



Supplementary 1 Alcohol and Entertainment Licensing Sub-Committee (C)

Wednesday 27 January 2016 at 10.30 am
Training Suite 3, First floor, Civic Centre, Enginners
Way, Wembley HA9 0FJ

Membership:

Members

Councillors:

Long (Chair)
Hylton
McLeish

Substitute Members

Councillors:

Bradley, Chohan, Harrison,
Hector, Naheerathan and
Shahzad

For further information contact: Joe Kwateng, Democratic 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 this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

Item	Page
3 Application by the Metropolitan Police for the review of a premises licence held by Mr Aziz Ahmed and Mrs Bhadravati Ahmed at the premises known as Jamies News & Convenience Store (Lyon Park Avenue, Wembley HA0 4HG), pursuant to the provisions of the Licensing Act 2003.	1 - 42

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
- Case for the Applicant
- Questioning of the Applicant by the Responsible Authority and Members
- Summing up by the Responsible Authority
- 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.

JAMIES NEWS & CONVENIENCE STORE

LICENSING SUB COMMITTEE PANEL C

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Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

1 CCTV has been installed to home office guidance standards and maintained in good working condition and recordings will be kept for 31 days and will be made available to police and authorised officers from Brent Council.

2 CCTV Camera has been installed to cover the entrance of the premises.

3 A sign stating “No proof of age-No sale” is displayed at the point of sale and made more visible.

4 A “Challenge 25” is already in place and adhered to, the signage has also been made more visible.

5 A refusal book detailing date and time of the refused sale and the name of the person refusing the sale is kept and maintained and made available for inspection.

6 No high strength beers, lagers and ciders above 6.0 % ABV will be stocked with exception of ““ DESPERADOS, FOREIGNN GUINNESS& DRAGON STOUT “

7 An incident log is 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) All seizures of drugs or offensive weapons
- (f) Any faults in the CCTV system
- (g) Any refusal of the sale of alcohol

(h) Any visit by a relevant authority or emergency service

8 A copy of the premises licence summary including the hours which licensable activities are permitted will be visible from the outside of each entrance to the premises.

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

10 No single cans or bottles of beer or cider will be sold.

11 No miniature bottles of spirit will be sold.

12 A clear and unobstructed view into the premises will be maintained at all times.



NTAD CONSULTANTS

WITNESS STATEMENT

Statement of: Noel Anthony Samaroo

Age if under 18: Over 18

Occupation: LICENSING CONSULTANT
AND TRAINER

This statement (consisting of 5 page(s) each signed by me) is true to the best of my knowledge and belief.

Signed

A handwritten signature in black ink, appearing to read 'Noel Samaroo', written over a light grey rectangular background.

Dated the 18 January 2016

My name is Noel Anthony Samaroo and I currently operate as an independent Licensing Consultant and Trainer trading as National Training and Development Consultants Ltd ("NTAD").

This Statement is prepared for the purposes of a Premises Licence Review Hearing relating to **JAMIES News & Convenience Store, 200 A Lyon Park Avenue , HA0 4HG.**

I have considered all the paperwork served in relation to these review proceedings.

I would like to make it clear at the outset that I have been involved in advising the Premises Licence Holder and in preparations for this review hearing in my capacity as a licensing

consultant. My reputation is based on integrity and I have been scrupulous in not compromising my independence when writing this Report which is designed to assist the Licensing Sub Committee in promoting the licensing objectives in an appropriate and proportionate manner. My fees for preparing this report are not contingent on its contents or conclusions and clients may use or reject the Statement at their discretion. The contents of this Statement are true, fair and accurate and reflect my honest and professional opinion on the matters I have observed.

Experience

Prior to taking up the role with **NTAD** I completed 20 years as a licensee and Designated Premises Supervisor (DPS) within a variety of London Boroughs. In 2009 due to ill health I made a conscious decision to change my lifestyle from constant night work and put my wealth of experience to good use. I achieved my **PTTLS qualification** along with **APLH level 2 and NAPLH level 3** and began to train candidates for their APLH 2 qualification in preparation for their Personal Alcohol Licence.

During this period I became increasingly aware that many, otherwise responsible, Premises Licence Holders were non-compliant with all the conditions of their premises licences usually because of ignorance of the law under the Licensing Act 2003 and were thus putting their premises licence in jeopardy. I therefore also began to consult with my clients on a variety of issues surrounding compliance under the Licensing Act 2003, Food Safety Act, and the Health and Safety Act. In recent years I have continued my professional development in regard to licensing by taking and passing the **National Licensees Certificate and National Door Supervisors course**. This enabled me both to successfully apply for a Personal Licence and to become approved by the **Security Industry Authority (SIA)** as a front line operative. In September 2011 I successfully applied to become a nominated tutor with **EDI** enabling me to carry out training in the **Award for Responsible Alcohol Retailing and the Award for Personal Licence Holders Level 2 and the Level 3 Award for Designated Premises Supervisors**.

Since January 2012 I have worked in a consultancy role with licensed premises producing strategies aimed at reducing crime and disorder and public nuisance issues in and around venues. This experience has enabled me to give sound advice in regard to licence compliance and licensing in general. I have considerable respect for the responsible authorities and seek to work in partnership with them whenever possible.

REVIEW HEARING 27 January 2016

The Review application has been brought by way of an application for a review of the Premises Licence due to breaches of the Licence, by Mr PRAJABATI Navin, DPS of JAMIES NEWS & CONVENIENCE STORE, 200 A Lyon Park Avenue , HA0 4HG.

The Trigger for this Review being brought is based that on the 23rd October 2015 a Premises licence check was carried out by officers from Brent Licencing Police.

Brent Licencing Police Team visited the premises on a routine visit where it is alleged that breaches of the premises licence were found.

- a) Males standing outside the off licence Premises consuming alcohol.
- b) DPS failing to promote the licencing objectives.

In addition there were found to be some plastic cups outside the premises and some plastic cups in a sleeve behind the counter.

Acting as a consultant in the best interest of my client, I have taken the proactive approach to all the conditions brought forward by Brent licencing Police Team to promote the licencing objectives. Having taken into account PC AULAK Manjit's statement, and the intel gathered by the police, it has come very apparent that the area around, 200 A Lyon Park Avenue, HA0 4HG, suffers from a street drinking and anti-social Behaviour problem. Those previous incident and accounts of events except from the Statement of PC AULAK are non-relative to JAMIES NEWS & CONVENIENCE STORE as they occurred further away from 200 A Lyon Park Avenue , HA0 4HG. I would like to draw the attention of the committee that within a mile radius, 2 off licences with full off licence conditions, an on licence and a public house are present.

On Wednesday 13th of January, I Met PC SULLIVAN, to discuss the proposed conditions and in consultation with my client, I would like to draw the committee's attention on the following condition :

No High strength beers, lagers and ciders above 6.0% ABV shall be stocked.

This condition in particular will reduce my client's variety of choice available at the premises, thus drastically affecting his ability to compete against the other off licences present within a walking distance in the area. Bearing in mind that JAMIES NEWS & CONVENIENCE STORE has been present in the area since 1969, and would for some be classified as a landmark, we therefor would like the committee to consider having an exception to this condition by allowing 3 specialist brands:

" DESPERADOS, FOREIGN GUINNESS, DRAGON STOUT ." It is to be noted that the police have stated that they have no objection to that proposed condition

Please find below the proposed conditions as per the review for a premises licence.

PROPOSED CONDITIONS TO THE PREMISES LICENCE HOLDER

- CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised officers from Brent Council.
- A CCTV camera shall be installed to cover the entrance of the premises.
- A sign stating “No proof of age –No sale” shall be displayed at the point for sale.
- A “Challenge 25” policy shall be adopted and adhered to.
- A refusal book detailing date and time of the refused sale and the name of the person refusing the sale shall be kept and maintained and made available for the inspection.
- No High strength beers, lagers and ciders above 6.0% ABV shall be stocked **with the exception of 3 named specialist beers “ DESPERADOS, FOREIGNN GUINNESS,DRAGON STOUT .“**
- 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 receives
 - (d)any incidents of disorder
 - (e)all seizures of drugs or offensive weapons
 - (f)any faults in the CCTV
 - (g)any refusal of the sale of alcohol
 - (h)any visit by a relevant authority or emergency service
- A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.

- 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.
- No single cans or bottles of beer or cider shall be sold.
- No miniature bottles of spirits to be sold.
- A clear and unobstructed view to the premises must be maintained at all times.

Conclusion

I would also like to take this opportunity to confirm to the committee that all of the alleged breaches raised in the Review Application have now been rectified along with Full APLH Level 2 Training has been delivered. An extra member of staff will be assisting with operating procedures during peak hours.

The premises licence Holder/DPS have taken steps to correct the deficiencies with regard to Compliance issues and have taken a positive step in proposing and agreeing the Proposed Conditions within the operating schedule. A considerable amount of improvement has been made to the premises; a new CCTV camera system has been installed to Home Office Guidance standards covering the entrance of the premises.

Right outside JAMIES NEWS & CONVENIENCE STORE in front of the bay window, was an open patio area that was being used as a meeting point for individuals in relation to street drinking. I can now confirm that a fence has been placed preventing this from occurring, please see Picture exhibit provided. The signage stating "No Proof of Age – No sale " a "Challenge 25" and "No street Drinkers" has been made more visible along with a CCTV system in operation. All these improvements involved a financial cost to my client, but goes to show his willingness to improve his services.

Through my frequent visit to the area, I came across a local Police Community Support Officer based next door to 200 A Lyon Park Avenue , HA0 4HG, who has confirmed that since the improvement has been made to the front of the premises, it is longer being used for people to meet and drink.

From my observations, contact with the client, the retraining of the staff and the new operating Schedule ,I have not observed any further issues that would lead me to believe that this premises offers any risk to the general public or to undermine any of the Licensing Objectives. Given the nature of the business it is clear that any further financial conditions imposed would be financially unsustainable.

It is my opinion that the premises can operate within the parameters of the Brent Council's Licensing Policy. It is therefore that I respectfully request that the Licencing Sub Committee show leniency and proportionality in their decision.

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**STATEMENT OF
AHMED AZIZ**

I, AHMED Aziz of 107 Kingley Road, South Harrow, HA2 8LF, make this statement in support to resist the application to review the premises licence for the premises at 200A Lyon Park Avenue, HA0 4HG

I have held the lease of the property at 200A Lyon Park Avenue, HA0 4HG, for several years and has known this shop to be existing since 1969. I have, am and always will be committed to working hard, fully observing my legal obligations in growing my business.

I acknowledge the fact that on the 23rd October 2015, Officers attended 200A Lyon Park Avenue, HA0 4HG, where they found Mr PRAJABATI who sublet the premises and is also the DPS not conforming to the Licensing objectives.

I have taken into consideration PC SULLIVAN's accounts of events and all the intelligence gathered and have had a meeting with Mr PRAJABATI in regards to the various flaws in operating procedures.

Based on the conditions put forward by the Police and in pursuance of best practice, I have made some considerable and costly changes to the premises with the help of a licensing consultant appointed to enhance our operation and to ensure that there are no future licensing breaches.

As per Police recommendation we have agreed to and adopted the following, paying attention to condition 6 where I feel it will be detrimental to the business and would like the Committee to consider our proposed condition.

1 CCTV has been installed to home office guidance standards and maintained in good working condition and recordings will be kept for 31 days and will be made available to police and authorised officers from Brent Council.

2 CCTV Camera has been installed to cover the entrance of the premises.

3 A sign stating "No proof of age-No sale" is displayed at the point of sale and made more visible.

4 A “Challenge 25” is already in place and adhered to, the signage has also been made more visible.

5 A refusal book detailing date and time of the refused sale and the name of the person refusing the sale is kept and maintained and made available for inspection.

6 No high strength beers, lagers and ciders above 6.0 % ABV will be stocked with exception of “**“ DESPERADOS, FOREIGN GUINNESS& DRAGON STOUT “**”

7 An incident log is 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) All seizures of drugs or offensive weapons
- (f) Any faults in the CCTV system
- (g) Any refusal of the sale of alcohol
- (h) Any visit by a relevant authority or emergency service

8 A copy of the premises licence summary including the hours which licensable activities are permitted will be visible from the outside of each entrance to the premises.

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

10 No single cans or bottles of beer or cider will be sold.

11 No miniature bottles of spirit will be sold.

12 A clear and unobstructed view into the premises will be maintained at all times.

Please note that additional signage has been put in place, see exhibits provided.

Following a meeting with my consultant, we have come to the conclusion that as per condition number 6 :

No high strength beers, lagers and ciders above 6.0 % ABV will be stocked with exception of specialist brands “DESPERADOS, FOREIGN GUINNESS& DRAGON STOUT”

We would like the members of the committee to consider the exception of the 3 specialist beers mentioned as they give us from a business point of view some bargaining power over the competitors nearby. We believe if no such option was available, it would restrict our

choice of product supplied to our customers. In the light of the events, I agreed with the police that a change of DPS is necessary as Mr PRAJABATI, has failed in his duty of promoting the licencing objectives.

Please note, members of the committee that the improvement made to the premises came with financial ties. Having taken into consideration about concerns that the front of the premises became a meeting point for locals, I have taken the proactive step to put up a barrier thus preventing any conglomeration in front of the shop window.

I would therefore ask the Members of the committee to consider my goodwill into promoting the Licencing objectives and preventing any further breaches prior to any decision being implemented.

STATEMENT OF TRUTH

I believe that the facts stated in this Witness Statement are true.

SIGNED: _____

DATED: _____

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**STATEMENT OF
PRAJABATI Navin**

I, PRAJABATI Navin of 210 Mont Pleasant, Wembley, London, HA0 1SH , make this statement in support to resist the application to review the premises licence for the premises at 200A Lyon Park Avenue, HA0 4HG.

I have been the DPS and tenant of JAMIES NEW & CONVENICE STORE at 200A Lyon Park Avenue, HA0 4HG. Throughout my time working as a DPS at the above mentioned premises, I have always strive to the best of my knowledge provided an irreproachable service.

On the 23rd October 2015, Officers from Brent Licencing Police team attended 200A Lyon Park Avenue, HA0 4HG, where I work and sublet the premises from Mr AHMAD Aziz.

I have taken into consideration PC SULLIVAN's account of the events, with the help of my consultant Mr SAMAROO Noel and all the intelligence gathered and have had a meeting with Mr AHMAD in regards to the breaches that were committed at the time.

As with my dealings with the authority concerned, it has been apparent that my communication level has been detrimental to applying the licencing objectives.

I would like to apologise to the authorities and am truly sorry for having failed in my duties as a DPS.

I have failed in promoting the licencing objectives and for that reason I will be stepping down as the DPS of JAMIES NEWS & CONVENIENCE STORE for the benefit of the business.

With a new and stronger DPS in place and the considerable investment made to the premises, all guidelines will be met to a decent standard.

STATEMENT OF TRUTH

I believe that the facts stated in this Witness Statement are true.

DATED: _____

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 **Manjit AULAK PC 743QK** URN:

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

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: Manjit Aulak PC 743QK Date: 19/11/2015.....

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

I am a police officer working in the Alperton Safer Neighbourhood Team. My role title is DWO(Dedicated Ward Officer).The base I work from is situated in the heart of the Alperton Community on Mount Pleasant HA0.

Nearest junction to the base, is Heather Park Parade HA0 J/W Lyon Park Avenue which consist of numerous businesses including Jamie’s News & Convenience Store, 200a, Lyon Park Avenue which is virtually next to a school. Heather Park Parade is a oblong shaped roundabout which leads onto numerous roads placing it in a central position for use by the community that live in the immediate locality and also passing public who use this route to by pass traffic to Wembley Stadium, world renowned Ace Café and the local business staff of the trading estate.

The main part of Heather Park Parade consists of a U shape parade of these shops. These businesses are constantly used by the public mainly the local residents. The area is a controlled drinking zone.

Outside Jamies News & Convenience Store, 200a, Lyon Park Avenue numerous males mainly Asians loiter outside the shop from 0900hrs to late at night involved in alcohol related disorder.

These males continue to consume large amounts of alcohol; mainly vodka and beer cans mixed with energy drinks. They litter the road; footpath with cans ,broken glass bottles, plastic cups and food containers. Fresh urination is smelt and seen on regular bases in the immediate vicinity of the shop. They show no consideration for the elderly, vulnerable and local residents going about their business. Also this route is used by parents walking their children to a school which is in the immediate vicinity.

Being the local officer I am constantly called by members of the public. This has resulted me in apprehending and

Signature: Manjit Aulak PC 743QK Signature witnessed by:

Continuation of Statement of **Manjit AULAK PC 743QK**.....

arresting these males for numerous offences which include drink related anti social behaviour and issuing of PND tickets for public order offences and threatening behaviour.

Residents who live in the immediate area regularly call up police to complain of persistent noise, crime and disorder. I go their and deal with the matter only to be called repeatedly for the same or other offences.

They group up again and carry on with their different levels of anti social behaviour related to alcohol which I witness regularly and deal with. They continue to hand out drink amongst themselves.

Despite police action and large posters and signs indicating the area to be a controlled drinking zone anti social behaviour complaints to police continue.

At times they seem to disperse when police are called and re-group when police leave and carry on with their different levels of anti social behaviour and disorderly conduct/behaviour related to alcohol which is prominent outside this shop "Jamies News & Convenience Store" growing in numbers and bringing in new members.

Signature: Manjit Aulak PC 743QK Signature witnessed by:



Jamies News

7 messages

To: info@ntad.co.uk

Good Morning

Further to our telephone conversation and your suggestion to put in a variation on your clients Licence, if you are still minded to take this course of action, then the conditions below are what I would be looking for.

I have considered the request for certain beers above 6% to be sold and after further research of the area would be against this being added.

Please discuss the below with your client and advise me as to what your decision is within the next 5 days, otherwise I will have to consider other options of dealing with your clients premises.

CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council.

A CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the (*name area*).

A sign stating "No proof of age – No sale" shall be displayed at the point of sale.

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

A refusal book detailing date and time of the refused sale and the name of the person refusing the sale shall be kept and maintained and made available for inspection.

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

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

https://mail.google.com/mail/u/0/?ui=2&ik=5f4b6ab346&view=pt&q=Michael.J.Sullivan... 21/01/2016

Noel Samaroo <info.ntad@gmail.com>

Michael.J.Sullivan@met.pnn.police.uk <Michael.J.Sullivan@met.pnn.police.uk>

2 November 2015 at 10:32

- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.

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.

No single cans or bottles of beer or cider shall be sold

No miniature bottles of spirits to be sold

A clear and unobstructed view into the premises shall be maintained at all times.

Regards

Michael Sullivan
PC368QK
Brent Licensing Team

Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.

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Facebook: [Facebook.com/metpoliceuk](https://www.facebook.com/metpoliceuk)
Twitter: [@metpoliceuk](https://twitter.com/metpoliceuk)

2 November 2015 at 17:46

Noel Samaroo <info.ntad@gmail.com>
To: Michael.J.Sullivan@met.pnn.police.uk

Hi Michael
Thank you for your email I will discuss the conditions in detail with ALL the parties involved, and will have a response by Thursday. I hope this is ok just snowed under and due to their limited English I wish to have the meeting with them in person.
I will also be getting the transfer and DPS consent forms signed.
Thank you and Kind Regards
Noel
NTAD Consultants
info@ntad.co.uk

[Quoted text hidden]

3 November 2015 at 10:24

Michael.J.Sullivan@met.pnn.police.uk <Michael.J.Sullivan@met.pnn.police.uk>
To: info.ntad@gmail.com

Thanks Noel

From: Noel Samaroo [<mailto:info.ntad@gmail.com>]
Sent: 02 November 2015 17:46
To: Sullivan Michael J - QK
Subject: Re: Jamies News

[Quoted text hidden]

[Quoted text hidden]

5 November 2015 at 14:42

Noel Samaroo <info.ntad@gmail.com>
To: Michael.J.Sullivan@met.pnn.police.uk

Hi Michael
I have had the opportunity to discuss your proposed conditions in detail with my client. All seems agreeable considering the none existence of Any conditions and recent events, however we would like for you to reconsider your stance on specialist beers and single cans as my client feels that with all the conditions you are requesting and with the local competition the business would become unsustainable.
Kind Regards
Noel
NTAD Consultants
info@ntad.co.uk

[Quoted text hidden]

6 November 2015 at 09:10

Michael.J.Sullivan@met.pnn.police.uk <Michael.J.Sullivan@met.pnn.police.uk>
To: info.ntad@gmail.com

Hello Noel

<https://mail.google.com/mail/u/0/?ui=2&ik=5f4b6ab346&view=pt&q=Michael.J.Sullivan...> 21/01/2016

Thank you for replying, in relation to your request for two of the conditions to be removed, namely beers above 6% and no single can sales, I am still minded to keep these conditions as they are two conditions that will help reduce the street drinking problem that your client is struggling to deal with.

Regards

Mike

From: Noel Samaroo [mailto:info.ntad@gmail.com]
Sent: 05 November 2015 14:42
To: Sullivan Michael J - QK
Subject: Re: Jamies News

[Quoted text hidden]

[Quoted text hidden]

info.ntad@gmail.com <info.ntad@gmail.com>
To: "navin_1892@yahoo.co.in" <navin_1892@yahoo.co.in>
9 November 2015 at 14:36

From: Noel Samaroo

Sent: Monday, 2 November 2015 17:46

To: Michael.J.Sullivan@met.pnn.police.uk

[Quoted text hidden]

info.ntad@gmail.com <info.ntad@gmail.com>
To: "Michael.J.Sullivan@met.pnn.police.uk" <Michael.J.Sullivan@met.pnn.police.uk>
9 November 2015 at 15:13

Hi Michael,

I have relayed the essence of our conversation regarding the conditions that you are requesting, however again a face to face meeting will be necessary to ensure that the points are got across fully and that they understand fully.

May I request a slight delay in any action until this Friday which will give me time to have a further meeting with them this Thursday. I hope this is acceptable.

Kind Regards
Noel



Noel A Samaroo (MOL)
Licensing Consultant
NTAD Consultants

https://mail.google.com/mail/u/0/?ui=2&ik=5f4b6ab346&view=pt&q=Michael.J.Sullivan... 21/01/2016

M: 075 4444 0655
E: info@ntad.co.uk
W: www.ntad.co.uk

Address:
Noel A Samaroo (MOL)
NTAD CONSULTANTS
2 SPRINGFIELD ROAD
CRAWLEY
WEST SUSSEX
RH11 8AD

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From: Michael.J.Sullivan@met.pnn.police.uk
Sent: Friday, 6 November 2015 09:10
To: info.ntad@gmail.com
[Quoted text hidden]

<https://mail.google.com/mail/u/0/?ui=2&ik=5f4b6ab346&view=pt&q=Michael.J.Sullivan...> 21/01/2016

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APPLICATION FOR A REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

Application for the 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 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable).**

Part 1 – Premises or club premises details

Name and postal address of premises or, if none, ordnance survey map reference or description 200a Jamie's News & Convenience Store, Lyon Park Avenue.	
Post Town Wembley	Post Code HA0 4HG
Name of premises licence holder or club holding club premises certificate (if known) Mr Aziz Ahmed & Mrs Bhadravati Ahmed	
Number of premises licence or club premises certificate (if known) 156542	

Part 2 - Applicant details

I am

Please tick ✓ Yes

- 1) an interested party (please 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

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ Yes

I am 18 years old or over

Current postal
address
if different from
premises address

Post Town

Postcode

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 PC 368QK Brent Police Licensing Wembley Police Station 609 High Road Wembley HA0 2HH
Telephone number (if any) 02087333206
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
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

X

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

Jamie's News & convenience Store currently has a Premise Licence to sell alcohol between the hours of 08.00 and 23.00 hours Monday to Saturday and 10.00 and 22.30 hours on Sunday.

The Licence allows for alcohol to be consumed off the premises, and should not be sold in open containers.

The Premises Licence holder (PLH) is Mr Aziz Ahmed, and Mrs Bhadravati Ahmed, and the Designated Premises supervisor (DPS) is Mr Navin Prajapati

Jamies News and convenience Store are failing to promote one of the licensing objectives namely the prevention of public nuisance.

Police have no faith in the ability of the management to operate the premises responsibly and therefore wish to bring the matter before the sub-committee for consideration.

On Friday 23rd October 2015, officers from Brent Licensing Police Team conducted a licensing visit at Jamies News & Convenience Store, 200a Lyon Park Avenue HA0 4HG.

As officers approached the venue they saw four Asian males standing directly outside the shop, all were drinking cans of beer and they had white plastic cups on the window ledge, there were several empty beer cans on the floor next to where the males were standing.

The males were talking loudly and laughing, and one of the males in particular appeared to be drunk.

Officers went into the shop and introduced themselves to a male who gave his name as Mr Navin Prajapati, he informed officers that he was the Premises Licence Holder (PLH) and also the Designated Premises Supervisor (DPS) he became very nervous when realising that we

were police officers and quickly went outside to speak with the males, officers followed him outside only to see the males running off down the road, officers also saw several empty miniature bottles where the males had previously been standing.

On re-entering the shop officers noticed a tube of white plastic cups behind the counter, similar to the ones that the males were drinking from outside, Officers asked Mr Prajapati why he had half a tube of white plastic cups behind the counter, to which he admitted selling to street drinkers for ten pence each, it was explained to him that this was unacceptable, and was to stop immediately, he was asked about the males that had been drinking outside and eventually admitted that they were regulars that bought alcohol from his shop and stood outside drinking, again it was explained to him that this needed to stop.

Mr Prajapati speaks very limited English and called his wife to come to the shop, shortly after Mrs Nehal arrived and I asked her if she was aware that the shop sold plastic cups for ten pence, she confirmed that she was aware and that they would stop selling them.

During the visit there was a large amount of people coming into the shop, many of them buying alcohol most seemed to be buying single cans of beer, some appeared to be what I would describe as street drinkers none of them were challenged, there was also people that in my opinion appeared young that should have been asked for identification under the 'Challenge 25 policy' again no one was asked to verify their age, Mr Navin Prajapati seemed more interested in just serving one customer after another as quickly as he could to avoid a queue and possibly losing money by people not wanting to wait to be served, than running the shop in line with the licensing objectives.

Before leaving I arranged a meeting with Mr Navin Prajapati to be held at the Civic Centre to talk through the issues I had found, this meeting was arranged for 29/10/2015.

Mr Navin Prajapati attended the meeting on the 29/10/2015 at the Civic Centre and I discussed the issues that I had found on the 23/10/2015, Mr Prajapati stated that he sold to the local street drinkers as all the other shops did and that if he didn't the other shops would, it became very clear that Mr Prajapati did not understand what was being said during the meeting due to his lack of English, and the meeting was adjourned until a later date so that he could bring someone along with him to interpret what was being said.

A few days later I received a call from a licensing consultant by the name of Mr Noel Samaroo who stated that he was now acting for the premises and suggested that the shop put in a variation with conditions that would be suitable to police.

I then contacted Mr Aziz Ahmed to make him aware of the issues with his shop, I spoke to him on the phone and he denied having any involvement with the shop, stating that he had leased the shop to Mr Navin Prajapati, and had no involvement with the day to day running of the shop, he stated that the Premises Licence was in Mr Navin Prajapati name, I informed him that the Licence was still in his name, he was very confused by this saying that it had been transferred into Mr Navin Prajapati name some time ago.

I asked him if he could attend the next meeting which he declined to do.

I then received a second call from Mr Noel Samaroo who informed me that he had met with his clients and that they felt that the conditions that the police would be asking for would be detrimental to the business, in particular they felt it was unfair for the police to propose that they should stop selling single cans of beer, as other shops are allowed to sell single cans and they would lose customers to them, they also felt that the condition of 'No high strength beers, lagers, and ciders above 6.0% ABV shall be stocked' was unfair as other shops were allowed to sell high strength beers and again people would go elsewhere to buy, and due to this they had now decided that they would not be putting in a variation.

A statement from the dedicated Ward Officer (DWO) has been obtained, this outlines the problems that the area suffers from street drinkers that are linked to this premises.

Below is information taken from one of the police intel systems of drunken behaviour around the location of the shop over the last few months it highlights the street drinking culture in this residential area which also has a primary school very nearby.

QKRT00450868

On Saturday 15/08/2015 PC 743QK attended to the rear of 152A of HEATHER PARK DRIVE HA0 at around 0800hrs where police have received complaints of ASB related to drink.

Has a result the following IC4 MALE

R#####

dob ####/1986

of ### MOUNT PLEASANT HA0

was identified and given a PND ticket. He was consuming alcohol in a controlled drinking zone in a public place contrary to a requirement not to do so.

Act S12 Criminal Justice and Police Act 2001.

QKRT00451604

On Thursday 10/09/2015 PC 743QK whilst on cycle reassurance patrol received a call at 1730hrs relating to the rear of HEATHER PARK DRIVE HA0 which is a hotspot area for drink related anti social behaviour.

On this occasion PC 743QK attended the scene and identified two people who were drinking.

The officer seized their open cans and was met by anger and finger pointing but the MALE calmed down immediately after the officer warned him. There were no passing members of the public although the route is used all the time to access different roads.

On this occasion they were suitably advised and warned regarding brent borough being a controlled drinking zone.

QKRT00450870

On Saturday 15/08/2015 at around 0745hrs PC 743QK was on a reassurance patrol in HEATHER PARK DRIVE HA0 where officer came across the following male who had six pack beer cans in a black bag and was seen in a area where police have had large number of complaints related to ASB involving alcohol.

He was standing possibly getting ready to consume alcohol.

Details

#####

dob ####/1975

of ### TRAVELLER LANE

On this occasion no further action was taken.

He is known for numerous theft related offences.

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

To reduce the risk to the licensing objectives and to assist the DPS in upholding these objectives, in particular to prevent public nuisance, within such a densely populated residential area, police request the following conditions be put on the licence.

- 1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council.**

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

- 2. A CCTV camera shall be installed to cover the entrance of the premises**

This will give a clear facial view of every person entering the store

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

This will assist staff in asking for Identification and show that a policy is in place

- 4. A “Challenge 25” policy shall be adopted and adhered to.**

This will ensure all staff ask for Identification

- 5. A refusal book detailing date and time of the refused sale and the name of the person refusing the sale shall be kept and maintained and made available for inspection.**

This will be used when a person is refused a sale of alcohol and be made available to Police, and Council licensing officers

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

The London Borough of Brent is a controlled drinking zone, this was implemented to curb the problem of street drinking connected to alcohol related crime and disorder and public nuisance. This problem exists in Alperton. In recent years there has been an increase in the number of European beers that are above 5.5% ABV that are mainly consumed by Street drinkers.

- 7. 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) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

This will allow the police and local Authority to view any incidents that have occurred in the shop and assist in helping the DPS in manage the premises better.

8. A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.

A notice displaying the opening hours, the type of licensing activity and licence conditions should be clearly displayed and visible to anyone outside the premises.

This may be incorporated in the summary of the licence, which must be displayed, or the form of a separate item. likewise the name of the Designated Premises Supervisor (D.P.S.) if required should be similarly displayed. This will allow the Police and other responsible authorities to readily identify the licence details. Clearly displayed opening hours will also reduce any confusion for customers prior to entering the premises and possible conflict when the premises close/stop selling alcohol.

9. 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.

The sale of alcohol to drunken people and children is a major cause of concern to police and highlighted in the Governments Alcohol Harm Reduction Strategy. Off Licences are particularly open to these sales receiving little supervision or visits from the responsible authorities. Those who sell alcohol should be fully aware of the legislation and issues around alcohol and should be fully trained to a national standard.

This condition is proposed by police as good practise.

10. No single cans or bottles of beer or cider shall be sold

It is apparent that the sale of single cans, and bottles of Beer, and Cider is mainly being consumed by street drinkers that are congregating around the shop or nearby, causing uneasy to local residents that have to put up with their Anti-Social antics and make residing in the area unbearable, as stated in Officer Aulaks statement this shop is near to a school and street drinkers are seen regularly urinating in public.

11. No miniature bottles of spirits to be sold

As with the sale of single cans of Beer and Cider street drinkers buy miniature bottles of alcohol to supplement their beer intake allowing them to become drunk quicker and cause misery to the lives of local residents, who regularly complain to the local officer. Jamie's has been allowing street drinkers to buy miniatures and selling them plastic cups to allow them to drink in the street, this is a total disregard for the licensing objectives and shows that the shop are more interested in profit and show no consideration for local residents, or schools.

12. A clear and unobstructed view into the premises must be maintained at all times

Having a clear and unobstructed view into the premises allows for any crime taking place inside the premise to be witnessed by passers-by who can alert police.

Police would also be asking for a change of DPS as it is apparent that Mr Navin Prajapati is failing in this role. It is my opinin that it would be detrimental to the licensing objectives if Mr Prajapati is allowed to continue running this operation in such a way.

This list is not exhaustive.

Police feel these requests are in keeping with the license holder's human rights and promote the running of his business and livelihood. These conditions are wholly reasonable, proportionate and appropriate measures to be put in place to promote the licensing objectives.

Police reserve the right to give evidence on any further incidents which may take place at, or in the vicinity of the premises, between the service of this application and the hearing and/or during the time allowed for any appeal proceedings.

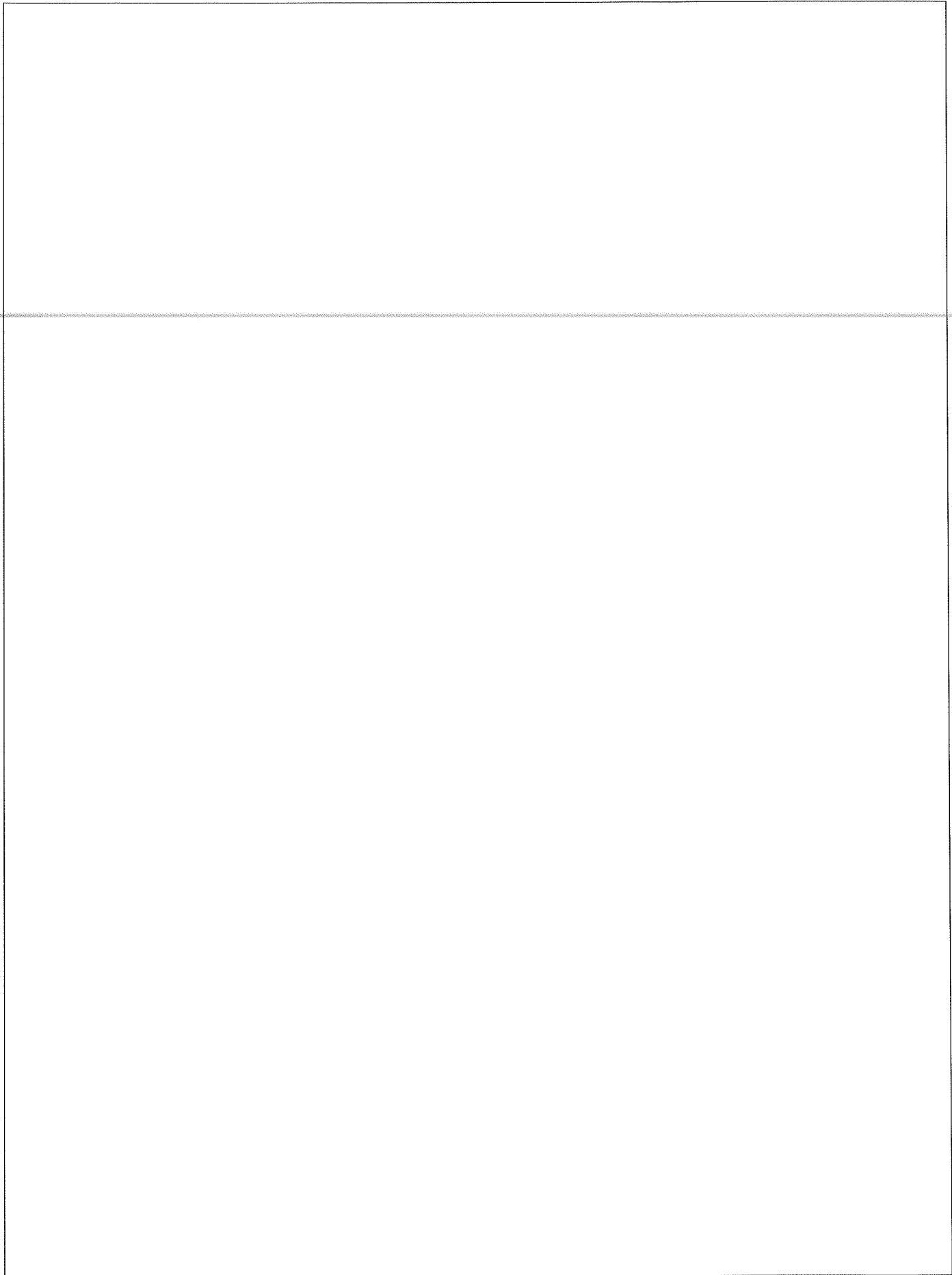
Summary

The above highlights a clear mismanagement of the premises, and the lack of responsibility taken by the DPS to run his business within the licensing objectives.

The above evidence shows the lack of control, along with noise nuisance, and Anti-Social Behaviour caused to local residents, the DPS has failed to show any regard towards local residents.

It is my opinin that it would be detrimental to the licensing objectives if the current DPS is allowed to continue running this premisesy.

To further reduce the risk to the licensing objectives and to assist the new DPS in upholding these objectives, in particular to prevent public nuisance within such a densely populated residential area, police request that all of the conditions asked for be placed on the licence..



Please tick ✓ **Yes**

Have you made an application for review relating to this premises before?

If yes, please state the date of that application

Day

Month

Year

--	--	--	--	--	--	--	--

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

Checklist

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 X
- 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 (see guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature *Muel Sulten*

Date *2nd December 2015*

Capacity Licensing Constable on behalf of the Chief Officer of Police
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number	
If you would prefer us to correspond with you by e-mail 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

Brent Council
Brent House
3rd Floor West, 349-357 High Road
Wembley,
Middlesex
HA9 6BZ

☎ 020 8937 5359

Fax: 020 8937 5357

Email: environmentandprotection@brent.gov.uk

Please send copies of your application and any supporting documents to the responsible authorities. Contact details shown below:

Chief Officer of Police
Brent Licensing Department
Wembley Police Station
603 Harrow Road
Wembley
Middlesex
HA0 2HH

Tel: 020 8733 3206

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

Tel: 020 7587 2778

Trading Standards
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5555

Environmental Health Department
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5252

Children's Services
Brent Council
Chesterfield House
9 Park Lane
Wembley
HA9 7RJ

Tel: 020 8937 4175

Licensing Authority
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5359

Area Planning Service
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5210

Public Safety Team
Brent Council
Brent House
3rd Floor East
349-357 High Road
Wembley, Middlesex
HA9 6BZ

Tel: 020 8937 5359

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

Consent of individual to being specified as premises supervisor

MRS NEHAL PATEL

[full name of prospective premises supervisor]

Of

99 CHESTER ROAD,

SEVEN KINGS

ILFORD

IG3 8PX

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

THE RETAIL SALE OF ALCOHOL

[type of application]

by

MR AHMED AZIZ & MRS BHADRAVATI AHMED

[name of applicant]

relating to a premises licence **156542**

[number of existing licence, if any]

for

JAMIES NEWS AND CONVENIENCE STORE

200a LYON PARK AVENUE

WEMBLEY

HA0 4HG

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

MR AHMED AZIZ & MRS BHADRAVATI AHMED

[name of applicant]

concerning the supply of alcohol at

for

JAMIES NEWS AND CONVENIENCE STORE

200a LYON PARK AVENUE

WEMBLEY

HA0 4HG

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

045703

[insert personal licence number, if any]

Personal licence issuing authority

LONDON BOROUGH OF REDBRIDGE

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

N. C Patel

Name (please print)

MRS NEHAL PATEL

Date

21 JANUARY 2016



London Borough of
Redbridge

**Nehalben Chand
Patel**

Expires: 2 May 2023

Licence Number: 045

**LICENSING ACT 2003
PERSONAL LICENCE**

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Conditions Proposed by Premises Licence holder

No High strength beers, lagers and ciders above 6.0% ABV shall be stocked.

I would like the committee to consider having an exception to this condition by allowing 3 specialist brands:

“ DESPERADOS, FOREIGN GUINNESS, DRAGON STOUT .” It is to be noted that the police have stated that they have no objection to that proposed condition.

DPS

The DPS is fully aware of his responsibilities under the LA 2003. The DPS has been made fully aware of the risk assessments towards licensing objectives. This has given her a greater understanding of the licensing objectives and the necessary risk assessments to ensure that at no time is the licence in jeopardy. .

CCTV

The Premises License Holder has installed CCTV that follows Home Office guidelines for camera systems .Inside and at the entrance of the premises the system records for 31 days and all recordings will be made available to the police upon request. At least one member of staff will be fully trained on the full workings of the system. Signage is in place to inform members of the public that a CCTV system is in operation.

PERSONAL LICENCE HOLDER

There will always be a Personal Licence holder on the premises throughout the time that licensable activity is taking place to authorise any sales or alcohol.

PUBLICISE OPEN AND CLOSING TIMES

All details of the premises opening and closing times will be clearly displayed on the premises and any website for the information of customers.

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