DPS

(1) No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door Supervisors and Security Staff to be Licensed by the SIA (Only if required)

Where the licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions:

a) premises where the premises licence authorises plays or films

b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

Embedded Conditions

Not applicable

Annexe 2 - Conditions Consistent With the Operating Schedule

1 CCTV shall be installed and maintained in a working condition.

2 All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.

3 A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.

4 Suitable and sufficient fire fighting equipment shall be installed and properly maintained.

- 5 The premises licence holder shall ensure that the areas outside the premises are monitored regularly to ensure that any persons loitering outside the premises disperse quickly and do not congregate.
- 6 The premises licence holder shall ensure that alcohol purchased from the premises is not consumed in the near vicinity.
- 7 The premises licence holder shall ensure that reasonable and adequate staff training shall be carried out and documented in relation to:
 - Dealing with incidents and the prevention of crime & disorder
 - The premises duty of care
 - The responsible sale of alcohol (i.e. how to refuse sale, preventing sales to underage persons or persons over 18 years of age purchasing for underage persons, recognising signs of drunkenness) prior to being allowed to sell alcohol.
 - Within six weeks of any appointment of a member of staff, as a sales person, the appointee receives adequate training to Responsible Alcohol Retailing standards or equivalent
 - Understanding of the hours and conditions of the licence
- 8 The premises licence holder shall ensure that refresher training shall be completed every six months for all relevant staff.
- 9 The premises licence holder shall ensure that documented records of training completed shall be kept for each member of staff trained and records shall be retained for no less than twelve months and made available for inspection to the Police and authorised officers of Brent Council upon request.
- 10 The premises licence holder shall operate a 'Challenge 25' scheme at the premises whereby anyone who appears to be under 25 shall be asked to provide proof of age that he/she is over 18. Proof of age shall only comprise of a passport, a photo-card driving licence or an industry approved proof of age identity card.
- 11 The premises licence holder shall ensure that notices shall be displayed in the premises advising the following:
 - CCTV is in operation
 - A 'Challenge 25' scheme operates in the premises
 - 'No proof of age – No Sale'
 - Patrons shall respect the needs of local residents and leave the area quietly
 - The hours of licensable activities
- 12 The premises licence holder shall not sell miniature bottles of spirits (5cl or less)
- 13 The premises licence holder shall ensure that any persons highlighted by the Police as a 'street drinker' and any person who is known as or appears to be a 'street drinker' shall not be sold alcohol.
- 14 The premises licence holder shall ensure that 'drop-top' safe or other similar product is installed in a covert position at the premises in order that excess cash is removed periodically from the till.

- 15 The premises licence holder shall ensure that any refusals of age- related products are recorded in a refusals log. The log shall show:
- The date and time of refusal
 - The product(s) attempted to be purchased
 - A description of the customer
 - The name and signature of the staff member who made the refusal.
- 16 The premises licence holder shall ensure that the refusals log is checked and signed monthly by the designated premises supervisor or the premises licence holder. The refusals log shall be made available for inspection upon request by the Police or a local authority officer.
- 17 The premises licence holder shall ensure that the designated premises supervisor shall attend a formal training course on – avoiding under-age sales/responsible alcohol sales, such as the National Certificate for DPS or the BIIAB Award for Responsible Retailing and provide evidence of attendance on request.
- 18 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 crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any visit by a relevant authority or emergency service.
- 19 The premises licence holder shall ensure that single cans or bottles of beers, ciders or lagers are not sold.
- 20 The premises licence holder shall ensure that all sales must take place at the counter inside the shop only. The hatch and/or window shall not be used at any time.
- 21 The premises licence holder shall ensure no high strength beers, lagers or ciders above 6% ABV shall be stocked at the premises with the exception of the following ales : (a) Warka Strong :6.5% ABV, (b)Zubr: 6.5%ABV, (c) Dragon Stout bottle :7.5%ABV, (d)Nigerian Guinness :7.5%ABV and (e) Dublin Guinness:7.5%ABV or as contained in a list of products as agreed with the police ;the said ales shall be kept behind the servery counter with spirits and shall be labelled with the name of the shop

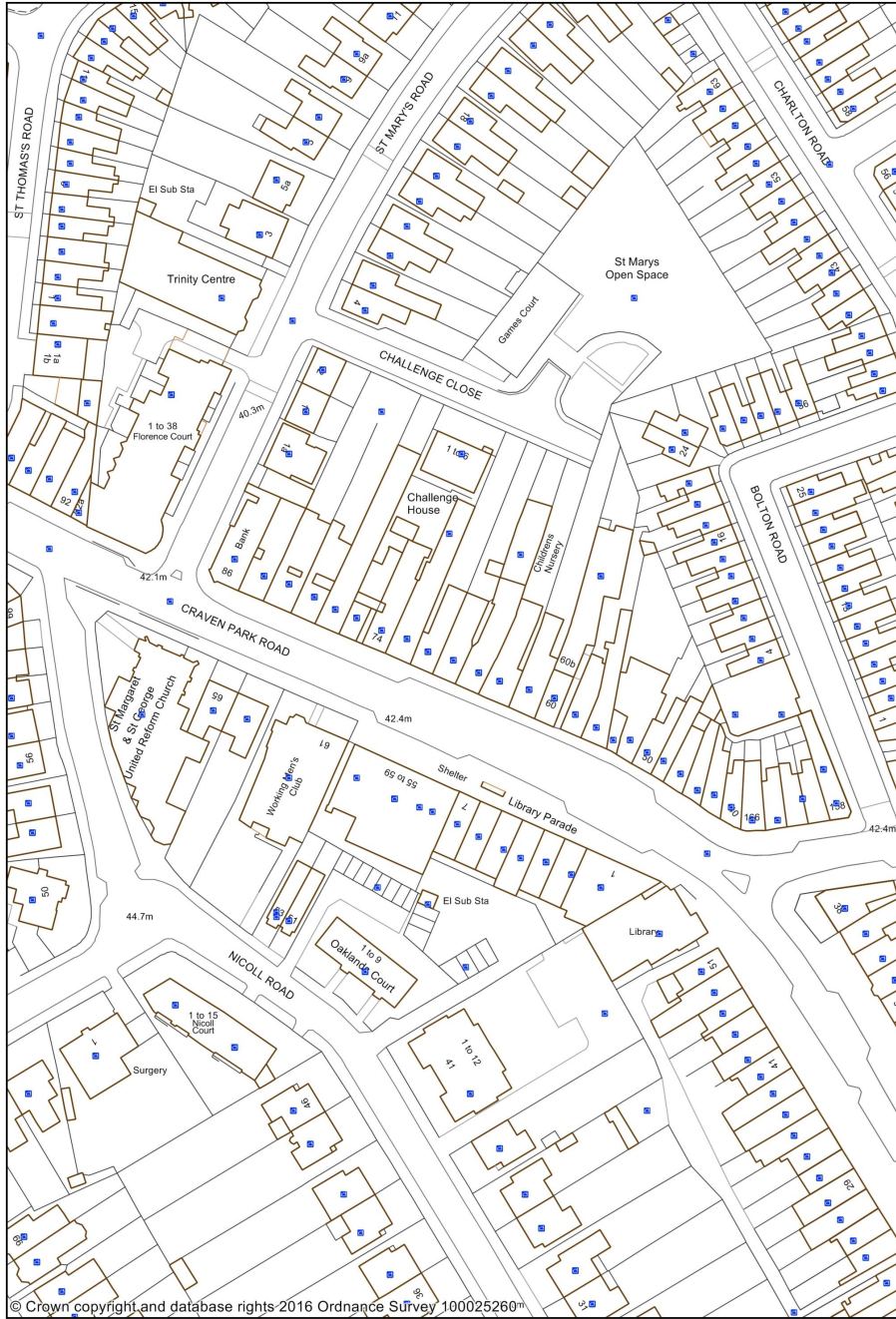
Annexe 3 - Conditions Attached After a Hearing by the Licensing Authority

Not applicable

Annexe 4 - Plans

See attached sheet.

Supersave 68 Craven Park Road NW10 4AE



1:1250

0 0.02 0.04 kilometres



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