



Alcohol and Entertainment Licensing Sub-Committee (C)

Monday 24 November 2014 at 10.00 am
Boardrooms 3 and 4 - Brent Civic Centre, Engineers
Way, Wembley, HA9 0FJ

Membership:

Members

Councillors:

Long (Chair)
Hoda-Benn
McLeish

Substitute Members

Councillors:

Ahmed, Bradley, Chohan, Duffy,
Hector and Tatler

For further information contact: Toby Howes, Senior Democratic Services Officer
020 8937 1307, toby.howes@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
1	
Declarations of personal and prejudicial interests	
Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.	
2	1 - 80
Application by the Metropolitan Police to review the premises licence for 'Bar 07 (Masters)' (217 Kenton Road, Harrow, HA3 0HD) pursuant to the provisions of the Licensing Act 2003	
3	81 - 114
Application by the Metropolitan Police to review the premises licence for 'Variety Food & Wines' (261 High Road, London, NW10 2RX) pursuant to the provisions of the Licensing Act 2003	
4	115 - 130
Application by the Metropolitan Police to review the premises licence for 'Sudbury A-Z Newsagents' (711 Harrow Road, Wembley, HA0 2LL) pursuant to the provisions of the Licensing Act 2003	



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 to Review a Premises Licence

Name of Applicant:	Metropolitan Police
Name & Address of Premises:	Bar 07 (Masters) 217 Kenton Road Harrow HA3 0HD
Applicants Agent:	N/A

1. Application

The application is for the review of a premises licence held by Mr Louriston Michael Lorainey.

2. Grounds for Review

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

3. Relevant Representations

Representation has been received from PC Nicola McDonald of the Metropolitan Police.

4. Background

The Designated Premises Supervisor is Mr Louriston Michael Lorainey.

Expedited review of the premises was considered by the Alcohol and Entertainment sub-Committee on 14th June 2013 followed by the full review on 9th July 2013.

The premises is licenced to supply alcohol, regulated entertainment and late night refreshments from 10:00 hours until 01:30 hours Monday to Sunday.

5. When hearing a review the Committee if satisfied that additional measures are required to satisfy the four licensing objectives they may:

- Modify, remove or add conditions
- Exclude one or more of the licensable activities
- Remove the Designated Premises Supervisor
- Suspend the licence for a period not exceeding 3 months
- Revoke the licence

If the Committee find no steps are necessary to meet the licensing objectives they may decide not to take any action or to issue a warning.

6. Associated Papers

- A. Copy of Review Application
- B. Copies of supporting evidence
- C. Copy of Current Licence

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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 Nicola McDonald, 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

Name and postal address of premises or, if none, ordnance survey map reference or description Masters 217 Kenton Road,	
Post Town Harrow	Post Code (if known) HA3 0HD
Name of premises licence holder or club holding club premises certificate (if known)	
Number of premises licence or club premises certificate (if known) 201354	

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 Nicola McDonald Police Constable on behalf of the chief officer of Police for Brent Borough Wembley Police Station 603 Harrow Road Wembley HA0 2HH
Telephone number (if any) 020 8733 3206
E-mail address (optional) Nicola.Mcdonald@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 | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

The premises licence for Masters has been reviewed previously in July 2013 by means of an expedited review, just eight months prior to the most recent assault. Since the previous review when the licensing hours were reduced the management has continued to fail to uphold the licensing objectives of the prevention of crime and disorder and public safety.

The following breaches of licensing legislation and criminal offences that have been committed at the premises:

Assault occasioning actual bodily harm

Conducting licensable activities without authority: The premises were open to the public and supplying alcohol after 0100 hours on 29th March 2014. The premises were supplying alcohol on 29th March 2014 whilst CCTV was not recording (breach of premises licence condition). The designated premises supervisor recognised that the CCTV was not operating correctly but failed to take action and still authorised sales for several different days.

The designated supervisor failed to complete the door supervisor's log, but allowed the door supervisors to complete the log themselves. He did not challenge or supervise the dates, times or Security industry authority badge numbers entered on that log. This lack of supervision has permitted incorrect if not fraudulent entries.

The designated premises supervisor has been employing a door supervisor directly without a Non Front Line Licence from the Security Industry contrary to the Private Security Act 2001.

Despite the previous premises licence review the management have failed to step up their performance, nothing has changed. In order to maintain their business it would appear that the management have been opening the premises to the public without authority and neglecting

their duty to public safety and as a result crime as occurred. By failing to maintain the CCTV, or make it available for authorities to view, Police believe the assault could be denied by management.

The operators of this venue have been given advice on numerous occasions and the opportunity to improve missed. Police now consider the only option to secure the promotion of the licensing objectives is to revoke the premises licence.

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

12th June 2013

Brent Police Licensing make an application for an expedited review of the premises licence for Master in response to a serious assault

9th July 2013

Licensing sub committee hearing for the review application, resulted in premises having to stop licensable activities at 0100 and close to the public at 0130 hours, in addition there are some new operational conditions.

7th March 2014

Temporary Event Notice (TEN) logged with Brent licensing authority for an event described as 'Masters Anniversary Party'. Notice made by Mr Louriston Lorainey, the designated premises supervisor (DPS), for licensable activities (sale of alcohol, regulated entertainment, late night refreshment) at the premises on 30th March 2014 from 2100 hours to 31st March 2014 at 0300 hours.

This TEN was responded to by a formal **letter of representation** written by Nick Mortimer Brent Police. Mr Mortimer requested to see an event plan for the functions and that if the function were to be permitted the venue operate in accordance with the existing premises licence conditions.

10th March 2014

An email received from Josie White on behalf of Mr Lorainey agreeing to Mr Mortimer's representation requests and it also included a copy of the event plan/**risk assessment**. In reply to this Mr Mortimer withdrew his representations.

29th March 2014

CRIS 1907475/14

Allegation of assault and robbery made to Police, initially to Herts Police at Watford Hospital at 0400 hours and then in person to at Harrow Police Station (Met Police) at 2000 hours on the same day. Victim alleged he had entered Masters Bar Kenton Road at about 0300 hours on 29th March 2014 with a friend. He paid to enter the premises. Within a short time of been in the bar he was set upon by another male who assaulted him and stole his mobile phone and money. The victim managed to get out of the bar, the assault continued outside. The victim managed to get away to his car and get to hospital.

1st April 2014

PC McDonald e mailed Mr Lorainey. The allegation of assault was made to him and a copy of the CCTV from the premises at the time of the assault was requested. PC McDonald received an **email** back from Mr Lorainey saying he was out of the country until 3rd April.

4th April 2014

Telephone conversation between PC McDonald and Mr Lorainey. Mr Lorainey informed PC McDonald that the CCTV was not operating on 29th March 2014, that the hard drive was not recording correctly. **Email** detailing the conversation made during the phone call.

PC McDonald sent a **formal letter** to Mr Lorainey and his bar manager Mr Kelvin Piper appealing for clarification of the date of the TEN, to examine the SIA door supervisor log and the incident book. Police requested a meeting with both males.

9th April 2014

At 1200 hours PC McDonald and Mr Mortimer attended Masters Bar while the premises were closed to the public. At the meeting was Mr Lorainey, Mr Piper and Ms White. I asked if the TEN was on 29th March. Mr Piper said no, that the TEN was definitely on 30th March 2014. Mr Piper said the premises were closed at 0300 hours when the victim alleged the assault had taken place. I asked was there anyone in the premises at 0300 hours. He said he was still at the venue with a DJ 'Ed Master' and two door security officers, one of them was Wayne. Police explained on 29th March the venue should have been closed to the public at 0130 hours and asked why door supervisors were still on the premises at 0300 hours when they would not be

getting paid. Mr Piper said he was cleaning the music equipment and that he gives lifts to the door supervisors. Police asked if there was any customers still on the premises at 0130 hours on 29th March, Mr Piper replied there was about five girls waiting for a cab. Police then spoke about the failure of the CCTV. Mr Lorainey told Police he knew it was not working on the Tuesday before that weekend. PC McDonald then explained to permit licensable activity otherwise than with authority was an offence and conditions of the premises licence are to be adhered to. Police explained that the victim of the assault had specifically stated a female security officer had taken the money from them when entering Masters, and the same female had said to the assailant 'leave him now, that's enough', when he was still being attacked on the pavement outside the bar.

Police asked to see the SIA door supervisor log (**see photos NM/1 & NM/2**). Mr Lorainey informed Police upon request, the security officers complete the log There is no entry i.e. no door supervisors working on the night of the TEN (29-30th). However there are two door supervisors working on the night of the assault (28-29th). One is female logged as Kay and the other D Berhane both shown as working for Evoke Security. Disappointingly the door supervisor log has been over written on numerous occasions including this particular date. The two door supervisors are shown as booking on duty at 2100 hours 28th March and booking off duty 0300 hours 29th March. This is very doubtful when the premises close to the public at 0100 hours. Police do not know of any premises that retain the door supervisors for work when the venue is closed to the public. Mr Piper confirmed Kay is a female and her surname is Kalpana Gokulara, and the second supervisor is Daniel Berhane The manager of Evoke security is called James Noel and his business phone number was provided.

The toilet check log (**NM/3**) again clearly shows checks on the night of the assault but no checks carried out on the night of the TEN.

Refusals book (NM/4) show no refusals on either night.

Mr Lorainey was advised Police would be viewing other CCTV recordings in the area to establish the correct events, and that if his CCTV system had been operating correctly the allegation could have been disputed immediately.

15th April 2014

No local authority CCTV footage available for outside Masters, 29th March 2014

PC McDonald visited Kenton Kebab 130 Kenton Road and viewed the CCTV footage. The footage showed around 0200 hours the victim wearing white trainers and light coloured top and his friend *in the shop* and then leave.

16th April 2014

PC McDonald visited Peaches Bar Kenton Road. Staff assisted by showing the CCTV footage of the entrance door of the bar. At 0054 hours on 29th March 2014 the victim entered Peaches, he provided his driving licence as identification that was logged in to the IDSCAN system. He remained in Peaches until 0152 hours. When he left peaches he crossed over Kenton Road towards Kenton Kebab. The victim was the same male that PC McDonald had seen on the CCTV footage from Kenton Kebab.

19th April 2014

PC McDonald telephoned the mobile number given by Mr Piper for the female door supervisor Kalpana Gokulara. She had a young child with her and said it was difficult to speak. PC McDonald explained that Police required a statement from her with regard to the assault at Masters on 29th March 2014. She said she would phone back with a suitable date/time.

30th April 2014

PC McDonald phoned the office number for Evoke Security. PC McDonald spoke to a receptionist for the building named Shinelle. Both directors of Evoke security were in meetings and a message was left for one of them to return the call. There was no direct email address for either of the directors.

At 1153 hours PC McDonald phoned Kalpana Gokulara and left a voicemail re a suitable date to provide the statement.

1300 hours Mr James Noel from Evoke security phoned PC McDonald. He informed Police that only Daniel Berhane works for Evoke security. Kalpana Gokulara is not employed by Evoke security. PC McDonald requested the invoices for 28th and 29th March 2014 for

Masters from Mr Noel

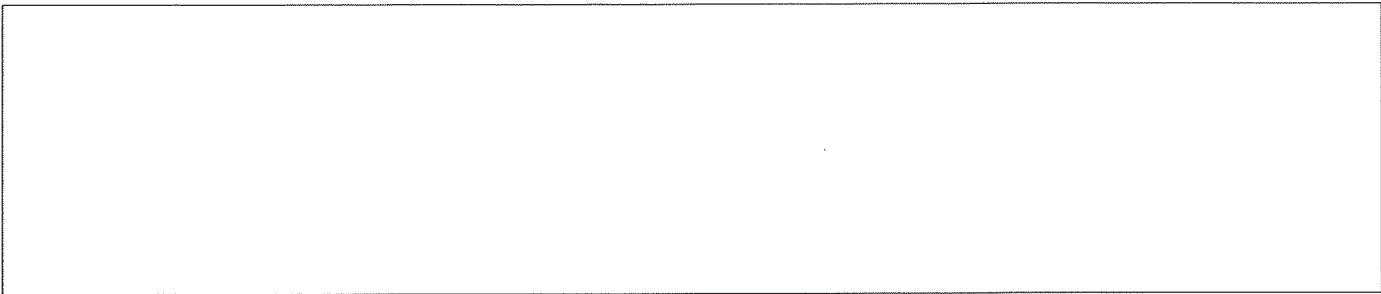
1st May 2014

PC McDonald left another voice mail for Kalpana Gokulara request a return call to discuss a date and time to take the statement.

6th May 2014

PC McDonald phoned Mr Noel of Evoke security and requested the invoices from 28th and 29th March.

9th May 2014-07-01 Mr Noel telephoned PC McDonald and confirmed a second time that Kalpana Gokulara does not work for him. PC McDonald again asked for staff invoices for Masters 28th and 29th March 2014. Mr Noel said he would send them, E mail address given.



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

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

12th June 2013

Brent Police made an expedited premises licence review application under Section 53A of the Licensing Act 2003 after serious crime and disorder involving the premises.

This application was heard at a full licensing subcommittee hearing on 9th July 2013

Having considered the application by the Metropolitan Police to review the premises licence for 'Masters Free House' (217 Kenton Road, Harrow, HA3 0HD) pursuant to the provisions of the Licensing Act 2003 the Sub-Committee resolved that the **premises licence continue in force, subject to amendments to the hours of licensable activities and opening hours and amendments to some of the conditions and additional conditions.**

(i) that the following hours be permitted:-

1. that the hours during which licensable activities be permitted on the premises be amended to:-

Monday to Sunday – 10:00 to 01:00 (the following day)

2. that the hours during which the premises be permitted to remain open be amended to:

Monday to Sunday – 10:00 to 01:30 (the following day)

(ii) that the following conditions on the premises licence be amended to:-

Annexe 2

Condition 1 – to be deleted

Condition 2 to read – A minimum of two door supervisors with a gender mix shall be employed from 21:00 hours on any day where the premises are open for the sale of alcohol past midnight and that the door supervisors wear high visibility clothing.

Condition 6 to read – All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers on demand

Condition 17 – to be deleted

(iii) that the following conditions be added to the premises licence:-

1. A refusal book shall be kept and maintained at all times and reasons for refusal to be cited in the book which is to be made available to police and licensing officers on demand.

2. Toilets shall be checked every two hours for the use of drugs and other illegal activities.

3. Notices clearly explaining the licensee's drugs policy shall be displayed at the entrance and at

suitable places throughout the premises.

4. The locks and flush latches on the exit doors and gates shall be unlocked and kept free from fastenings other than push bars and pads whilst the public are on the premises.
5. The socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).

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
- 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 *Will K. 15706*

Date *16-7-2014*

Capacity

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

Screening Decision: IN

Main

IU: QK KILBURN
 Crime Type: C H/O Crime Type: 3
 Allegation (Prefix):
 Allegation:
 Committed on/from Date: SAT 29/03/2014 03:00
 Committed to Date:
 Reported Date: SAT 29/03/2014 20:32
 How Notified: NC Caller At Station
 Restricted? By: Date:
 Restriction Reason:

Flags

QK

Borough

Branch

Service

Area (Historical)

OIC

Is OIC Same As Reporting Officer ?
 Investigating Officer's Rank: PC
 Surname: KRIEGER Initials: L
 Warrant Number: 223768 Div/D Number: 564QK Usual Relief: M
 Duty: OA Other duty(Uniform)
 Station/Branch: QKC Brent Central LPA - Harlesden
 Allocated Date/Time: 31/03/2014 10:33
 Allocation Noted? Y Noted Date/Time: 01/04/2014 08:03

Previous OIC Details

Usual Relief	Duty	Station Branch	Allocated Date/Time	Noted Date/Time
DS 226987 6	PA WOODHAM AB Borough CID	QK	31/Mar/2014 0756	31/Mar/2014 0823
CIV 71034 C	M O'SULLIVAN AA Borough Uniform	QA	29/Mar/2014 2033	29/Mar/2014 2033

OIC Supervisor: DS/226987 PA WOODHAM

Press

Suitable for Press? Y

Location

OMPD?
Address:
Masters,217,KENTON ROAD,
HARROW,MIDDLESEX,HA3 0HD
Location Text:

GLU: QK Local Id: QK12 Grid Ref: 516192,188024
Watch Area:

Main

Location Type(s): JE Licensed Club

Is the Venue covered by CCTV or in a CCTV Area? U
CCTV Options:

Approach:
Entry Method:
Entry Point:
Exit Point:
Security:
Person On Premises?
Other Info:

Internal Transfer

Date/Time	Transferred By	Previous GLU	Previous IU
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Transfer From MPS

Transfer from Met To:-
Service:
Station:
Their Reference:

Received By:-
Rank:
Number:
Surname:

29/03/2014 21:26

CIV 71034 M O'SULLIVAN

PRIMARY INVESTIGATION DETAILS : 1 Immediate action
This crime report has been authorised by A/PS Gamblin 454QA.

1) 1924 of 29th March 2014 Refers.

2) The victim was on a night out at the venue with a friend .
victim had just come out of Peaches nightclub and was walking along the high street with his friend,
when he saw the venue open, so they decided to go in.

The victim paid the fee for both his friend and himself. They went up to the bar and before he ordered a drink, he looked to the left and saw a group of |C3 Males. As soon as SUSP1 saw the victim he came over to him. The suspect said "I know you from somewhere". The suspect then called the victim some name. The victim said "that's not my name". Then for no apparent reason the suspect started punching and kicking the victim. The rest of the group came over and started punching and kicking the victim as well.

The group were all hitting the victim, victim was trying to pull away from them. Then SUSP1 put his hand into the victims trouser pocket and took the victims mobile phone. As this was going on, the suspect kept putting his hands into the victims pocket and taking out various items. The suspect took the victims bunch of keys, his bank card, his photo card driving licence and approx £100.00.

The victim tried to fend the suspects off and tried to get away, but the suspects stopped the victim at the door of the nightclub and were still punching and hitting the victim. The bouncers and members of the public tried to stop the fight, but the suspects carried on.

The victim ran towards the bus stop, where the suspects stopped him again

29/03/2014 21:26

CIV 71034 M O'SULLIVAN

PRIMARY INVESTIGATION DETAILS : 1 Immediate action
and were banging his head against the glass several times and carried on hitting him. The glass did not
break but the victim says his blood was everywhre.

The victim managed to get away again and ran towards the railings across the road, where the suspects
caught up with him and carried on beating the victim up.

The victim managed to get away and ran to his car, he got in and drove off leaving his friend in the
club. The victim has not spoken to his friend since the incident, but does not believe his friend will
want to make a statement or be involved.

The victim believes that the suspect thought that the victim was someone else and it was a case of
mistaken identity, however the suspect still carried on.

The victim drove straight to the hospital and encountered Police whilst he was there. The Police called
for another unit to come in to take a statement from the victim.

The victim was seen by a doctor who treated his injuries and did a medical report and have told the
victim that he will need an operation during the week, on his nose.

As the victim was waiting to be treated, Herts Police arrived and spoke to the victim. Apparently they
took a note of the incident, but told the victim that they could not do anything, and that the victim
would need to come to a Met Police station to report the incident. Apparently the officers told the
victim that they knew the suspect and that he was well know to Police.

The victim was released from the hospital at approx 11.20hrs this morning.
And went home and slept.

Victim called Police when he woke up and asked what was happening.

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] [] []

Statement of: [REDACTED]

Age if under 18: 0/8 (If over 18 Insert 'over 18') Occupation: Courier Driver

This statement (consisting of 2 page(s) 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 in it anything which I know to be false, or do not believe to be true.

Witness Signature: [REDACTED] Date: 29/3/14

This is my account of when I was robbed of an iPhone, my car keys, driving licence and bank card in the early hours of Saturday 29th March 2014.

The main suspect I will be mentioning I will refer to as Male 1. I would describe him as a [REDACTED] build with cropped hair. He was about [REDACTED] of age. At the time I was robbed he was wearing a blue t-shirt. [REDACTED]

At about 0230 hours in the morning I went with a friend to a bar on Kenton Road in Harrow. The pub was called Masters and it was nextdoor to Pink Simba. I paid an entrance fee of £20.00 for me and my friend to get in. Masters pub was relatively quiet, and I saw a group of black males sitting in the back corner from the entrance. I heard Male 1 say, "There he is!" He was about 6 feet away from me and I heard him clearly because the pub was quite dead.

Male 1 then walked immediately up to me and said, "I recognise you..." I said to him, "I think you've got the wrong person." From here, Male 1 punched me several times with clenched fists in my face, my nose, my legs and my arms. I fell to the floor because of the punches. I can't recall how many times he hit me but it was a lot.

When I was on the floor trying to get up, Male 1 had his hands in my jeans pocket and I felt him take my iPhone from inside. He also took my mini wallet containing my bank card and driving licence. My bank card was a [REDACTED] Debit Card in my name which I've since cancelled. I also felt him reaching into my jeans pocket and take my car keys and house keys, and also about £50 to £100 cash which was in my left and right front pockets of my jeans.

The mobile phone I had stolen was iPhone 4s mobile number [REDACTED] This was a contracted phone with T-Mobile and has now been blocked.

After Male 1 had stolen my things, I managed to get out of the door and Male 1 came outside and again continued to punch me and bang my head into a bus stop immediately outside Masters. I then managed to get across the road and again I was punched by Male 1 across the road near some railings.

Witness Signature: [REDACTED]

Signature Witnessed by Signature: [REDACTED]

Continuation of Statement of: Kazim Hussain SHAH

I drove myself to Watford General Hospital where I had my injuries to my face treated. They told me my nose had been broken and I am now being sent to a clinic to have my face reviewed in greater detail.

I have never seen Male 1 before and I believe it to be mistaken identity for the attack and stolen property which has taken place. I am absolutely positive I would recognise Male 1 again. I do not know the rest of the group who were present when I was assaulted either, and although they didn't take part in beating me or stealing my property they were present throughout the whole incident. I was not under the influence of drugs or alcohol at the time of the incident.

I would like to describe the clothing I was wearing at the time I was attacked. I was wearing grey jeans, white Timberland boots and a white and blue zip up jacket.

Witness Signature: *[Signature]*
Signature Witnessed by Signature:

①/4

WITNESS STATEMENT

CJ Act 1967

Proceed

Statement of

Age if under 18

over 18

(if over 18 insert 'over 18') Occupation:

This statement (consisting of: 4 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]

Date:

12/07/2014

Tick if witness evidence is visually recorded

(supply witness details on rear)

On FM Saturday 29th MARCH 2014 at about 0200 hours I left PEACHES BAR in KENTON ROAD HARROW. I had been at that bar with my friend for about one hour with my friend. I had purchased one alcoholic drink at Peaches. I was drinking soft drinks the remainder of the night because I was driving my van. When my friend and I left Peaches we crossed the main road and went to my van, then we decided to get some food. We went to a nearby take away. We then saw a nearby club was open. There was a female mix race door supervisor with a London accent and long hair. She was calling 'the club was open come on in, ~~them~~ like they were touting for business. Me and my friend decided to continue our night out. I gave the

Signature:

[Handwritten Signature]

Signature witnessed by:

[Handwritten Signature] 157

Continuation of Statement of

female door supervisor #20 for me and my friend. There was music playing, I was in a group of people in front of me and behind when I entered. The majority of the customers were black, both men and women. There was loud R + B style music playing. The club was very small. I walked to the bar and a female working on the bar asked me what I would like. I ordered two drinks for me and my friend. I never received my drink because and just as I was putting my drink to my mouth I noticed about ten black guys that had been near the window coming towards me. One of them said 'I recognise you' like he was on it and I said 'I think you've got the wrong person'. That male then punched me in the face. Then other people in the club started punching, kicking me. I had property stolen from my pockets. I was bleeding my head pounding. I was laid on the floor. Somehow I managed to get to the entrance door. I was chased out in to the street. There was a phone ~~box~~ in the bus stop, my head was banged on the metal frame. The male kicking and hitting me was sweating and

Signature:

[Handwritten signature]

06/07(1): MG11(C)

Signature witnessed by:

Page 22

[Handwritten signature]

3/4

3/4

Form MG 11

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

[Redacted Name]

Age if under 18

.....

(if over 18 insert 'over 18') Occupation:

.....

This statement (consisting of: 4 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]

Date:

.....

Tick if witness evidence is visually recorded

(supply witness details on rear)

out of breath. Nobody tried to help me. I heard the female door supervisor say 'leave him alone now, this is too much look at him'. She sounded worried or scared. But she had also ~~hit~~ hit me when I was running out of the door. I ended up lying on the pavement. All the customers went back into the bar laughing and jeering at me. I managed to get to my van and I drove myself, I've no idea how, to hospital. I had a broken nose, cuts and grazes all over my body. I was really not well. I still have no idea why this happened. I had never been to Masters before. The bar where my assault happen was Masters next to Pink Simba, Kenton Road, as you enter the ~~to~~ club the bar is to the left hand side. I did not see

Signature:

[Handwritten Signature]

Signature witnessed by:

[Handwritten Signature]

Continuation of Statement of

any other door supervisor.

[Handwritten signature]

Dotted lines for writing content.

Signature: *[Handwritten signature]*

Signature witnessed by:

[Handwritten signature]

Viechweg, Dennis

From: Nicola.McDonald@met.pnn.police.uk
Sent: 16 July 2014 11:27
To: Environment and Protection; business licence; Legister, Linda; Patel, Yogini; louriston@picknmixrecruitment.co.uk
Subject: Masters Review application
Attachments: Victim Statement 2.pdf; Victim MG11 29March14.pdf; TEN for 30 3 14 Rep letter 7 3 14.doc; TEN Anniversary Party 30 3 14.pdf; Rep withdrawal for 30 3 14.htm; meeting request April14.htm; Letter to DPS.doc; Letter email sent to DPS.rtf; Hearing minutes from july 30072013.docx; Conversations with Mr Lorainey 4April.htm; Brief reply to my letter from lori.txt; 696 - Annirversary Party 30 3 14.doc; Review application Masters July14.pdf; Cris crime report.pdf

Date		
21	02	14
22	02	14
28	2	14
1/3	1	14

15/3/14

15/3/14

21/3/14

21/3/14

22/3/14

27/3/14

Date	Name
21/02/14	J. Noel
21/02/14	J. Mellen
22/02/14	K. Haron
22/02/14	Kay

Date/Time

D

Please find attached the application to review the premises licence for Masters 217 Kenton Road and 17 supporting documents

Nicola McDonald
PC 157QK
Brent Police Licensing
Brent Civic Centre
Engineers Way
Wembley
HA9 7FJ
020 8733 3206
07824868710
E-mail nicola.mcdonald@met.police.uk
twitter: @MPSBrent

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From: McDonald Nicola - QK
Sent: 04 April 2014 15:37
To: 'Louriston Lorainey'; 'Josephine White!'; 'nigpiper10@gmail.com'
Cc: Mortimer Nick - QK
Subject: Letter

Attachments: Letter to DPS.doc
Please see attached letter further to our phone call this morning.

Nicola
Nicola McDonald
PC 157QK
Brent Police Licensing
Brent Civic Centre
Engineers Way
Wembley
HA9 7FJ
020 8733 3206
07824868710
E-mail nicola.mcdonald@met.police.uk
twitter:@MPSBrent



Letter to DPS.doc
(134 KB)

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Mr L Loraine
Master's Bar
217 Kenton Road,
Kenton
HA3 0HD

Brent Police Licensing
5th Floor
Brent Civic Centre
Engineers Way
HA9

Telephone: 0208 733 3206

4th April 2014

Reference the assault that occurred on 29th March 2014

Dear Mr Loraine

Thanks you for telephone conversation this morning.

In response to what you told me I have examined both the Crime report allegation of assault and the Temporary event notice (TEN) you submitted.

I am slightly confused what night your TEN was held. Can you please clarify; was it Saturday (29th) night in to Sunday (30th) morning or Sunday (30th) night in to Monday (31st) morning.

As the CCTV footage is not available could you provide the SIA door supervisor log and incident book for the **whole** weekend activities at Master's. I am happy to collect at a suitable time for yourself.

I have also forwarded this letter to Piper who you mentioned was managing the venue in your absence.

I look forward to a prompt response so this matter can be dealt with and not jeopardise any other applications you make.

Yours faithfully
Nicola McDonald
Licensing Constable
Brent Police

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Document

From: McDonald Nicola - QK

Sent: 04 April 2014 13:02

To: McDonald Nicola - QK

Subject: Conversations with Mr Lorrainey
1200hours 4/4/14

telephone conversation with Mr Lorrainey

Allegation put to him, stop you right there there was a fight o/s the chicken shop over the road. Explained the allegation in detail.

Did you have a TEN that night. Yes we did, our anniversary. What time did you leave, between 2-3am. It wasn't very successful. Who locked up. Piper. When you left how many customers in the premises. Just a couple of local/regulars waiting for taxi's. Piper locked up.

I would like a copy of the CCTV footage from this event.

CCTV not working. The hard drive was not working.

Can I have a copy of the invoice for the repairs. Who was the repairer. Oh I don't know, Piper sorted it I was away.

From: Louriston Lorrainey [mailto:louriston@picknmixrecruitment.co.uk]

Sent: 01 April 2014 16:08

To: McDonald Nicola - QK

Subject: Re: Masters 217 Kenton Rd

Will email you when I get back to London on Thursday

Regards

L M LORAINNEY

On 1 Apr 2014, at 15:44, "Nicola.McDonald@met.pnn.police.uk"

<Nicola.McDonald@met.pnn.police.uk> wrote:

Dear Mr Lorrainey

I am writing with regard to an allegation of assault at Masters at the weekend.

Is there an opportunity to meet this week to view the CCTV footage.

I look forward to your response.

Regards

Nicola

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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Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Lorainey		
Forenames	Louriston		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day 10	Month 11
		Year 1960	
4. Your place of birth		GRENADA	
5. National Insurance Number		WL928381D	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
217 KENTON ROAD MIDDLESEX			
Post town HARROW		Post code HA0 0HD	
7. Other contact details			
Telephone numbers Daytime			
Evening (optional)			
Mobile (optional)		07740 870 721	
Fax number (optional)		020 8537 3391	

E-Mail Address (if available)	josie@picknmixrecruitment.co.uk
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Post code
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
217 KENTON ROAD HARROW, MIDDLESEX HA3 0HD	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	201354
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
IT IS A WINE BAR LICENCED TO SELL ALCOHOL AND HOLD EVENTS, WITH A CAPCITY FOR UP TO 100 PEOPLE.	
Please describe the nature of the event below. (Please read note 5)	
THE EVENT IS 'MASTERS ANNIVERSARY PARTY'	

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input checked="" type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input checked="" type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	
30TH MARCH 2014	

PLEASE NOTE THAT ANY EVENT BEGINNING BEFORE MIDNIGHT AND CONTINUING INTO THE NEXT DAY WOULD COUNT AS TWO DAYS TOWARDS THE 21 DAY LIMITATION.

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)	
02100 - 0300 Hours	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)	100
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only <input checked="" type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input type="checkbox"/>

4. Personal licence holders (Please read note 12)	
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	Brent Council
Licence number	1444314
Date of issue	February 2005
Date of expiry	28th February 2033
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 13)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 15)	
I shall (Please mark the appropriate boxes with an "X")	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>

If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Make or enclose payment of the fee for the application	<input type="checkbox"/>
Sign the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 16)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	Louriston Lorainey
Date	6th March 2013
Name of Person signing	Louriston Lorainey

For completion by the licensing authority

10. Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Please return two copies of the completed form with your payment to:-

Safer Streets (Licensing)
Brent Council
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 send one copy of the completed form to:

Chief Officer of Police

Brent Council

Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Safer Streets/Licensing and Pollution
Brent Council
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8733 3206

Tel: 020 8937 5252

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. For further information, see Brent Council's privacy statement <http://www.brent.gov.uk/privacy>.

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport (http://www.culture.gov.uk/alcohol_and_entertainment/default.htm) or from your local licensing authority.

Official Use Only. Fee <input type="checkbox"/> Application <input type="checkbox"/>

NOTES

General

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second and fourth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person (the “premises user”) may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person (the “premises user”) may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 14 below explains the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

a copy of the temporary event notice endorsed as acknowledged by the licensing authority is prominently displayed at the premises; or that

the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine up to level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers’ market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

Regulated entertainment also includes the provision of “entertainment facilities” for:

- (a) making music;
- (b) dancing; and
- (c) entertainment of a similar description to that falling within (a) or (b).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 5 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (seven days).

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 13

As stated under Note 12, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 5 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 14 below sets out the definition of an "associate".

Note 14

An "associate" of the proposed premises user is:

- a. the spouse of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

These provisions will be subject to amendment by the Civil Partnerships Act. These amendments are due to take effect from 5th December 2005.

Note 15

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

Note 16

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 18

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of the receipt of the notice.



**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

**QK - Brent Borough
QD - Licensing Department**

Mr Louriston Lorainey
c/o Masters
217 Kenton Road
Kenton
HA3 0HD

5th Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Telephone: 020 8733 3206
Mobile 07500959432

Email: Nick.mortimer@met.police.uk
www.met.police.uk

7th March 2014

Dear Sir

I am writing this letter in regard to the Temporary Event Notice received in my office on 7th March 2014.

I note that this is shown as 'Masters Anniversary Party' and therefore assume this is your own function. Despite that I will still require an event plan covering DJ's, security, staffing and evacuation protocols.

In addition, please confirm that you will abide by your existing conditions during the additional hours of the TEN

Yours sincerely

Nick Mortimer
Licensing Manager
Brent Police

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POLICE**

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PROMOTION EVENT RISK ASSESSMENT FORM 696

Guidance for Artistes and Promoters

(Users should ensure that this guidance sheet is handed or sent to all persons disclosing their personal details)

The Promotion Event Risk Assessment Form 696 is designed to allow the management of licensed premises, promoters of music events, event security and the police to work in partnership to identify and minimise any risk of serious violent crime happening at a proposed event. Should areas of concern be identified the police intention is to work together to create a Risk Management Plan that enables the event to proceed with minimum risk.

The use of this form is voluntary. However, we note that the completion of this form may be a condition on some premises' licences. This means the completion of this form is mandatory for those premises.

The management of the licensed premises or the promoter considers that the proposed event requires a Promotion Event Risk Assessment Form 696 to be completed and it is for this purpose that your personal details are required.

The information provided will be cross-referenced with our systems and data sources to assist with the risk assessment.

The information is processed in accordance with our policing purpose as defined by the Code of Practice for the Management of Police Information (MoPI) as follows:

- Protecting life and property;
- Preserving order;
- Preventing the commission of offences;
- Bringing offenders to justice;
- Any duty or responsibility arising from common or statute law

If you or your client has any concerns or queries regarding the above processing please contact the Metropolitan Police Service Data Protection Officer (details provided below).

Data Controller Details: Sir Bernard Hogan - Howe Commissioner for the Metropolis

Information Commissioner's Office Data Controller Registration Number: Z4888193

Data Protection Officer Details: Merilyne Davies, Public Access Office, PO Box 57192, London, SW6 1SF
(Tel: 020 7161 3500)

For a copy of the Metropolitan Police Service's Fair Processing Notice please refer to the following link or contact the Data Protection Officer (details above):

<http://www.met.police.uk/foi/pdfs/otherinformation/corporate/paofairprocessingstatement.pdf>

Guidance for submission

Please submit the completed form via e-mail to the Promoters Desk and copy in the local borough police licensing unit at least 14 days in advance of your event. This is to ensure that there is sufficient time to implement any risk management plan if needed. The Promoters Desk will carry out an intelligence assessment and provide you with feedback either directly or through the local borough police licensing unit no less than 7 days before your event. If you have not received feedback within this time please contact the Promoters Desk directly on 020 7321 7760

**METROPOLITAN
POLICE****TOTAL POLICING**

PROMOTION EVENT RISK ASSESSMENT FORM 696

The use of this form is voluntary. However, we note that the completion of this form may be a condition on some premises' licences. This means the completion of this form is mandatory for those premises.

Please complete this section to enable Clubs and Vice Unit to monitor the use of this Form.	
Is completing Form 696 for Promoted Events a condition on the premises licence?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
PLEASE NOTE - The use of this form is not intended for a live music event. If you are using this form for a live music event please give your reasons why in the box.	

When to complete Form 696

Our recommended guidance to music event organisers, management of licensed premises or event promoter on when to complete Form 696 is where you hold an event that is –

- promoted / advertised to the public at any time before the event, and
- predominantly features DJs or MCs performing to a recorded backing track, and
- runs anytime between the hours of 10pm and 4am, and
- is in a nightclub or a large public house.

The recommended guidance does not restrict the use of the form solely to any specific event. Event managers and promoters may, if they wish, use it for events not strictly covered by the guidance. The Metropolitan Police Service will aim to give appropriate support and advice to ensure a safe event.

PLEASE COMPLETE ALL SECTIONS.

Name of Premises	Bar 07 Limited		
Maximum Capacity of Premises	Up to 100		
Full Address	217 Kenton Road, Harrow, HA3 0HD		
Telephone Number	020 8907 0944	Email Address	josie@picknmixrecruitment.co.uk
Designated Premises Supervisor	Louriston Lorainey		
Contact Telephone Numbers	Landline: T	Mobile:T:07740870721	

PROMOTER'S DETAILS			
Promoter's Full Name <i>(include BIIAB Qualification Number)</i>	Kelvin Piper (no qualification)		
Date of Birth (dd/mm/yyyy)	10.04.1972		
Address	49 Lillie Road, Fullham, SW6 1UA		
Contact Telephone Numbers	Landline: T: 020 890700944	Mobile: T: 07572441970	
Email Address	akapiper@gmail.co.uk		

PROMOTION / EVENT DETAILS			
Promotion / Event Name	Masters Anniversary Party		
Event Date (dd/mm/yyyy)	30 th March 2014		
Start Time (HH:mm)	0130	Finishing Time (HH:mm)	0300
Expected numbers attending event?	100	Is this a regular event at this venue?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

RESTRICTED WHEN COMPLETE

Is the event...? <i>(Check relevant box)</i>	Private <input checked="" type="checkbox"/> Public <input type="checkbox"/>	Will tickets be sold on the door?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
--	---	-----------------------------------	---

Please list below all DJ's, MC's, featured artistes / other promoters performing

We need a minimum of name and date of birth to cross-reference with our systems and data sources. We need an address to confirm the performer's identity. It is the responsibility of the person submitting this form to check that the information is correct.

Real Name	Role and other name used <i>(i.e. stage name)</i>	Date of Birth <i>(dd/mm/yyyy)</i>	Address
Kelvin Piper	AKA Piper	10.04.1972	49 Lillie Road, Fullham, SW6 1UA
Edwin Hyatt	Ed Master	19.4.67	37 Wrotesley Road, Plumstead, London SE18 3EW

RESTRICTED WHEN COMPLETE

SECURITY FOR THE EVENT			
Please provide the name of the security company to be used		Fortus Security Company	
Contact name at security company to be used		Rod Turner	
Registration no.	5692470	Email	www.fortussecurity.com
Contact nos. of security company	Landline: T: 02087897720	Mobile: T: 07584102007	

SECURITY DETAIL AND DEPLOYMENT		
Number of door supervisors	Male: 1	Female: 1
Please outline below how you propose to deploy your security staff and what equipment will be available to facilitate searching on entry		
<ul style="list-style-type: none"> • 2 Security Staff at front door, searching on entry all customers. • Rotation of toilet search on each hour of the night. • Alternate walk through the bar on hourly basis, unless called in by the manager or bar staff. • Hourly checking of Fire Exit ensuring it is clear. • Ensuring all customers leave quietly, and assisting with transport where necessary. • Ensuring a maximum of ten or less smokers outside at any one time in designated area. • Upon entry back into bar a search will be performed. • Security will not allow any customers arriving after 1am entry into bar unless they were outside smoking. 		
Total security staff	2	
Performer / artiste security <i>(Show company name & contact numbers)</i>	None	

Do you have other knowledge that needs special consideration in order to limit violent crime at the event?
None

When complete please e-mail this whole document **at least 14 days in advance** to:

SCD9ProactiveLicensingIntelligence@met.police.uk

And to **your Borough Police Licensing Unit.**

Retention period: 6 years
MP 366/10

Viechweg, Dennis

From: Nick.Mortimer@met.pnn.police.uk on behalf of Licensing-QK@met.pnn.police.uk
Sent: 11 March 2014 08:07
To: josie@picknmixrecruitment.co.uk; Licensing-QK@met.pnn.police.uk; Environment and Protection; Patel, Yogini
Cc: louriston@picknmixrecruitment.co.uk
Subject: RE: Masters Application Consultation - Police (ref: 222057289)

Categories: BIBS - Dennis

Dear All

I have had the opportunity to do the assessment and am now in a position to withdraw the representation

Regards

Nick Mortimer
Brent Police Licensing
5th Floor
Brent Civic Centre
Engineers Way
Wembley
HA90FJ
0208 733 3206
07500 959 432

From: Josephine White [mailto:josie@picknmixrecruitment.co.uk]
Sent: 10 March 2014 15:38
To: Licensing - QK
Cc: Louriston Lorainey
Subject: RE: Application Consultation - Police (ref: 222057289)

Good Morning All

I have attached outstanding documents for events on 14th and 30th March. If I have doubled up please accept my apologies and disregard double. I am trying to keep the rules.

Best regards

Josie White

From: Nick.Mortimer@met.pnn.police.uk [mailto:Nick.Mortimer@met.pnn.police.uk] **On Behalf Of** Licensing-QK@met.pnn.police.uk
Sent: 07 March 2014 07:54
To: environmentandprotection@brent.gov.uk
Cc: Josephine White
Subject: RE: Application Consultation - Police (ref: 222057289)

Dear Mr Lorainey

Please see my attached letter

Regards

Nick

Nick Mortimer
Brent Police Licensing
5th Floor
Brent Civic Centre
Engineers Way
Wembley
HA90FJ
0208 733 3206
07500 959 432

From: Liquor Licensing [<mailto:environmentandprotection@brent.gov.uk>]
Sent: 06 March 2014 17:42
To: Licensing - QK
Subject: Application Consultation - Police (ref: 222057289)

LICENSING ACT 2003
Licence: Notification
Reference: 222057289

Dear Sir/Madam,

Applicant: **Mr. Louriston Michael Lorainey**
Notification – BAR07 217 Kenton Road, Harrow, HA3 0HD
Sunday 30th into Monday 31st March 2014 from 21:00 to 03:00 - Anniversary Party

An application was made to Brent Council under the Licensing Act 2003 by the above-named applicant who is required to submit a copy of the application to the responsible authorities. If you have received the application and would like to make a representation please use the link below. Representations must specify in detail the grounds of opposition and must relate to the promotion of the licensing objective.

In order that consideration of the application may not be delayed, it will be appreciated if a reply can be sent to us by **11 March 2014**.

[Click here to complete the form](#)

Yours sincerely,

Dennis Viechweg
Business Support Officer
Brent Council
Safer Streets
Environment and Neighbourhood

Brent House
349 - 357 High Road
Wembley, Middlesex, HA9 6BZ
Phone: 020 8937 5359

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PLANNING CASE HISTORY

Premise Name	MASTERS FREE HOUSE,	Licensing Case No:	222830527
Premise Address	217 Kenton Road, Harrow, HA3 0HD		
Planning Permission Granted?	Yes [*]	No []	Planning Case No: 87/2849, 88/1825 & 90/0936
Hours of operation permitted by planning	Day	To	From
	Monday	0800	2300
	Tuesday	0800	2300
	Wednesday	0800	2300
	Thursday	0800	2300
	Friday	0800	Midnight
	Saturday	0800	Midnight
	Sunday	0800	2300
Planning Conditions – licensing need to be aware of i.e. noise	1. No music, public address system or amplified sound to be audible with site boundary within any noise sensitive premises		
	2.		
	3.		
	4.		
	5.		
	6.		
	7.		
	8.		
	9.		
	10.		
Planning use for premises i.e. A1, A2, etc	A1 (Shops)	[]	
	A2 (Financial & Professional Services)	[]	
	A3 (Restaurants & Café's)	[]	
	A4 (Drinking Establishments)	[*]	
	A5 (Hot Food Take away)	[]	
	C1 (Hotels)	[]	
	D2 (Assembly & Leisure)	[]	
	Other	[] _____	
Completed by (Print Name)	VICTORIA MCDONAGH		
Signature			
Date completed	_18_ / 07_ / 2014_		

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London Borough of Brent – Decisions taken by the Alcohol and Entertainment Licensing Sub-Committee (A) on Tuesday 9 July 2013

Agenda Item No	Topic	Decision
1.	Declarations of personal and prejudicial interests	None declared.
2.	Application by the Metropolitan Police for a review of the premises licence for 'Masters Free House' (217 Kenton Road, Harrow, HA3 0HD) pursuant to the provisions of the Licensing Act 2003	<p>Having considered the application by the Metropolitan Police to review the premises licence for 'Masters Free House' (217 Kenton Road, Harrow, HA3 0HD) pursuant to the provisions of the Licensing Act 2003 the Sub-Committee resolved that the premises licence continue in force, subject to amendments to the hours of licensable activities and opening hours and amendments to some of the conditions and additional conditions.</p> <p>(i) that the following hours be permitted:-</p> <p>1. that the hours during which licensable activities be permitted on the premises be amended to:-</p> <p style="padding-left: 40px;">Monday to Sunday – 10:00 to 01:00 (the following day)</p> <p>2. that the hours during which the premises be permitted to remain open be amended to:</p> <p style="padding-left: 40px;">Monday to Sunday – 10:00 to 01:30 (the following day)</p> <p>(ii) that the following conditions on the premises licence be amended to:-</p> <p style="padding-left: 40px;"><i>Annexe 2</i></p> <p style="padding-left: 40px;">Condition 1 – to be deleted</p> <p style="padding-left: 40px;">Condition 2 to read – A minimum of two door supervisors with a gender mix shall be employed from 21.:00 hours on any day where the premises are open for the sale of</p>

London Borough of Brent – Decisions taken by the Alcohol and Entertainment Licensing Sub-Committee (A) on Tuesday 9 July 2013

Agenda Item No	Topic	Decision
		<p>alcohol past midnight and that the door supervisors wear high visibility clothing.</p> <p>Condition 6 to read – All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers on demand</p> <p>Condition 17 – to be deleted</p> <p>(iii) that the following conditions be added to the premises licence:-</p> <ol style="list-style-type: none"> 1. A refusal book shall be kept and maintained at all times and reasons for refusal to be cited in the book which is to be made available to police and licensing officers on demand. 2. Toilets shall be checked every two hours for the use of drugs and other illegal activities. 3. Notices clearly explaining the licensee’s drugs policy shall be displayed at the entrance and at suitable places throughout the premises. 4. The locks and flush latches on the exit doors and gates shall be unlocked and kept free from fastenings other than push bars and pads whilst the public are on the premises. 5. The socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).

London Borough of Brent – Decisions taken by the Alcohol and Entertainment Licensing Sub-Committee (A) on Tuesday 9 July 2013

Agenda Item No	Topic	Decision
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 67</p>		<p>The Alcohol and Entertainment Licensing Sub-Committee (A) accepted the evidence of the police that there had been numerous incidents of crime and disorder in and around the premises in the last two years and these primarily had occurred between 02:30 and 04:30 in the morning. Furthermore, it was noted, as reported by the police, and accepted by the premises licence holder, that patrons were being admitted to the premises after 00:30, in breach of the condition stating that there is to be no entry or re-entry after this time. In view of this, the Sub-Committee felt that it was appropriate and reasonable to reduce the hours of licensable activities and opening hours, and to amend and add conditions accordingly on the premises licence in order to help the premises licence holder uphold the licensing objectives (prevention of crime and disorder, prevention of public nuisance, ensuring public safety and protecting children from harm.)</p> <p>The Alcohol and Entertainment Licensing Sub-Committee (A) also added an informative advising the premises licence holder that they are required to submit an application for variation of the premises licence in relation to changes that had taken place with regard to the internal layout of the premises within eight weeks to the Licensing Authority.</p>
	<p>3.</p>	<p>Application by Adam Webb for a personal licence pursuant to the provisions of the Licensing Act 2003</p>

London Borough of Brent – Decisions taken by the Alcohol and Entertainment Licensing Sub-Committee (A) on Tuesday 9 July 2013

Agenda Item No	Topic	Decision
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Page 68

		The Alcohol and Entertainment Licensing Sub-Committee (A) felt that in the absence of the applicant, the application should be adjourned to allow the applicant to address the concerns raised by the police and therefore reserves the right to bring back to a licensing sub-committee should issues remain outstanding.
4.	Application by Gareth Paul Underhill for a personal licence pursuant to the provisions of the Licensing Act 2003	<p>That the application by Gareth Paul Underhill for a personal licence pursuant to the provisions of the Licensing Act 2003 be adjourned.</p> <p>The Alcohol and Entertainment Licensing Sub-Committee (A) felt that in the absence of the applicant, the application should be adjourned to allow the applicant to address the concerns raised by the police and therefore reserves the right to bring back to a licensing sub-committee should issues remain outstanding.</p>
5.	Application by Adnan Younis for a personal licence pursuant to the provisions of the Licensing Act 2003	The Sub-Committee noted that the applicant had withdrawn their application and accordingly this matter need not be considered.
6.	Application by Christian Masters for a personal licence pursuant to the provisions of the Licensing Act 2003	<p>That the application by Christian Masters for a personal licence pursuant to the provisions of the Licensing Act 2003 be adjourned.</p> <p>The Alcohol and Entertainment Licensing Sub-Committee (A) felt that in the absence of the applicant, the application should be adjourned to allow the applicant to address the concerns raised by the police and therefore reserves the right to bring back to a licensing sub-committee should issues remain outstanding.</p>
7.	Application by Ananthakrishnan Thanikaikumaran for a personal licence pursuant to the provisions of	That the application by Ananthakrishnan Thanikaikumaran for a personal licence be agreed .

London Borough of Brent – Decisions taken by the Alcohol and Entertainment Licensing Sub-Committee (A) on Tuesday 9 July 2013

Agenda Item No	Topic	Decision
	the Licensing Act 2003	The Alcohol and Entertainment Licensing Sub-Committee (A) noted that the applicant had not committed any offences since the unspent conviction in 2009 and also that the police had stated at the hearing that they had been satisfied that the applicant was of suitable character to supervise the sale of alcohol. In view of this, the Sub-Committee felt it was appropriate to exercise discretion and agree the application to a personal licence.

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ENVIRONMENT & NEIGHBOURHOOD
REGULATORY SERVICES
BRENT CIVIC CENTRE
ENGINEERS WAY
WEMBLEY
HA9 0FJ

TEL: 020 8937 5359
EMAIL: business.licence@brent.gov.uk

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.....
Director of Environment and Neighbourhood

Date: 1 October 2014

Licence number 201354

Licence start date: 24/11/2005

Premises Details

BAR07, 217 Kenton Road, Harrow, HA3 0HD
Telephone: 020 8907 0944

Licensable activities and the times authorised by this licence

Films:

Day	Start Time	End Time
Monday	10:00	01:30
Tuesday	10:00	01:30
Wednesday	10:00	01:30
Thursday	10:00	01:30
Friday	10:00	01:30
Saturday	10:00	01:30
Sunday	10:00	01:30

Non standard timings: An additional hour to the standard and non standard times on the day when British Summertime Commences.

New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New year's day.

Live music:

Day	Start Time	End Time
Monday	10:00	01:30
Tuesday	10:00	01:30
Wednesday	10:00	01:30
Thursday	10:00	01:30
Friday	10:00	01:30
Saturday	10:00	01:30
Sunday	10:00	01:30

Non standard timings: An additional hour to the standard and non standard times on the day when British Summertime Commences.

New years eve from the end of permitted hours on New years eve to the start of permitted hours on New year's day.

Performance of dance:

Day	Start Time	End Time
Monday	10:00	01:30
Tuesday	10:00	01:30
Wednesday	10:00	01:30
Thursday	10:00	01:30
Friday	10:00	01:30
Saturday	10:00	01:30
Sunday	10:00	01:30

Non standard timings: An additional hour to the standard and non standard times on the day when British Summertime Commences.

New years eve from the end of permitted hours on New years eve to the start of permitted hours on New year's day.

Provision of Entertainment Facilities for Making Music:

Day	Start Time	End Time
Monday	10:00	01:30
Tuesday	10:00	01:30
Wednesday	10:00	01:30
Thursday	10:00	01:30
Friday	10:00	01:30
Saturday	10:00	01:30
Sunday	10:00	01:30

Non standard timings: An additional hour to the standard and non standard times on the day when British Summertime Commences.

New years eve from the end of permitted hours on New years eve to the start of permitted hours on New year's day.

Provision of Entertainment Facilities for Dancing:

Day	Start Time	End Time
Monday	10:00	01:30
Tuesday	10:00	01:30
Wednesday	10:00	01:30
Thursday	10:00	01:30
Friday	10:00	01:30
Saturday	10:00	01:30
Sunday	10:00	01:30

Non standard timings: An additional hour to the standard and non standard times on the day when British Summertime Commences.

New years eve from the end of permitted hours on New years eve to the start of permitted hours on New year's day.

Provision of Late Night Refreshment:

Day	Start Time	End Time
Monday	23:00	01:30
Tuesday	23:00	01:30
Wednesday	23:00	01:30
Thursday	23:00	01:30
Friday	23:00	01:30
Saturday	23:00	01:30
Sunday	23:00	01:30

Non standard timings: An additional hour to the standard and non standard times on the day when British Summertime Commences.

New years eve from the end of permitted hours on New years eve to the start of permitted hours on New year's day.

Supply of alcohol:

Day	Start Time	End Time
Monday	10:00	01:30
Tuesday	10:00	01:30
Wednesday	10:00	01:30
Thursday	10:00	01:30
Friday	10:00	01:30
Saturday	10:00	01:30
Sunday	10:00	01:30

Non standard timings: An additional hour to the standard and non standard times on the day when British Summertime Commences.

New years eve from the end of permitted hours on New years eve to the start of permitted hours on New year's day.

Recorded Music may be provided throughout the premises without limitation.

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

The Opening Hours of the Premises:

Day	Start Time	End Time
Monday	10:00	02:00
Tuesday	10:00	02:00
Wednesday	10:00	02:00
Thursday	10:00	02:00
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	02:00

Non standard timings: An additional hour to the standard and non standard times on the day when British Summertime Commences.

New years eve from the end of permitted hours on New year's eve to the start of permitted hours on New year's day.

Part 2

Details of Holder of Premises Licence:

Name: Mr. Louriston Michael Lorainey
Address:
Telephone:
Email:

Details of Designated Premises Supervisor:

Name: Mr Louriston Michael Lorainey
Address:
Personal
Issuing authority: London Borough of Brent

Annexe 1 - Mandatory Conditions

(a) No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended.

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

(c) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(d) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:-

(i) games or other activities which require or encourage, or are designed to require or encourage, individuals to:

- drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- drink as much alcohol as possible (whether within a time limit or otherwise);

(ii) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(iii) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(iv) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–

- the outcome of a race, competition or other event or process, or
- the likelihood of anything occurring or not occurring;

(v) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

(e) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

(f) The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

(g) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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 a holographic mark.

(h) The responsible person shall ensure that-

(i) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- beer or cider: half pint;
- gin, rum, vodka or whisky: 25ml or 35ml; and
- still wine in a glass: 125ml; and

(ii) customers are made aware of the availability of these measures.

(i) 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.

Embedded Conditions

Not Applicable

Annexe 2 - Conditions Consistent With the Operating Schedule

- 1 A minimum of two door supervisors with a gender mix shall be employed from 21:00 hours on any day where the premises are open for sale of alcohol past midnight and that door supervisors wear high visibility clothing.
- 2 A register/log containing the names, badge number, dates & times of duty of security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.
- 3 Customers shall not be permitted to take open glass containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority.
- 4 CCTV shall be installed and maintained in a working condition.
- 5 All CCTV recordings shall be kept for 31 days and shall be made readily available to police and licensing officers on demand.
- 6 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.
- 7 The total number of people permitted on the premises including staff and performers shall not exceed 100.
- 8 Notices requesting customers to leave quietly shall be displayed at each exit.
- 9 Door supervisors or when no door supervisor is present a suitable member of staff shall supervise the exit of every person from the premises and instruct each person to leave the area quietly.
- 10 Notices shall be displayed throughout the premises advising that CCTV is in operation.
- 11 The licensee or his/her deputy shall be a member of, and actively participate in the local pubwatch scheme.
- 12 All alcohol and soft drinks shall be served in plastic or toughened glasses.
- 13 Any person who appears to be under the age of 18 shall be required to produce proof of age and the Licensee shall only accept photo I.D. such as passport or driving licence as proof of age or other form of identification agreed with the police.
- 14 A free "hot line" to a local taxi company shall be made available to customers.
- 15 Facilities within the premises shall be made available for customers to await taxis.
- 16 A refusal book shall be kept and maintained at all times and reasons for refusal to be cited in the book which is to be made readily available to police and licensing officers on demand.
- 17 Music shall be played at a quieter level for the last 30 minutes of trading during which time the levels of lighting shall be raised.

- 18 No person under the age of 18 shall be allowed to enter or remain on the premises after 21:00 hours.
- 19 No person under the age of 18 shall be admitted to any part of the premises where entertainment of an adult nature is being provided.
- 20 Toilets should be checked every two hours for the use of drugs and other illegal activities.
- 21 Notices clearly explaining the licensee's drugs and weapons policy shall be displayed at the entrance and at suitable places throughout the premises.
- 22 Any locks and bolts on exit doors shall be unlocked and kept free from fastenings other than push bars whilst the public are on the premises.
- 23 The gates from the rear yard shall be kept unlocked and be easily opened when the public are on the premises.
- 24 The roller shutter to the front entrance/exit door shall be fixed in the open position whilst the public are on the premises.
- 25 The socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).

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

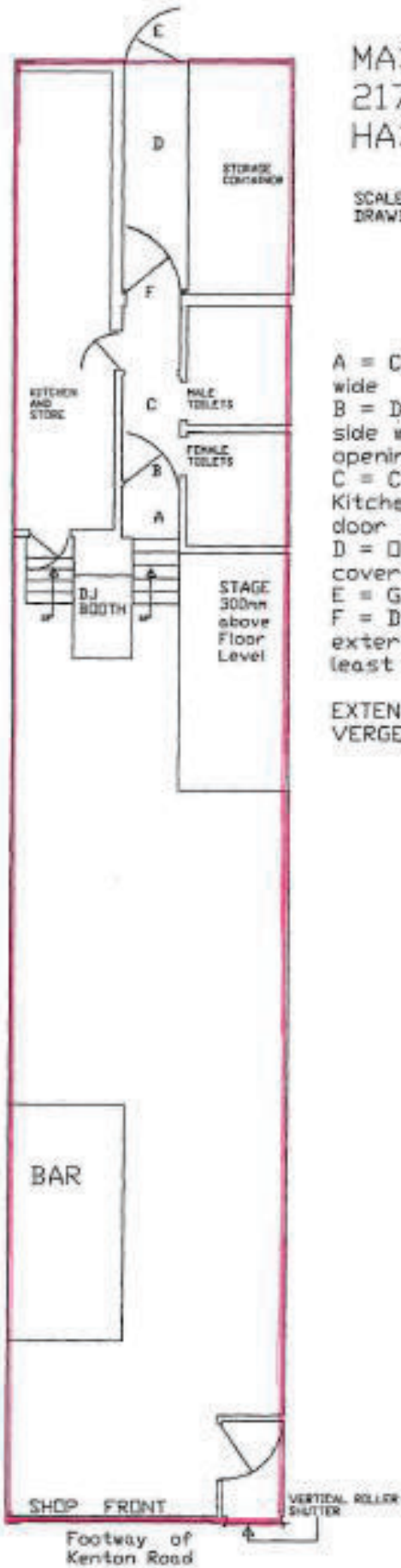
1. Door supervisors, or when no door supervisors are on duty a suitable member of staff, must supervise the exit of every person from the premises, and instruct each person to leave the area quietly
2. Signs must be displayed at each entry and exit to the premises and/or licensed area instructing customers to respect the surrounding neighbours and leave quietly.

Annexe 4 - Plans

See attached sheet.

MASTERS FREE HOUSE
217 KENTON ROAD
HA3 0HD

SCALE 1 : 100
DRAWING: CH/L/4



- A = Corridor at top of stairway 1120mm wide
- B = Door opening with frame set into side walls of corridor and giving a clear opening of at least 1050mm wide
- C = Corridor to Toilet Facilities and Kitchen and onwards to final rear exit door 1120mm wide
- D = Open area part of rear yard not covered
- E = Gate
- F = Door opening with frame secured externally to give clear opening of at least 1050mm wide

EXTENT OF PREMISES IS SHOWN
VERGED RED

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LICENSING ACT 2003

Application to Review a Premises Licence

Name of Applicant:	Metropolitan Police
Name & Address of Premises:	Variety Food & Wines, 261 High Road London NW10 2RX
Applicants Agent:	N/A

1. Application

The application is for the review of a premises licence held by Mr Sellathurai and Mr Manickam Rajeetharan

2. Grounds for Review

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

3. Relevant Representations

Representation has been received from PC Nicola McDonald of the Metropolitan Police.

4. Background

These premises licence was transferred from the Magistrates under “grandfather rights” to supply alcohol for consumption OFF the premises with no conditions attached to the licence.

The licence allows the sale of alcohol from 08:00 hours until 23:00 hours Monday to Saturday and from 10:00 to 22:30 hours on Sundays.

The Designated Premises Supervisor is Manickam Rajeetharan.

5. Representations

Representations have been received from the Licensing Authority and Trading Standards

6. When hearing a review the Committee if satisfied that additional measures are required to satisfy the four licensing objectives they may:

- Modify, remove or add conditions
- Exclude one or more of the licensable activities
- Remove the Designated Premises Supervisor
- Suspend the licence for a period not exceeding 3 months
- Revoke the licence

If the Committee find no steps are necessary to meet the licensing objectives they may decide not to take any action or to issue a warning.

6. Associated Papers

- A. Copy of Review Application
- B. Copies of supporting evidence
- C. Copy of Current Licence

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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 Nicola McDonald 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

Name and postal address of premises or, if none, ordnance survey map reference or description	
Variety Food & Wine 261 High Road	
Post Town Willesden	Post Code (if known) NW10 2RX
Name of premises licence holder or club holding club premises certificate (if known) Mr Sellathurai PRABAHARAN Mr Manickam RAJEETHARAN	
Number of premises licence or club premises certificate (if known) 161072	

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 Nicola McDonald PC157QK Brent Licensing Wembley Police Station 603 Harrow Road, Wembley, HA0 2HH
Telephone number (if any) 02087333206
E-mail address (optional) Nicola.mcdonald@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 | |
| 4) the protection of children from harm | X |

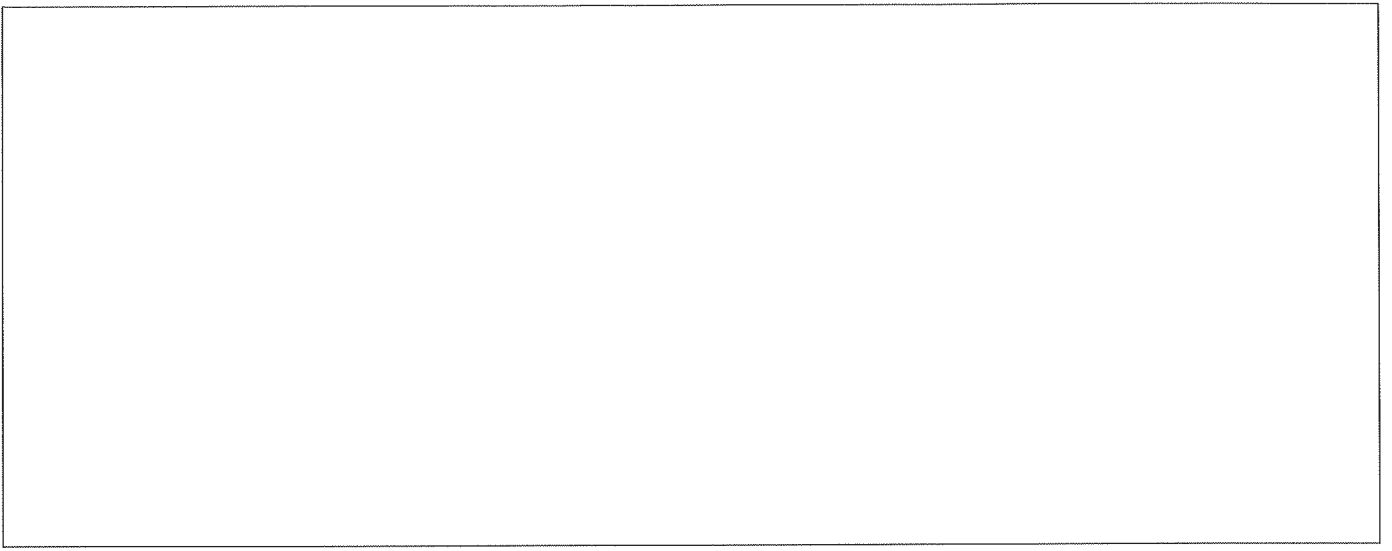
Please state the ground(s) for review (please read guidance note 1)

Variety Food And Wine is currently authorised to supply alcohol for consumption OFF of the premises. The venue has a converted premises licence from 2005 with traditional 'Off' licence permitted hours and no conditions attached.

The premises licence holder and designated premises supervisor are one and the same; Mr. Sellathurai Prabakaran. He holds the premises licence with Mr. Manickam Rajeetharan, he appears to be a silent business partner, someone I have never met or seen at the premises.

Variety Food & Wine is failing to promote three of the licensing objectives, namely the protection of children from harm, prevention of crime and disorder and public safety. 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. Police are primarily concerned with under age sales, total disregard of licensing legislation and sales of prohibited items. Police have witnessed much of this and in addition have received complaints from other authorities. Police seek the removal of the DPS who struggles to supervise the venue sufficiently. A period of suspension to enable both intensive licensing legislation training of staff and locate a suitable DPS. Police would request conditions be attached to the premises licence including those highlighted in the action plan, restrictions on sales of high strength beers, lockable shutters for secure storage of alcohol when the premises are still open to the public outside authorised hours, anti-robbery time delay safe, and a clear and unobstructed view in to the shop.

Police feel that these are wholly reasonable, proportionate and appropriate measure to be put in place to promote the licensing objectives



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

27th August 2013

Under age test purchase operation carried out by Brent Trading Standards Service in the Brent area. Using two children aged 15 and 13. Children asked to buy alcohol from Variety Food Fairs (High Road Food & Wine Variety Food), 261 High Road, London, NW10 2RX. A child aged 15 was able to purchase 4 cans of Strongbow cider contrary to Section 146 Licensing Act 2003.

The seller was Mrs Vimla Bhowdal, she was the sole member of staff and appeared to have minimal licensing knowledge.

At the same time Trading Standards Officers discovered a large amount of hand rolling tobacco and cigarettes with no health warning displayed.

30th November 2013

At 0045hrs PC Nicola McDonald Brent Police Licensing and Esther Chan Brent Licensing Enforcement Officer visited Variety Food & Wine. There was one lone member of staff working. The designated premises supervisor was not present. There was no written authority from the DPS to sell alcohol. There was no CCTV recording, no incident or refusal book. Whilst the Officers were in the shop two separate drunken males entered the shop and purchased cans of beer contrary to Section 141 of The Licensing Act 2003. In addition other males entered the shop asking to buy single cigarettes. Officers discovered open packets of cigarettes beneath the serving counter. See exhibit photos NM/1, NM/2, NM/3 and NM/4 taken by PC McDonald. The premises licence does not authorise sales of alcohol at 0045 hours, these sales were contrary to section 136 Licensing Act 2003

4th December 2013

The DPS Mr Mr. Sellathurai Prabakaran attended Brent Civic Centre and after a formal discussion with PC McDonald and Ms Chan an Action Plan was produced (see attached)

Actions to be implemented:

. Ensure that the full license is available within the premises for inspection at all times and a summary displayed at the venue. This is a legal requirement.

. Premises Hours of licensable activity

Monday to Saturday 08.00 am to 23.00 hours Sunday 10.00 am to 22.30 hours

. Premises Opening Hours

Monday to Saturday 08.00 am to 23.00 hours Sunday 10.00 am to 22.30 hours

. D.P.S or a personal license holder to be on site when open for business.

The above person shall be responsible for an incident log which shall be kept at the premises, and made available on request to an authorised officer of the 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) seizures of drugs or offensive weapons

(f) any faults in the CCTV system or searching equipment or scanning equipment

(g) any refusal of the sale of alcohol

(h) any visit by a relevant authority or emergency service.

.Challenge 21 policy to be adhered to at all times and signage supporting this initiative prominently displayed within the venue.

.D.P.S to keep a record of all staff employed at the venue which is to include names, addresses and national insurance details.

. CCTV

Adequate CCTV will be installed at the venue. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition as well as comprehensive coverage of all outside drinking areas.

Management and permanent staff will be trained in how to use the system.

The system at the venue will have the capability to either download footage on to disc or memory stick.

The footage on the CCTV system will be held for a minimum of 30days before rewriting itself with correct

date and time showing.

. STAFF TRAINING

All staff will undergo training of Licensing Act 2003 legislation, this will be documented and signed for by the DPS giving the training. This training log shall be kept on the premises and made available for inspection by relevant authorities.

Mr Prabakaran was also reminded selling single cigarettes, selling alcohol to drunks offering counterfeit or non duty paid products is illegal and should not be allowed to happen under any circumstance.

Friday 14th June 2014

Premises visited by Brent Police Licensing Officers at 2345 hours. There was one solitary member of staff Mr Thavanesan Prabakaran, he informed Police he is not a personal licence holder. The premises were still open to the public and alcohol was still being sold contrary to Section 136 of the Licensing Act 2003, conducting licensable activities without authority. (See attached Police Statement)

During that visit I identified the following points of the action plan were not being conformed with:

Ensure that the full license is available within the premises for inspection at all times and a summary displayed at the venue. This is a legal requirement.

Hours of licensable activity

Monday to Saturday 08.00 am to 23.00 hours

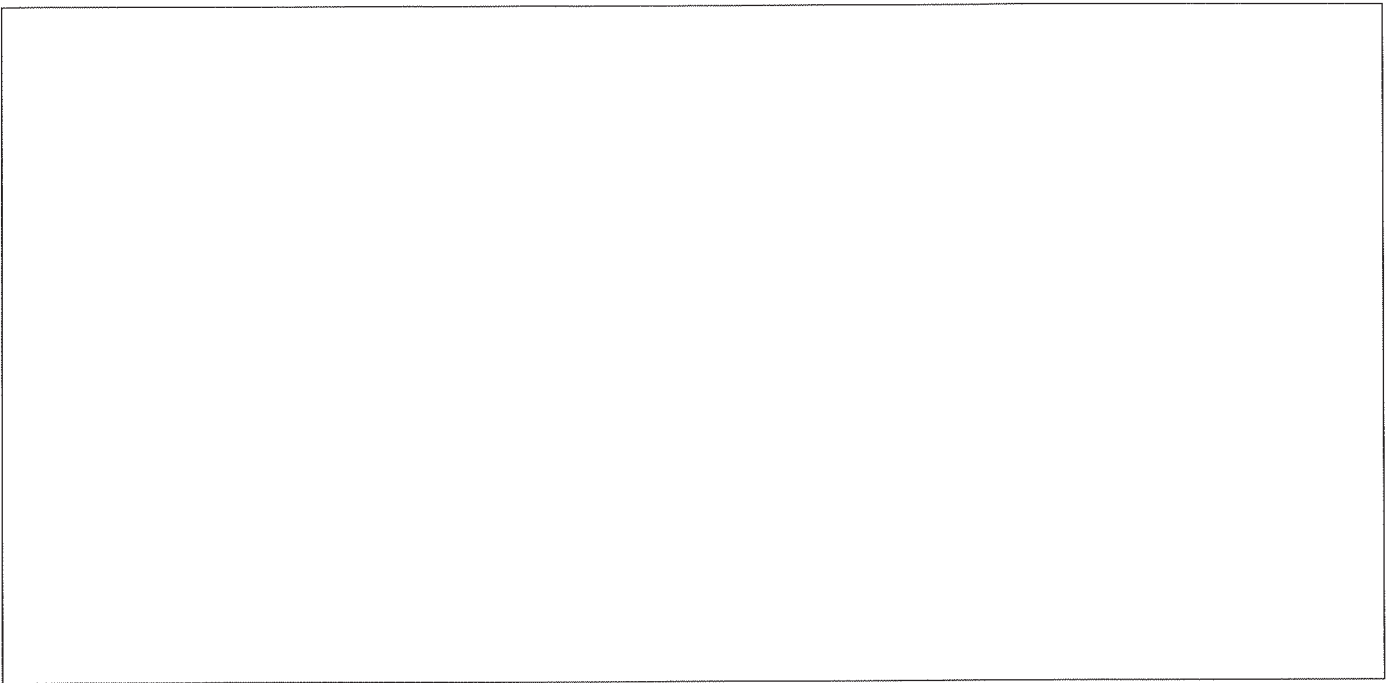
Opening Hours

Monday to Saturday 08.00 am to 23.00 hours

D.P.S or a personal license holder to be on site when open for business.

18th June 2014

PC McDonald posted a letter to the DPS both home address and shop address (letter attached). The DPS has failed to make contact with PC McDonald in order to view the CCTV and examine staff training records.



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

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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
- 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 *WJ PC1570K*

Date *21-8-2014*

Capacity *POLICE CONSTABLE*

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

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 Sam LEWIS-EVANS 598QK**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 221079**

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: 21/8/14


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

On Saturday 14th June 2014 I was on duty in plain clothes with PC Nicola McDonald 517QK conducting licensing checks.

At approximately 2340 as we were travelling along Willesden High Road our attention was drawn to Variety Off licence as it was still open and should have been closed from 2300 hours. The premise has come to our licensing department's attention before for selling alcohol to minors and selling outside of their licensed hours. Due to these and other incidents the premise was placed on an action plan in December 2013.

At 2043 I went inside the shop to see if they were still selling alcohol, there were no other customers in the store. The refrigerated cabinet with the alcohol in wasn't covered making it appear to customers that it was still for sale. I selected a can of Heineken lager and took it to the counter. The only member of staff who I now know to be Mr THAVANESAN PRABAKARAN rang it through the till at £1.20, I paid him and left the shop. At no point did Mr. Prabakaran tell me or attempt to tell me that he couldn't serve me the alcohol.

PC McDonald then went in the shop and advised Mr. Prabakaran about the breaches and advised him to close which he did.

Signature:  Signature witnessed by:

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Witness Statement

CJ Act 1967, s9;

MC Act 1980, ss5A(a) and 5B;

MC Rules 1981, r70;

UPRN:

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Statement of:Esther Chan.....

Age:Over 18.....

Occupation:Licensing Officer.....

This statement (consisting of 1 page 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 which I know to be false or do not believe to be true.

Dated the:17.09.14.....

Signature: 

I am employed by the London Borough of Brent as a Licensing Officer. My duties include enforcing the Licensing Act 2003. I was on duty with Licensing Police PC Nicola McDonald on Saturday 30th November 2013 carrying out licensing visits. At approximately 00:45 hours, we visited Variety Food Fair, 261 High Road, Willesden, London, NW10 2RX. On entering the premise, I observed one worker known to be Mr Edward Stani of 309A Chapter Road NW2 5ND, DOB 19/04/66. The licence holder and designated premise supervisor were not present. The premises licence was not displayed. There were no training records nor written authority from the DPS to state that Mr Stani is authorised to sell alcohol. The CCTV was not working. There were no incident records and refusal book on site. During the visit I observed two drunk males entered shop and purchased cans of beer. Three other customers came in asking to buy single cigarettes. I then found an open packet of cigarettes under the serving counter. PC McDonald spoke to a male called Mr Sellathurai Prabaharan, who is one of the licence holders via the telephone. We left the premise and returned to the shop at 0055hrs when Mr Prabaharan had arrived. PC McDonald told Mr Prabaharan he should not be selling alcohol after 2300hrs and explained the contraventions that we had identified.

On Wednesday 4th December 2014 at 10:00hrs, Mr Sellathurai Prabaharan attended Brent Civic Centre to have a formal discussion with PC McDonald and myself. It transpired that the second licence holder and DPS Manickam Rajeetharan is no longer involved with the business. Mr Prabaharan was informed to vary DPS and notify the Council of his change of address, which he confirmed is 45 Orchard Grove, Harrow, HA3 9QR (previous address 238 High Road Willesden NW10 2NX). I gave him all the relevant application forms to Transfer the Premise Licence and Vary DPS. PC McDonald discussed concerns with Mr Prabaharan and ran through incident reports over the years, concerning underage sale, single cigarette sales and highlighted issues from visit from our visit on Saturday 30th November 2013. PC McDonald gave Mr Prabaharan a formal warning and plan of action which was confirmed in writing. I also gave Mr Prabaharan a licensing pack explaining the staff training, age verification policy and statement of authorisation.

Signature:



Signature Witnessed by:



Witness Statement

CJ Act 1967, s9;

MC Act 1980, ss5A(a) and 5B;

MC Rules 1981, r70;

Continuation of Statement of

Page No: of

Signature.....

Signature Witnessed by:.....



Witness Statement

CJ Act 1967, s9;

MC Act 1980, ss5A(a) and 5B;

MC Rules 1981, r70;

Witness Name:LICENSING OFFICER.....

Home Address: ..BRENT CIVIC CENTRE, ENGINEERS WAY,WEMBLEY, HA9 0FJ

Telephone No: Home :**Business:**02089375303.....

Mobile:.....**E-mail:**.....

Female (delete as applicable)

Date of Birth.....

Dates to be avoided. Delete dates of non-availability of witness to attend court.

January

1 2 3 4 5 6 7 8 9 10 11 12 13
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February

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March

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April

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May

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June

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July

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August

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September

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October

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November

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December

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STATEMENT TAKEN BY (Print name)ESTHER CHAN.....

Job Title:LICENSING OFFICER.....

Date/Time Statement taken17.09.14@15:00HRS.....

Place statement taken:.....BRENT CIVIC CENTRE.....

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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: Winston BROOKS
Age if under 18: Over 18
Occupation: Regulatory Team Leader

This statement (consisting of 4 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 5th September 2014

Signature



I am employed by the London Borough of Brent, Regulatory Services as a Regulatory Team Leader within the Trading Standards division. My duties include investigating alleged offences under the Consumer Protection Act 1987, The Trade Marks Act 1994 and other consumer protection legislation.

5

On 28th August 2013 Trading Standards Officers and child volunteers were conducting a test purchasing exercise and monitoring the sale of age restricted goods to children.

I was accompanied by two Officers from Brent Trading Standards and two school boys one 15 years old and the other 13, to Variety Food Fair, 261 High Road, Willesden, London, NW10 2RX. The time was 14:15PM, the children were instructed to enter the premises and attempt to purchase alcohol. Both children were instructed to tell the truth

Signature



E31 Sept 2003

Continuation of witness statement of : Winston BROOKS

and provide their true ages if asked. The younger child's role was to record the attempted test purchase on a covert recording device.

15

The 15 year old child came out of Variety Food Fair after successfully purchasing a 4 pack of Strongbow cider. Next, I entered the premises accompanied by another Trading Standards Officer, produced our warrant card and explained that a sale of alcohol to someone under the age of 18 had just taken place. We spoke with the only person in the shop, standing behind the sales counter. This person is now known to me as Vilma Dhowtal, a sales assistant who had only been working at the premises for 3 days. Mrs Dhowtal provided her personal details and claimed she thought the boy was over 18.

At around 14:20PM the business owner, designated premises supervisor and premise licence holder arrived. This person is now known to me as Sellathurai Prabakaran. I explained that alcohol had just been supplied by Vimla Dhowtal to someone under the age of 18 and as such possible offences under Section 146 (1) of the Licensing Act 2003 may have been committed.

An inspection of under the sales counter, revealed packets of non UK duty paid cigarettes and hand rolling tobacco, a number of which did not contain UK statutory health warnings. 20 packets of cigarettes and 15 packets of hand rolling tobacco were seized, which did not comply with the labelling requirements as specified in regulation 14 (1) of the Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002, contrary to section 12(1) of the Consumer Protection Act 1987. We left the premises at around 15:15PM.

Signature



Continuation of witness statement of : Winston BROOKS

As part of my investigation Vilma Dhowtal and Sellathurai Prabakaran were later formally interviewed. It transpired from these interviews that Mrs Dhowtal's training was woefully inadequate, consisting only of being verbally told not to sell alcohol to underage, intoxicated persons, prostitutes and Police Officer's in uniform. I doubt very much she understood entirely what the training was about, as her interpretation of underage was "little boys".

45 The only evidence of training on underage sales was provided by Mr Prabakaran at his formal interview and confirmed by Mrs Dhowtal at hers. This was an A4 book called 'Staff Training Book' with a statement signed by Mrs Dhowtal on 26/08/2013 which states: "*I have completed my off-license, E-pay, card processing training. I understand the rules and regulations of the business.*"

50

Mrs Dhowtal confirmed at interview that Mr Prabakaran told her to write this statement because he struggled to write in English. Mrs Dhowtal also explained that she would have written anything Mr Prabakaran had told her to write. In my view, this does not equate to staff training on the laws relating to the sale of age restricted goods.

55

On 18th February 2014 Sellathurai Prabakaran was summonsed to appear before Willesden Magistrates Court, where he pleaded guilty to selling 4 cans of Strongbow cider to a 15 year old schoolboy. Mr Prabakaran also admitted having in his possession 20 packets of cigarettes and 15 packets of hand rolling tobacco, none of which had the statutory health warnings on their packaging. Mr Prabakaran was fined £300 for each offence and was ordered to pay a further £840 in prosecution costs to the London Boroughs of Brent & Harrow Trading Standards Service. He was also ordered to pay a £30 victim surcharge.

60

Signature



E31 Sept 2003

Continuation of witness statement of : Winston BROOKS

65

Mr Sellathurai Prabakaran of 261 High Road, Willesden NW10 2RX is known to Trading Standards and after interrogating our computerised databases, it reveals that Mr Prabakaran signed a 'Simple Caution' on 25th July 2011 for offences contrary to Sections 92(1)(b) and (c) of the Trade Marks Act 1994.

70

The Simple Caution relates to the following. On 11th February 2011, Trading Standards Officers inspected his business and discovered 10 counterfeit bottles of Smirnoff Red Vodka. These items were seized and when Officers returned to 261 High Road, Willesden NW10 2RX on 30th March 2011, an undercover Trading Standards Officer was able to purchase a counterfeit bottle of Jacobs Creek wine. Officers then searched the premises and found 5 more bottles of counterfeit Jacobs Creek wine.

75

80

Signature

A handwritten signature in black ink, appearing to be 'W. Brooks', written on a light-colored background.



Brent and Harrow Trading Standards Service

WORKING IN PARTNERSHIP



N. S. Bilon
Head of Service
Brent & Harrow Trading Standards Service
Quality House, 249 Willesden Lane
London, NW2 5JH

TEL 020 8937 5555
FAX 020 8937 5544
EMAIL trading.standards@brent.gov.uk
WEB www.tradingstandards.gov/brent&harrow

SIMPLE CAUTION

CASE REFERENCE: 21/11

OFFENDER'S NAME AND ADDRESS: Mr Sellathurai Prabaharan
238a High Road, Willesden NW10 2NX

DATE AND PLACE OF BIRTH: 09/03/73 Sri Lanka

DATE OF INFRINGEMENT: 11/2/11 and 30/3/11

PLACE OF INFRINGEMENT: High Road Food & Wine, 261 High Road, Willesden NW10 2RX

BRIEF CIRCUMSTANCES: On 11th February 2011, Trading Standards Officers inspected your business premises 'High Road Food and Wine', located at the above mentioned address. The Officers discovered in your possession for the purposes of supply, 10 counterfeit bottles of Smirnoff Red Vodka bearing signs identical to or likely to be mistaken for the registered trade mark of Diageo Plc.

Officers returned to the same address on 30th March 2011, where your employee did with a view to gain for yourself or another and without the consent of the trade mark owner, sold a counterfeit bottle of Jacobs Creek wine bearing a sign identical to or likely to be mistaken for the registered trade mark of, Pernod Ricard UK.

Officers then found in your possession for the purposes of supply, 5 bottles of counterfeit Jacobs Creek wine bearing signs identical to or likely to be mistaken for the registered trade mark of, Pernod Ricard UK.

The above circumstances constitute offences contrary to Sections 92(1)(b) and (c) of the Trade Marks Act 1994.

DECLARATION: I Sellathurai Prabaharan, declare and admit the infringements as described above and agree to accept, a caution in this case. This admission is based on the fact that between 11th February and 30th March 2011, at High Road Food and Wine, I had in my possession for the purposes of supply, 10 bottles of Smirnoff Red Vodka and 6 bottles of Jacobs Creek wine, one of which my employee sold, bearing signs identical to, or likely to be mistaken for registered trade marks contrary to Sections 92(1)(b) and (c) of the Trade Marks Act 1994. I understand that a record of this caution will be kept on file and may influence a decision to implement proceedings in the future. I further understand

Continued Overleaf:

L36 Feb 2000

that this caution may be cited should I be subsequently found guilty of an offence by a court of law.

SIGNED: S. Legg

DATED: 25th July 11

SIGNED ON BEHALF OF BRENT AND HARROW
TRADING STANDARDS SERVICE: Simon Legg

NAME: Simon Legg

TITLE: Assistant Head of Trading Standards



**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

**QK - Brent Borough
QD - Licensing Department**

Mr Sellathurai Prabhakaran
Variety Food & Wine
261 High Road
Willesden
NW10 2RX

Wembley Police Station
603 Harrow Road
Wembley
HA0 2HH
Telephone: 020 8733 3206
Mobile 07500959432
Facsimile:
Email:

Nicola.mcdonald @met.police.uk

Licensing-qk@met.police.uk

www.met.police.uk

Your ref:

Our ref:

18th June 2014

Dear Sir

I visited the premises on Friday 14th June 2014 at 2345 hours.

I spoke to the solitary member of staff Mr Thavanesan Prabhakaran he told me he is not a personal licence holder. The premises were still open to the public and alcohol was still being sold.

In December 2014 I had a meeting with you at Brent Civic centre to discuss the operation of the shop and an action plan was generated.

During my recent visit I identified the following points of the action plan were not being conformed with:

Ensure that the full license is available within the premises for inspection at all times and a summary displayed at the venue. This is a legal requirement.

Hours of licensable activity

Monday to Saturday 08.00 am to 23.00 hours

Opening Hours

Monday to Saturday 08.00 am to 23.00 hours

D.P.S or a personal license holder to be on site when open for business.

Police request to see the staff training log and the incident log.

Can you please contact me immediately to arrange a time when I can view these logs and discuss this matter further.

Yours sincerely

Nicola McDonald
Licensing Constable 157QK
Brent Police

March 2 2014 Latest news:

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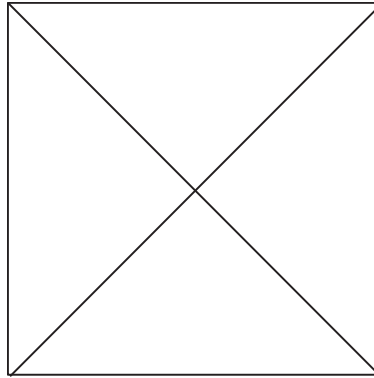
Brent & Kilburn
Times

Fine for Kingsbury man after his shop in Willesden sold alcohol to schoolboy, 15



Variety Food and Wine sold alcohol to an underage schoolboy (pic credit: Google streetview)

Lorraine King, News editor Thursday, February 20, 2014
11:13 AM



A shop owner from Kingsbury has been fined in court after his store in Willesden sold alcohol to an underage schoolboy.

To send a link to this page to a friend, you must be logged in.

Sellathurai Prabakaran, of Orchard Grover, admitted selling the four cans of Strongbow cider to the 15-year-old at Variety Food and Wine in High Road.

The 40-year-old also pleaded guilty to having in his possession 20 packets of cigarettes and 15 packets of hand rolling tobacco, none of which had the statutory health warnings on their packaging.

On Tuesday, Willesden Magistrates Court heard he was snared after officers from Brent and Harrow Trading Standards Service (BHTSS) carried out an undercover operation with a child volunteer last August.

The cashier failed to challenge the youth on his age or ask for ID.

Following the illegal sale, BHTSS searched the shop where they discovered the unlawful tobacco products hidden under a counter at the till.

Prabakaran acknowledged the sale and admitted the cashier had been left alone unsupervised in the shop, despite the fact that it was only her third day working there.

He was fined £300 for each offence and was ordered to pay a further £840 in prosecution costs to BHTSS and a £30 victim surcharge.

Bill Bilon, head of BHTSS, said: “The law rightfully places a heavy burden on retailers to ensure that they and their staff act responsibly in order to comply with legislation and prevent sales to children. Where it is evident that retailers have blatantly ignored their responsibilities, we will have no hesitation in prosecuting them.”

Action Plan

PRO ACTIVE LICENSING UNIT

Venue Name	Variety Foods		
Venue Address	261 High Road	Date	04/12/2013
	Willesden	Borough	Brent
	London	Officer Completing	PC Nicola Mcdonald
Postcode	NW10	DPS/License Holder	Sellathurai Prabaharan

Actions to be implemented

Ensure that the full license is available within the premises for inspection at all times and a summary displayed at the venue. **This is a legal requirement.**

Hours of licensable activity

Monday to Saturday 08.00 am to 23.00 hours

Sunday 10.00 am to 22.30 hours

Opening Hours

Monday to Saturday 08.00 am to 23.00 hours

Sunday 10.00 am to 22.30 hours

D.P.S or a personal license holder to be on site when open for business.

The above person shall be responsible for an incident log which shall be kept at the premises, and made available on request to an authorised officer of the 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) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

Challenge 21 policy to be adhered to at all times and signage supporting this initiative prominently displayed within the venue.

D.P.S to keep a record of all staff employed at the venue which is to include names, addresses and national insurance details.

CCTV :-

Adequate CCTV **will** be installed at the venue. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition as well as comprehensive coverage of all outside drinking areas.

Management and permanent staff will be trained in how to use the system.

The system at the venue will have the capability to either download footage on to disc or memory stick.

The footage on the CCTV system will be held for a minimum of 30days before rewriting itself with correct date and time showing.

STAFF TRAINING

All staff will undergo training of Licensing Act 2003 legislation, this will be documented and signed for by the DPS giving the training. This training log shall be kept on the premises and made available for inspection by relevant authorities.

Selling single cigarettes, selling alcohol to drunks offering counterfeit or non duty paid products is illegal and should not be allowed to happen under any circumstance.

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Environment & Culture Dept
Health, Safety & Licensing Unit
P.O. Box 411, Brent House
349-357 High Road, Wembley
Middlesex HA9 6EP
Telephone: 020 8937 5359
Fax: 020 8937 5357
Email: hsl@brent.gov.uk

London Borough of Brent

Premises Licence

PART A

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

Signed.....
Director of Environment and Culture

Date: 6 March 2006

Licence number 161072

Licence start date: 24/11/2005

Part 1 - Premises Details

High Road Food and Wines, 261 High Road, London, NW10 2RX
Telephone: 0208 459 5145

Licensable activities and the times authorised by this licence

Supply of Alcohol:

Day	Start Time	End Time
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00

Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	10:00	22:30

Non standard timings: Good Friday 08.00hrs to 22.30hrs
Christmas Day 12.00hrs to 15.00hrs and 19.00hrs to 22.30hrs

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

The Opening Hours of the Premises:

Not Applicable

Part 2

Details of Holder of Premises Licence:

Mr. Sellathurai Prabaharan, [REDACTED]
Mr. Manickam Rajeetharan, [REDACTED]
Telephone: 0208 459 5145

Details of Designated Premises Supervisor:

Name: Manickam Rajeetharan
Address: [REDACTED]
Personal Licence Number: LBHIL0703
Issuing Authority: London Borough of Hillingdon

Annexe 1 - Mandatory Conditions

(a) No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended.

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

All persons present on the premises who are required to carry out a security activity must be licensed by the Security Industry Authority.

Embedded Conditions

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Alcohol shall only be sold between the times specified:

On weekdays, other than Christmas Day, between 08:00 and 23:00 hours

On Sundays, other than Christmas Day, between 10:00 and 22:30 hours

On Christmas Day, from 12:00 to 15:00 and 19:00 to 22:30 hours

On Good Friday, between 08:00 and 22:30 hours

Annexe 2 - Conditions Consistent With the Operating Schedule

None

Annexe 3 - Conditions Attached After a Hearing by the Licensing

Authority

None

Annexe 4 - Plans

See attached sheet.

LICENSING ACT 2003

Application to Review a Premises Licence

Name of Applicant:	Metropolitan Police
Name & Address of Premises:	Sudbury A-Z Newsagents 711 Harrow Road Wembley HA0 2LL
Applicants Agent:	N/A

1. Application

The application is for the review of a premises licence held by Mr Liaquat Ali Nutt

2. Grounds for Review

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

3. Relevant Representations

Representation has been received from PC 157 QK Nicola McDonald of the Metropolitan Police.

4. Background

These premises licence was transferred from the Magistrates under “grandfather rights” with no conditions attached.

The Designated Premises Supervisor is Mr Liaquat Ali Nutt

The premises is licenced to sell alcohol (Off licence) from 0800 hours to 2300 hours Monday to Saturday and from 1000 hours to 2230 hours.

5. Representation

Representation has been received from a resident.

6. When hearing a review the Committee if satisfied that additional measures are required to satisfy the four licensing objectives they may:

- Modify, remove or add conditions
- Exclude one or more of the licensable activities
- Remove the Designated Premises Supervisor
- Suspend the licence for a period not exceeding 3 months
- Revoke the licence

If the Committee find no steps are necessary to meet the licensing objectives they may decide not to take any action or to issue a warning.

7. Associated Papers

- A. Copy of Review Application
- B. Copies of supporting evidence
- C. Copy of Current Licence

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TOTAL POLICING

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 Nicola McDonald 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 club premises, or if none, ordnance survey map reference or description:

Sudbury A-Z News, 711 Harrow Road,

Post town:	Sudbury	Post code: (if known)	HA0 2LL
-------------------	---------	------------------------------	---------

Name of premises licence holder or club holding club premises certificate (if known):

Mr Liaqat NUTT

Number of premises licence or club premises certificate (if known):

160128

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)	<input type="checkbox"/>
	a) a person living in the vicinity of the premises	<input type="checkbox"/>
	b) a body representing persons living in the vicinity of the premises	<input type="checkbox"/>
	c) a person involved in business in the vicinity of the premises	<input type="checkbox"/>
	d) a body representing persons involved in business in the vicinity of the premises	<input type="checkbox"/>
2	a responsible authority (please complete (C) below)	<input checked="" type="checkbox"/>
3	a member of the club to which this application relates (please complete section (A) below)	<input type="checkbox"/>

PROTECTIVE MARKING

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)									
Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:					First Names:				
I am 18 years old or over					<input type="checkbox"/>				
Current postal address if different from premises address:									
Post town:					Post code:				
Daytime Tel. No.:					Email: (optional)				

(B) DETAILS OF OTHER APPLICANT (fill in as applicable)	
Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in as applicable)	
Name and Address:	
PC Nicola McDonald Brent Police Licensing, Wembley Police Station, 603 Harrow Road, Wembley, HA0 2HH	
Telephone Number (if any):	020 8733 3206
Email address: (optional)	nicola.mcdonald@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	<input checked="" type="checkbox"/>
2 Public safety	<input checked="" type="checkbox"/>
3 The prevention of public nuisance	<input checked="" type="checkbox"/>
4 The protection of children from harm	<input type="checkbox"/>
Please state the ground(s) for review: (please read guidance note 2)	

PROTECTIVE MARKING

Sudbury A-Z News is currently authorised to supply alcohol for consumption OFF of the premises. The venue has a converted premises licence from 2005 with traditional 'Off' licence permitted hours and no conditions attached. The premises licence holder and designated premises supervisor are one and the same; Mr. Liqat NUTT.

Sudbury A-Z News is failing to promote three of the licensing objectives, namely prevention of crime and disorder, public safety and prevention of public nuisance.

Police have no faith in the ability of the management to operate the premises responsibly under the current authority and therefore wish to bring the matter before the sub-committee for consideration. Police are primarily concerned with disregard of licensing legislation and sales of alcohol to drunks who cause anti social behaviour around the neighbourhood. Police have witnessed this and in addition have received complaints from local residents.

Police seek the addition of conditions to the premises licence to support the DPS who struggles to promote the licensing objectives sufficiently at this present time. The following conditions are requested by Police to be attached to the licence:

CCTV 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

This would help provide evidence to Police of troublesome customers who threaten staff in the shop if refused sales.

No high strength beers, lagers, and ciders above 6.0% ABV shall be stocked: this type of alcohol is purchased by Street drinkers and rough sleepers in the area who are responsible for causing crime and disorder.

Outside 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: this supports the DPS and prevents him from breaching licensing legislation by selling or display alcohol outside the licensable hours, but the shop can open for sales of other groceries.

Anti-robbery time delay safe: a viable crime prevention measure for commercial premises that are open late at night or early in the morning when small shops are susceptible to robbery.

A clear and unobstructed view in to the shop: this provides reassurance to staff and also prevents criminal activity on the premises.

A sign stating "No proof of age – No sale" shall be displayed at the point of sale. A "Challenge 21" policy shall be adopted and adhered to: these helps the DPS and staff comply with licensing legislation.

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 or searching equipment or scanning equipment
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service.

Written staff training to be given regularly and signed records for inspection by local authority enforcement officers and Police.

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

Please provide as much information as possible to support the application: (please read guidance note 3)

PROTECTIVE MARKING

For several years the Sudbury Town Residents Association have been working closely with relevant authorities to try and make Sudbury a safer, cleaner commercial area. This has led to joint working weeks of action including out reach workers to deal with rough sleepers and street drinkers.

On WEDNESDAY 6th August 2014 at 1625 hours uniformed patrolling Police officers noticed several males as well as females outside SUDBURY A-Z NEWSAGENTS surrounded on the grass area by discarded alcohol cans and bottles. The shop was open to the public and Police entered the shop. They spoke to Mr Liaqat Ali NUTT. Whilst in the shop Police witnessed those drunks. entering the premises buying alcohol contrary to Section 141 of the Licensing Act 2003. See attached statement from PC Shippey.

On 15th August 2014 Mr NUTT attended Brent Civic Centre for a meeting with Brent Police Licensing team and Esther Chan Brent Council Licensing enforcement Officer. We spoke about the incident on 6th August and he explained the difficulties of operating an off licence in that area. It would appear he is under pressure and sometime threatened by persons wanting to buy alcohol when the shop is open but outside authorised licensable hours (I.E. first thing in the morning). The grass area outside the front of the shop becomes a gathering area, and he is the nearest off licence to purchase alcohol.

Because of what Mr NUTT explained and his desperation, Police regard this review to be the most efficient method to promote the licensing objectives and support MR NUTT's business.

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

(Please tick yes)

PROTECTIVE MARKING

Day Month Year

If yes, please state the date of that application:

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

Please tick Yes

PROTECTIVE MARKING


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 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature:  Date: 3-9-2014
Capacity: PC1570K - POLICE CONSTABLE

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):

Notes for Guidance

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

Retention Period: 7 years
MP 144/12

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 **PC993QK STEPHEN SHIPPEY** URN:

01	QD		14
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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: Date: **13th AUGUST 2014**

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

The following statement created on request of Brent Police Licensing Team in relation to a licensing issue.

On WEDNESDAY the 6th August 2014 at 1625 hours I was on duty posted as area car driver of a marked police vehicle call sign Q1 Lates in the company of PC352QK BROWN .While on mobile patrol along HARROW ROAD SUDBURY heading towards HARROW I observed several males as well as females who appeared to be drinking alcohol from bottles and cans outside SUDBURY A-Z NEWSAGENTS at 711 HARROW ROAD, SUDBURY TOWN,HA0 2LL .I also saw lots of discarded alcohol cans and bottles on a raised grassy located a few feet away from the front of the shop. I have observed groups outside the shop previously unable to stop due to attending 999 calls, this time I was able to stop to speak with shop staff .Having stopped my vehicle myself and PC BROWN approached the premises, one male aged about 25 to 30 years about 5 feet 4 tall with a tanned appearance who he spoke was either Portuguese or Brazilian background was swaying on the footpath near the low walled grassy area drinking from a opened bottle of beer. PC BROWN approached this male to advise him and the others about the no drinking zone in BRENT while I went into the shop.

As I entered the shop which was well lit I saw to my right the counter area slightly higher than the shop floor, behind the counter was one (1) Asian Male further inside was two (2) more who I was directed towards when I asked for the Licensee. A male identified himself as the licensee Mr Liaqat Ali NUTT, I asked him about the mess outside the premises relating to alcohol. I informed him that the people outside were under the influence of alcohol and some appeared drunk and that it was not the first time I have seen them or the mess .

While speaking to Mr NUTT I noticed some of those seen outside were entering the premises and buying alcohol, as this was being done I made it clear to Mr NUTT that he must not sell to those under the influence of alcohol and that his staff should be complying with the Licensing Act ,having pointed this out informed him that he was encouraging the street drinkers to stay outside his premises, leaving their rubbish on the grass area. On leaving to speak with PC BROWN he informed me that male I described earlier had a bottle of opened alcohol this was poured away by his friend when shown the no drinking sign close by ,this male then went inside buying two)2) more cans of 1664 beer .

Signature: Signature witnessed by:

Continuation of Statement of **PC993QK STEPHEN SHIPPEY**

PC BROWN had warned this male about opening these outside but went ahead and done it anyway, this fresh can was poured away shortly after.

When speaking outside this same male approached he was unsteady on his feet, swaying and slurring his words, I told him to go home he gave the impression he was not listening I have then took his arm and guided him over to the grassy area a few feet away and stood him in front of the no drinking zone information board before leaving him to return to the vehicle.

As I looked back towards the shop I observed staff clearing away the discarded cans and bottles.

In my opinion the venue is not complying with Section 141 offence to sell or attempt to sell alcohol to a person who is drunk, or to allow alcohol to be sold to such a person on relevant premises, selling to street drinkers who are clearly drunk who then consume it in front of the door and area in front causing anti social behavior, I also believe this has allowed to take place as it maybe a regular source of money for this shop.

While I was in the shop I requested and was shown by the Licensee his licence to sell alcohol the following details were noted Mr Liaqat Ali NUTT date of birth

Brent Licence Number 160128.

PC STEPHEN SHIPPEY 993QK

Signature: Signature witnessed by:

Viechweg, Dennis

From: business licence
To: Viechweg, Dennis
Subject: a -z newsagents sudbury licence

From: Details Removed
Sent: 28 September 2014 02:06
To: business licence
Cc:
Subject: a -z newsagents sudbury licence

Dear Sir or Madam,

I would appreciate if you would consider my views on this off licence.

The main reason people drink outside this off licence is that they can get their alcohol on credit. This line of credit allows vulnerable people to have access to alcohol 16 hrs a day everyday.

I have on a couple of occasions spoke to both the owner and the man who works there about this.
DETAILS REMOVED

DETAILS REMOVED.

One morning when I was in his shop a lady who was obviously well under the influence of alcohol walked in took two cans nodded to him and walked out. I was quite angry and said why did you serve her seeing as she was so drunk already. He said what could I do she just walked out with it. Some one with an off licence should have more control over what happens in his shop.

Now this summer I see a young local 15 yr old who is following in the older ones footsteps hanging around here drinking and getting into trouble with the police.

I wouldn't like to see this man losing his business, but he needs to have some regard for the welfare of the Community.

On a final note I would like to remark on the poster that alerts people to the review of this shops off licence, it says the police are concerned about this shop selling alcohol to drunks. This is neither helpful or accurate. It should say the police are concerned about this off licence selling alcohol to people already under the influence of alcohol.
Alcoholism is a disease and what we need to do is put more thought into help for these people, rather than putting them down.

Thank you
Kind regards,

DETAILS REMOVED

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London Borough of Brent

Premises Licence

PART A

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

Signed.....
Director of Environment and Neighbourhood

Date: 15 July 2013

Licence number 160128

Licence start date: 24/11/2005

Premises Details

SUDBURY A-Z NEWSAGENTS, 711 Harrow Road, Wembley, HA0 2LL
Telephone: 07886 731241

Licensable activities and the times authorised by this licence

Supply of alcohol:

Day	Start Time	End Time
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	10:00	22:30

Non standard timings: Good Friday 08:00hrs to 22:30hrs
Christmas Day 12:00hrs to 15:00hrs and 19:00hrs to 22:30hrs

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

The Opening Hours of the Premises:

Not Applicable

Part 2

Details of Holder of Premises Licence:

Name: Mr Liaqat Ali Nutt
Address: **DETAILS REMOVED**
Telephone: **DETAILS REMOVED**

Details of Designated Premises Supervisor:

Name: Mr Liaqat Ali Nutt
Address: **DETAILS REMOVED**
Personal Licence Number: **DETAILS REMOVED**
Issuing authority: Slough Borough Council

Annexe 1 - Mandatory Conditions

- (a) No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended.
- (b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (c) All persons present on the premises who are required to carry out a security activity must be licensed by the Security Industry Authority.
- (d) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

Embedded Conditions

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Alcohol shall only be sold between the times specified:

On weekdays, other than Christmas Day, between 08:00 and 23:00 hours

On Sundays, other than Christmas Day, between 10:00 and 22:30 hours

On Christmas Day, from 12:00 to 15:00 and 19:00 to 22:30 hours

On Good Friday, between 08:00 and 22:30 hours

Annexe 2 - Conditions Consistent With the Operating Schedule

None

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

None

Annexe 4 - Plans

See attached sheet.