



# Brent

## Alcohol and Entertainment Licensing Sub-Committee (C)

**Wednesday 23 September 2015 at 10.30 am**  
Board Room 5 -Brent Civic Centre, Engineers Way,  
Wembley HA9 0FJ

### Membership:

#### Members

Councillors:

Long (Chair)  
Hylton  
McLeish

#### Substitute Members

Councillors:

Bradley, Chohan, Harrison,  
Hector, Naheerathan and  
Shahzad

**For further information contact:** Joe Kwateng, Democratic Services Officer  
(020) 8937 1354; [joe.kwateng@brent.gov.uk](mailto:joe.kwateng@brent.gov.uk)

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:  
**[democracy.brent.gov.uk](http://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 Application by Metropolitan Police for review of a premises licence held by Mr Liaquat Ali Nutt for premises at "Sudbury A-Z Newsagents" (711 Harrow Road Wembley HA0 2LL) pursuant to the provisions of the Licensing Act 2003.** 1 - 40

**Conduct of the Hearing:**

The hearing shall proceed as follows:

- General introduction by the Regulatory Services Manager
- Case for the Responsible Authority – Police/Regulatory Services
- Questioning of the Responsible Authority by Applicant and Members
- Case for the Applicant
- Questioning of the Applicant by the Responsible Authority and Members
- Summing up by the Responsible Authority
- Summing up by the Applicant

**Members' Deliberation**

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



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

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

## LICENSING ACT 2003

### Application for the Review a Premises Licence

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

#### 1. Application

The application is for the review of a premises licence held by Mr Liaqat Ali Nutt. The premises are known as Sudbury A-Z, 711 Harrow Road, Sudbury, HA0 2LL.

#### 2. Grounds for Review

The grounds for review are Crime and Disorder and Public Nuisance.

#### 3. Relevant Representations

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

#### 4. Background

These premises are currently licensed for the sale of alcohol from 08:00hrs to 23:00hrs Monday to Saturday and from 10:00hrs to 22:30hrs Sunday.

The Designated Premises Supervisor is Mr Liaqat Ali Nutt.

#### 5. Associated Papers

- A. Copy of Review Application
- B. Copy of Current Licence
- C. Supporting Evidence
- D. OS Map

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

Application for the review of a premises licence or club premises certificate  
under the Licensing Act 2003

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

*[insert name of applicant]* **apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable).**

### Part 1 – Premises or club premises details

Name and postal address of premises or, if none, ordnance survey map reference or description  <b>Sudbury A-Z Newsagents, 711 Harrow Road, Sudbury</b>	
Post Town <b>Wembley</b>	Post Code <b>HA0 2LL</b>
Name of premises licence holder or club holding club premises certificate (if known) <b>Mr Liaqat Ali Nutt</b>	
Number of premises licence or club premises certificate (if known) <b>160128</b>	

## 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 <b>Michael Sullivan PC 368QK Brent Police Licensing Wembley Police Station 609 High Road Wembley HA0 2HH</b>
Telephone number (if any) <b>02087333206</b>
E-mail address (optional) <b>michael.sullivan3@met.police.uk</b>

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

Please tick one or more boxes

- |   |          |
|---|----------|
| 1) the prevention of crime and disorder | <b>X</b> |
| 2) Public safety                        |          |
| 3) The prevention of public nuisance    | <b>X</b> |
| 4) The protection of children from harm |          |

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

Sudbury A-Z Newsagents currently has a Premise Licence to sell alcohol between the hours of 08.00 and 23.00 hours Monday to Saturday and 10.00 and 22.30 hours on Sunday. The Licence allows for alcohol to be consumed off the premises, and should not be sold in open containers. A recent review of the licence was held at the end of 2014 after the shop was found to be selling alcohol to local street drinkers and complaints from local residents of Anti-Social Behaviour; this resulted in the sub-committee adding numerous conditions to the licence.

The Premises Licence holder (PLH) and Designated Premises supervisor (DPS) are one and the same, a Mr Liaqat Ali Nutt.

Sudbury A-Z Newsagents and Mr Nutt are failing to promote two of the licensing conditions, namely the prevention of crime and disorder, and the prevention of public nuisance.

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

On the 23/07/2015 police officers conducted a licensing visit at the premises and found numerous breaches, this along with the recent review on the shops licence lead police to believe that there is no other option but for the Committee to consider that the Licence be revoked.

In August 2014 uniformed police officers witnessed street drinkers buying alcohol from the shop, Mr Nutt was warned about selling to people under the influence of alcohol but appeared to continue selling to the group who had congregated outside the front of the premises to consume their alcohol.

The shops licence at this time was a converted licence with no conditions; this allowed them to

sell high strength beers at low prices, which seemed to attract the local street drinkers. Having considered the application the committee decided that numerous conditions should be added to the licence.

It was determined that the conditions asked to be included by the police and agreed by the PLH holder be added, namely.

CCTV shall be installed to home office guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested

A CCTV camera shall be installed to cover the entrance of the premises

No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked

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

Anti-robbery time delay safe shall be installed and used

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

A sign stating 'No proof of age - No sale' shall be displayed at point of sale

A challenge 21 policy shall be adopted and adhered to

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 visits by a relevant authority or emergency service

Written staff training shall be given regularly and signed records for inspection by local authority enforcement officers and police shall be made available on demand

There shall be no sale of single cans of alcohol at any time

All high strength beers, lagers, ciders above 6.0% ABV currently on the premises to be removed by midnight on 8 December 2014.

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



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

On the 23/07/2015 Brent Police Licensing officers conducted a Licensing visit at Sudbury A-Z Newsagents 711 Harrow Road, on entering the premises they spoke to a male who gave his name as Mr Liaqat Ali Nutt he informed the officers that he was the Premises Licence holder (PLH) and Designated Premises supervisor (DPS) for the shop.

Officers first asked him if he had his Personal Licence to hand so they could examine it, he was unable to produce this, stating he did not know where it was.

Mr Nutt was then asked if he had the shops Premises Licence to show officers, he handed them the part A and B of the licence which were stapled together and bound in a plastic folder, on further examination it became clear that the part A was the old licence dated 15/02 2013 which had no conditions attached to it in Annexe 2, and that the part B was the up to date licence dated 03/12/2014.

Officers asked Mr Nutt why he had the old part A of his licence attached to the new part B at which point he became very nervous, and was unable to explain this, it was put to him that he had done it to deceive officers into believing he had no conditions on his licence, again he was unable to explain, but he then produced a folder from under the counter which had an up to date part A of the licence and handed it to officers.

The current licence has thirteen conditions attached as outlined above; officers then went through these in turn with Mr Nutt.

I asked Mr Nutt if he was aware of all the conditions on his licence, to which he stated that he was.

1. CCTV shall be installed to home office guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.

Mr Nutt was asked if the CCTV was working and a recording was being kept for 31 days, he stated that it was working correctly and being kept for 31 days, he was asked if he could show the officers the CCTV system and rewind it back an hour to show it working correctly, he stated that he didn't know how to work it.

2. - A CCTV camera shall be installed to cover the entrance of the premises, there is a camera suitably placed covering the entrance to the shop

Condition 3 No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked

I then examined the shops fridge where I found several high strength beers on sale, namely Guinness Foreign Extra Stout (Bottles) 7.5% AVB, Desperados (Bottles) 5.9% AVB, Guinness Foreign Extra 7.5% AVB, Dragon Stout 7.5% AVB Perla 6.0% AVB (Cans) Zubr 6.0% AVB (Cans) Zywiec 5.6% AVB (Cans) and Kasztelan 5.7% AVB (Cans).

Mr Nutt was asked if he was aware that he could not sell alcohol above 5.5%, he replied 'yes nothing above 5.5%' he was then shown the beers describe above and did not respond, he was asked to remove these immediately.

At this point a customer came into the shop and selected a single bottle of Budweiser from the fridge, Mr Butt served the male, he placed the bottle into a small black plastic bag at which point the customer asked Mr Nutt to open it, to which he picked up a bottle opener from under the counter and removed the top, the male then left the shop with the open bottle of Budweiser, I asked Mr Nutt why he had just opened the bottle of alcohol, to which he replied

'they get angry if you don't do it, I then pointed out condition 12 of his licence regarding the sale of single cans of alcohol, to which he seemed confused.

By this time another male had come into the shop and introduced himself as a member of staff, he gave his name as Mr Khalid Mahmood and stated that he had worked at the shop for many years; he took over behind the counter so that Mr Nutt could speak with me without being interrupted by serving customers.

We then looked at condition number 4. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.

Mr Nutt pointed behind the counter to where the spirits were stocked and said 'yes look a pull down shutter with a lock on it' this appeared to be in order, I then checked the fridge where the alcohol was kept and found that it had a plastic pull down roller shutter with no locking mechanism on it, I pointed this out to Mr Nutt, he replied 'she said that this is ok as it locks' I asked him who she was, he said 'the lady' I said that this did not meet the condition of his licence as anyone could just lift it up, and there was no lock on it.

We then looked at condition 5 - Anti-robbery time delay safe shall be installed and used I asked Mr Nutt if he had a time delay safe, he said 'yes' and walked to the rear of the shop and into the stock room where he showed me a key safe that was on the floor, I said 'does it have a time delay' he said 'no just a key' I pointed out that this was yet another breach as the condition clearly states that it must be a time delay safe.

Condition 6 - states A clear and unobstructed view into the premises shall be maintained at all times

I asked Mr Nutt to come outside with me, once outside I asked him if he could tell me what Mr Mahmood was doing inside the shop at this moment, he stated that he could not see inside the shop due to all the posters that were covering the windows, I showed him the condition stating a clear and unobstructed view into the premises shall be maintained at all times and he agreed that this was being breached, and stated that he would removed all the posters.

Condition 7 - A sign stating 'No proof of age - No sale' shall be displayed at point of sale

I asked Mr Nutt to show me the sign with this wording, he pointed to a sign for proof of age for the sale of cigarettes, I pointed out that the wording needed to replicate the exact words in the licence, and is in reference to the sale of alcohol and not cigarettes, Mr Nutt stated that he did not have a sign.

At this point another member of the public entered the shop and selected a single can of Beer, I observed him then walk up to the counter pay for the can of beer and walk out of the shop, I asked Mr Mahmood, who had just served the male if he was aware of the licence condition not to sell single cans of beer, he replied yes but they cause trouble if you don't sell to them.

Condition 9 - A challenge 21 policy shall be adopted and adhered to, this was being adhered to.

Condition 10 - 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 visits by a relevant authority or emergency service

I asked Mr Nutt if he had an Incident log book, he handed me a refusal book that had last been

used on the 17/02/2015, I explained that this was no sufficient as there was no where to record all the other conditions that are required within this condition, again he agreed and stated that he would get an Incident book.

Condition 11 - Written staff training shall be given regularly and signed records for inspection by local authority enforcement officers and police shall be made available on demand  
Mr Butt produced a training folder containing a sheet signed by staff.

Condition 12 states - There shall be no sale of single cans of alcohol at any time  
This was clearly breached twice during the time officers were conducting the licensing visit, Mr Nutt was warned that this must stop.

Condition 13 - All high strength beers, lagers, ciders above 6.0% ABV currently on the premises to be removed by midnight on 8 December 2014.  
Again this condition is being breached due to the amount of high strength beers found to be still on sale in the shop.

Before leaving the shop I asked Mr Nutt if he could give me a copy of the CCTV for the time I had been on the premises, he said that he did not know how to work it and was unable to copy it from the system, he assured me that he would have a friend copy the footage on to disk and ready for my collection by the following week.

After several calls from me requesting the CCTV, Mr Nutt finally admitted to me on the 04/08/2015 that he was unable to get a copy of the CCTV as the screen was blank and it appeared that the system was not working correctly.

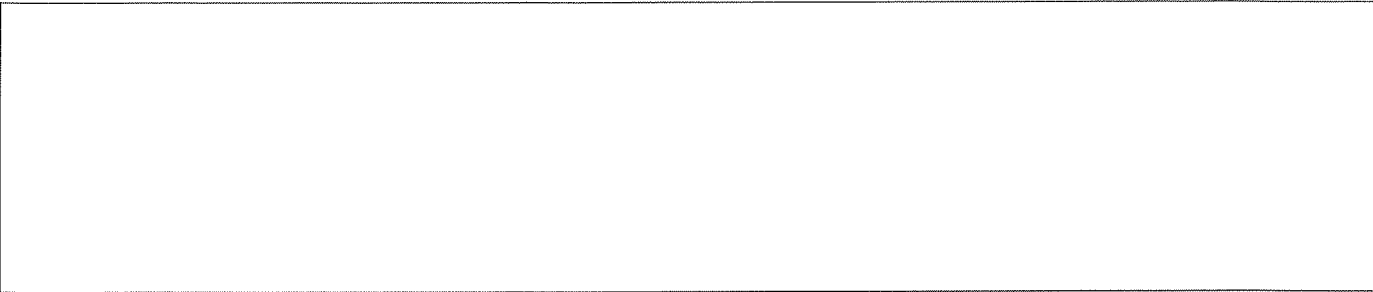
Also after assuring me that he would remove all the posters from the front of the shop windows to allow a clear and unobstructed view into the premises, I was surprised to see as I passed the premises on the 04/08/2015 that no attempt had been made to remove any of the posters and the windows are exactly the same as on the day of my visit.

Mr Nutt has shown a lack of Management in the running of his business, the above evidence shows he has no understanding of what is required of him as the PLH and DPS, he clearly has no regard to the Licensing objectives.

It is clear that Mr Nutt has not taken on board the seriousness of the Committees findings in the recent hearing and has hardly adhered to any of the conditions placed on his licence by them after being reviewed for his previous mismanagement of the premises.

It is clear he is not in control of what is going on and sees profit before the concerns of the Committee and the local residents;

It is clear that Mr Nutt is not able to abide by the conditions implemented by the committee and consideration could be given to removing him as the DPS and suspending the licence, but my feeling is that he will still be working in the shop on a day to day basis, and will continue to undermine the licensing objectives, this leads me to feel that there is no other alternative but to ask that the Committee consider revoking the licence.





Please tick ✓ **Yes**

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

If yes, please state the date of that application

Day

Month

Year

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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 X
- I understand that if I do not comply with the above requirements my application will be rejected □

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

**Part 3 – Signatures** (please read guidance note 3)

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

Signature ..... *M. J. Smith PC3682K* .....

Date ..... *4<sup>th</sup> AUGUST 2015* .....

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

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

**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  
3<sup>rd</sup> Floor West, 349-357 High Road  
Wembley,  
Middlesex  
HA9 6BZ

☎ 020 8937 5359

Fax: 020 8937 5357

Email: [environmentandprotection@brent.gov.uk](mailto: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



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

001803 62750461 1 8

£ 90 VICTIM SURCHARGE (Tick if applicable)

TITLE MR SURNAME GUSHANI

FORENAMES HARESH

DATE OF BIRTH (ddmmyyyy) 11/2/96 ADDRESS [REDACTED]

[REDACTED]

POST CODE [REDACTED] GENDER M  F

OFFENCE TIME 1850 HRS. OFFENCE DATE 21/08/2015

ISSUE TIME 1530 HRS. ISSUE DATE 29/08/2015

AT (LOCATION) 711 HARROW ROAD WEMBLEY HAD 2LL

OFFENCE CODE DA16

YOU (offence particulars) YOU SOLD ALCOHOL TO A DRUNK MALE

CONTRARY TO (Act containing offence) SECTION 141 OF THE LICENSING ACT 2003

PLACE OF ISSUE: Street  Custody

I acknowledge receipt of this Penalty Notice  
Signature [Signature]

ISSUED BY: SULLIVAN [Signature]

Warrant/Pay No. 220776 OCU 010K

Rank PC DATE OF ISSUE 29/08/2015

**MUST BE COMPLETED**

**ADDITIONAL DETAILS OF RECIPIENT**

IC Code L SD Code A1 Local Authority Code 47

Occupation SHOP ASSISTANT

I/D CHECKS MADE [e.g documents seen]

Drivers' Licence  Passport  Bank/Credit Card  National Insurance   
Travel/Photo Card  IND Card  PNC  Radio  Other (specify)

Specify Other PERSONAL LICENSE

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

Fingerprints taken  Photograph taken  DNA taken

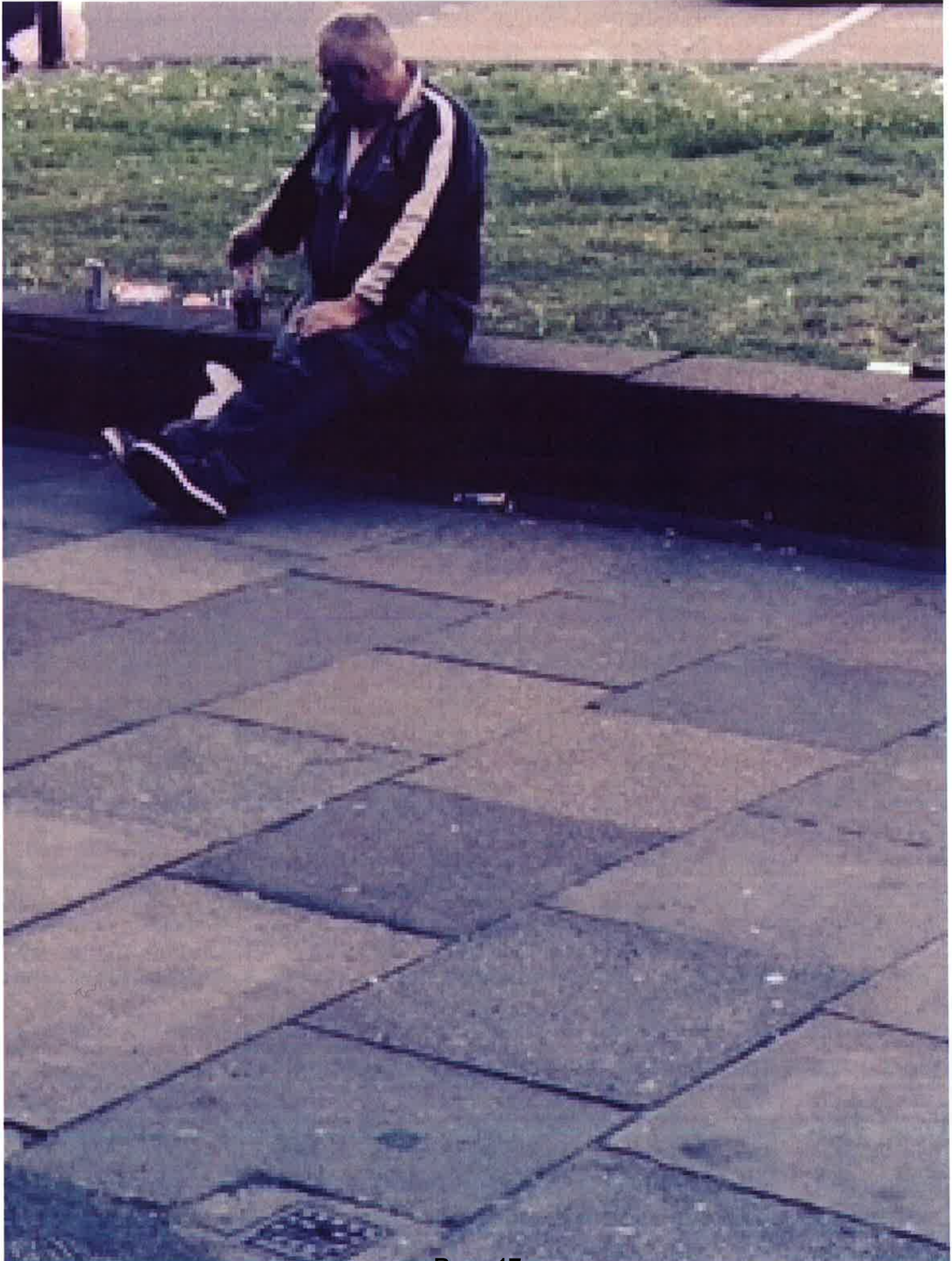
CRIS No.

A/S No. 15000000888542P

Custody (Pic) No.

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MJS/01





MJS/02



WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: PC3680K Michael Sullivan URN [ ] [ ] [ ] [ ]

Age if under 18: OVER 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 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.

Signature: [Handwritten Signature] Date: 4th August 2015

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

On Thursday 23rd July 2015 I was on duty in plain clothes, at about 10.35 hours I attended Sudbury A-Z 711 Harrow Road HA0 2LL, to conduct a licensing visit. On entering the premises I spoke to the Premises Licence Holder, Mr Liaqat Ali Nutt, he also informed me that he was the Designated Premises Supervisor for the shop. During the visit I found numerous breaches, and took several photographs as evidence of these breaches I took four photos of the alcohol the shop had for sale in it's fridges and exhibit these as MJS 1, 2, 3, and 4. I also took three photographs of the front of the shop, showing the windows covered in posters, I exhibit these as MJS 5, 6, and 7.

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**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

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

<b>01</b>	<b>QD</b>		<b>05</b>
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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 220776**.....

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: 22nd August 2015 .....

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

On Friday 22nd August 2015 I was on duty in plain clothes, on mobile patrol in an unmarked police vehicle, in company with PC782QK Paul Whitcomb, at about 18.50 hours we were travelling along the Harrow Road Sudbury when my attention was drawn to two males outside Sudbury A-Z Newsagents 711 Harrow Road HA0 2LL, we were in slow moving traffic and I could clearly see that both males were drinking alcohol from open cans, we pulled over and stopped our vehicle and observed the males for a few minutes, one of the males was sitting directly outside the shop on a low rise wall, and had several empty beer cans around him, the other male was standing up pacing around, I got out of our vehicle and walked past the males as I passed the male sitting on the wall I could see he was swaying around and appeared drunk, I saw him finish the can of beer and throw it on the floor next to where he was sitting he then stood up and started staggering towards the shop, he then entered Sudbury A-Z Newsagents, I could clearly see he was having trouble walking due to being drunk, less than a minute later the male exited the shop now carrying a white plastic bag which contained cans of beer, he staggered back to the wall and sat down again and then took out one of the beers from the bag, opened it and started drinking from it, at this point I entered the shop and spoke to a male behind the counter, I now know the male to be Mr Haresh GUSHANI, I identified myself to him by showing him my warrant card, and then asked him if he had just sold alcohol to the male sitting outside on the wall he looked out at the male and said 'who him no he didn't buy his beer here' there was only one person outside sitting on the wall, I then informed him that I had seen the male entering the shop and then leaving with the beers, GUSHANI then said 'yes ok I served him' I then went outside and spoke to the male sitting on the wall, a male I now know to be Mr Robert MIGUS Whilst speaking to him I could see that his eyes were watery his speech was slurred and his breath smelt strongly of alcohol, he was drunk, I asked him where he had purchased his beers from, he pointed to Sudbury A-Z and said 'from there' I then asked where he had bought the beers he was drinking earlier from, and pointed to the empty cans next to him, he said 'yes from there' I then ask Mr MIGUS if I could take some pictures of him with the beer, he said 'yes' I exhibit these pictures as MJS/01,02, I then went back into the shop and informed Mr GUSHANI that I would need to speak with him about this matter, and asked if someone else could manage the till area as I did not want us to be distracted whilst I spoke to him, he called another male from the rear of the shop who took over the till area, myself and Mr GUSHANI then when to the rear of the shop, at 19.00 hours I explained that I was going to caution him and that he was not under arrest, and that he was free to leave at any time, I asked him if he wanted a solicitor present, he said 'no' at 19.01 hours I cautioned Mr GUSHANI, he made no reply to caution, I then explained to him what the caution meant and he stated that he understood, I then went on to ask him the following questions.

- Q 'What do you do in the shop'
- R 'I work here'
- Q 'Did you sell the male sitting outside on the wall the alcohol he is drinking'
- R 'Yes I did'
- Q 'Why did you sell the male the alcohol he is clearly drunk'
- R 'It is my mistake'
- Q 'What alcohol did he buy and how many'
- R 'I sold him WARKA I sold him four (4) beers'

Signature: ..... Signature witnessed by: .....

Continuation of Statement of .....

Male then pointed to the fridge and pointed to a red and white cans of alcohol with the name WARKA which has 5.5 % AVB

Q 'Did you know that the male was drunk when he came into the shop and you served him'

R 'Yes it's my fault' I serve that man as he doesn't give me trouble other people give me trouble I don't serve them'

I recorded the questions and answers he gave me in an EAB, at this point we were joined by a male who gave his name as Mr lalit THATHOLA who stated he was a friend of Mr GUSHANI, and he lived nearby, he went on to say that he was from the same country as Mr GUSHANI.

Mr GUSHANI explained to Mr THATHOLA what was happening, and I asked Mr THATHOLA if he could read back to Mr GUSHANI what had been said and written down in his language and confirm he agreed that this was correct, I did this just to confirm that he fully understood what was said, and that there could be no misunderstanding as he stated that English was his second language, I was confident that he had understood what had been said of him due to his replies. Mr THATHOLA agreed and interpreted it to him and asked him if he agreed that it was correct, Mr GUSHANI said yes he understood and yes that is what was said, I then asked him to sign my notes as a true account of what had been said, which he did.

Mr GUSHANI then produced documents that proved his details, I then informed him that I was unable to deal with the matter today and that I would contact him within the next couple of weeks to inform him of how I would be dealing with the matter, he said ok and sorry for causing a problem, I reminded him of the licensing objectives and the fact that what he had done by selling to a drunk male constituted to an offence.

He assured me that he would not sell alcohol to any person that appeared drunk, I then left the premises.

Signature: ..... Signature witnessed by: .....



**RESTRICTED – FOR POLICE AND PROSECUTION ONLY**  
**(when completed)**

Home address: .....  
..... Postcode: .....

Home telephone number ..... Work telephone number .....

Mobile/pager number ..... Email address: .....

Preferred means of contact: .....

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

Former name: ..... Height: ..... Ethnicity Code: .....

Dates of witness non-availability .....

**Witness care**

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

**Witness Consent (for witness completion)**

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

Signature of witness: .....

Statement taken by (print name): **PC 368QK 220776 MICHAEL SULLIVAN** .....

Station: **HARLESDEN** .....

Time and place statement taken: .....

Signature of witness: .....

**This page is intentionally left blank**



# Witness Statement

CJ Act 1967, s9;

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

MC Rules 1981, r70;

UPRN: 

--	--	--	--	--

Statement of: ..Lavine Miller-Johnson .....

Age of if under 18..... (if over 18 insert 'over 18').....

Occupation: .....Licensing officer .....

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 anything which I know to be false or do not believe to be true.

Dated the:.....12.08.2015.....

Signature: .....  


I am employed by the London Borough of Brent as a Licensing Officer. My duties include enforcing The Licensing Act 2003. A visit was conducted on 5th August 2015 13:25hrs to Sudbury A-Z Newsagents 711 Harrow Road Wembley HA0 2LL. On entering the premise I noted that there was several posters on the windows however the main door was fairly clear. I introduced myself to the member of staff behind the counter. I asked the staff member if he was the manager. He replied no the manager is not here he is coming. At that moment, he left the shop unattended for a few minutes before returning with another gentleman called Mr Khalid Mahmood. This member of staff who I now know to be Mr Hareh Gushani showed me his personal licence. Mr Gushani gave his address as shown on the personal licence 711 Harrow Road Wembley HA0 2LL. When asked if he lived at the address provided he said no. He was asked where he lived and was unable to supply an address. I asked Mr Khalid if he was the manager and he said no, he is just a friend. Mr Gushani was advised that if he does not live at this address then he should not be using this as his mailing address and certainly not for his personal licence. He was asked again where he lived. Mr Gushani had to consult with Mr Mahmood on what was being asked of him as Mr Gushani could not under clear English. Mr Mahmood wrote on a piece of paper the address of Mr Gushaini as 2 Dawn Walk. Mr Gushani was unable to give us any further information about his address and said he had to call his daughter. I never received the full address of where Mr Gushani resides. Mr Gushani became very agitated when he was asked question. He was asked what the age verification policy was that had been adopted on the premise. He was unable to response. He said that he needed to drink water. He started saying that he gets nervous when the police or anyone comes in to ask question. He said that his blood pressure is getting high. I did not witness Mr Gushani do a blood pressure check at anytime whilst I was present in the shop. Mr Gushani became more agitated during the visit. As Mr Gushaini was struggling to understand the questions asked without Mr Mahmood translating, I asked him how it was possible for him to have completed the personal licence holders course. He said that it was taught in Punjabi language. He then asked if I speak Hindi to which I replied no and that he can not expect all of his customers to be able to speak it also.

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: 2 of 2

Mr Gushani increasingly became uncomfortable with the visit. He then took an energy drink from the fridge cabinet and went outside to sit on the wall. Whilst outside, I asked him where he had got Mr Mahmood from and asked if he worked at the premise. He said he is a friend and works at Lincoln Harford Solicitors at 713 Harrow Road. Whilst outside Mr Gushani said that he speak medium English not much English. He was asked if they sold plastic cups. He said they don't sell plastic cups they give them away if customers ask for them with a beer or drink. There is no charge for a cup. When entering the shop again Mr Mahmood was also asked if they sold cups. He looked behind the counter and said they are finished. I asked Mr Mahmood if he had a bottle opener. He once again looked behind the counter and said there was one there but it was now gone.

There was no incident book found on request. I asked to see staff training records. Mr Mahmood said that he did not know where it was and that he had seen it there in the premise before. After a short while he produced a record of staff training. Mr Mahmood and Mr Gushani were both on the list of staff who had been trained. Following on from my visit above, I do not feel that Mr Gushani is suitable to be responsible for the sales of Alcohol in the absence of Mr Nutt. If Mr Nutt can not provide suitably trained staff to manage the shop in his absence then in my opinion alcohol should not be on sale on the premise.

Signature.....

Signature Witnessed by:.....



# Witness Statement

CJ Act 1967, s9;

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

MC Rules 1981, r70;

**Witness Name:** .....Lavine Miller-Johnson.....

**Home Address:** .....Brent Civic Centre.....

**Telephone No: Home:** .....**Business:** .....0802 937 5336.....

**Mobile:**.....**E-mail:**lavine.miller-johnson@brent.gov.uk.....

**Male/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  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30 31

*February*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29

*March*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30 31

*April*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30

*May*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30 31

*June*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30

*July*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30 31

*August*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30 31

*September*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30

*October*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30 31

*November*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30

*December*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30 31

**STATEMENT TAKEN BY (Print name)** .....

**Job Title:** .....licensing Officer .....

**Date/Time Statement taken** .....12.08.2015.....

**Place statement taken:**.....Brent Civic Centre.....

**Murray, Gillian**

---

**From:** Michael.J.Sullivan@met.pnn.police.uk  
**Sent:** 04 August 2015 13:42  
**To:** Patel, Yogini; Legister, Linda; business licence  
**Subject:** Sudbury A-Z Review 01/QK/428/15/368QK  
**Attachments:** Sudbury A-Z Signed Review.pdf; WITNESS STATEMENT1.doc

**Categories:** BIBS - Gill

Dear all

Please find attached a signed of my Review for the above premises, along with supporting documents  
The DPS does not have an E-Mail account and I will be serving him a hard copy.







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# 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: 3 December 2014

**Licence number 160128**

**Licence start date: 24/11/2005**

<b>Premises Details</b>
-------------------------

**SUDBURY A-Z NEWSAGENTS, 711 Harrow Road, Wembley, HA0 2LL**

*Licensable activities and the times authorised by this licence*

<b>Supply of alcohol:</b>
---------------------------

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: Liaqat Ali Nutt

Address: [REDACTED]

### Details of Designated Premises Supervisor:

Name: Liaqat Ali Nutt

Address: [REDACTED]

Personal Licence Number: [REDACTED]

Issuing authority: Slough Borough Council

### Annexe 1 - Mandatory Conditions

<p><b>Age Verification Policy</b></p> <p>(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.</p> <p>(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.</p> <p>(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—</p> <ul style="list-style-type: none"> <li>(a) a holographic mark, or</li> <li>(b) an ultraviolet feature.</li> </ul>	<p>Applies to all premises licences and club premises certificates which permit the sale or supply of alcohol <b>ON or OFF</b> the premises – In effect</p>
<p><b>Minimum Price of Alcohol</b></p> <p>1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.</p> <p>2. For the purposes of the condition set out in paragraph 1—</p> <p>(a) —duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;</p> <p>(b) —permitted price is the price found by applying the formula—</p>	<p>Applies to all premises licences and club premises certificates which permit the sale or supply of alcohol <b>ON or OFF</b> the premises – <b>In effect</b></p>

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) —relevant personll means, in relation to premises in respect of which there is in force a premises licence—
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) —relevant personll means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) —valued added taxll means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

**Requirement for a DPS**

- (1) No supply of alcohol may be made under the premises licence-
  - (a) at a time when there is no designated

Applies to all premises licences which permit the sale of alcohol **ON or OFF** the premises.  
Community premises can apply for

<pre> premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.  (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence. </pre>	<pre> this condition to be dis-applied) - In effect </pre>
---	--

**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**

- 1 CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.
- 2 A CCTV camera shall be installed to cover the entrance of the premises.
- 3 No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked.
- 4 Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff
- 5 Anti-robbery time delay safe shall be installed and used.
- 6 A clear and unobstructed view into the premises shall be maintained at all times
- 7 A sign stating “No proof of age – No sale” shall be displayed at the point of sale.
- 9 A “Challenge 21” policy shall be adopted and adhered to.
- 10 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.

11 Written staff training shall be given regularly and signed records for inspection by local authority enforcement officers and Police shall be made available on demand.

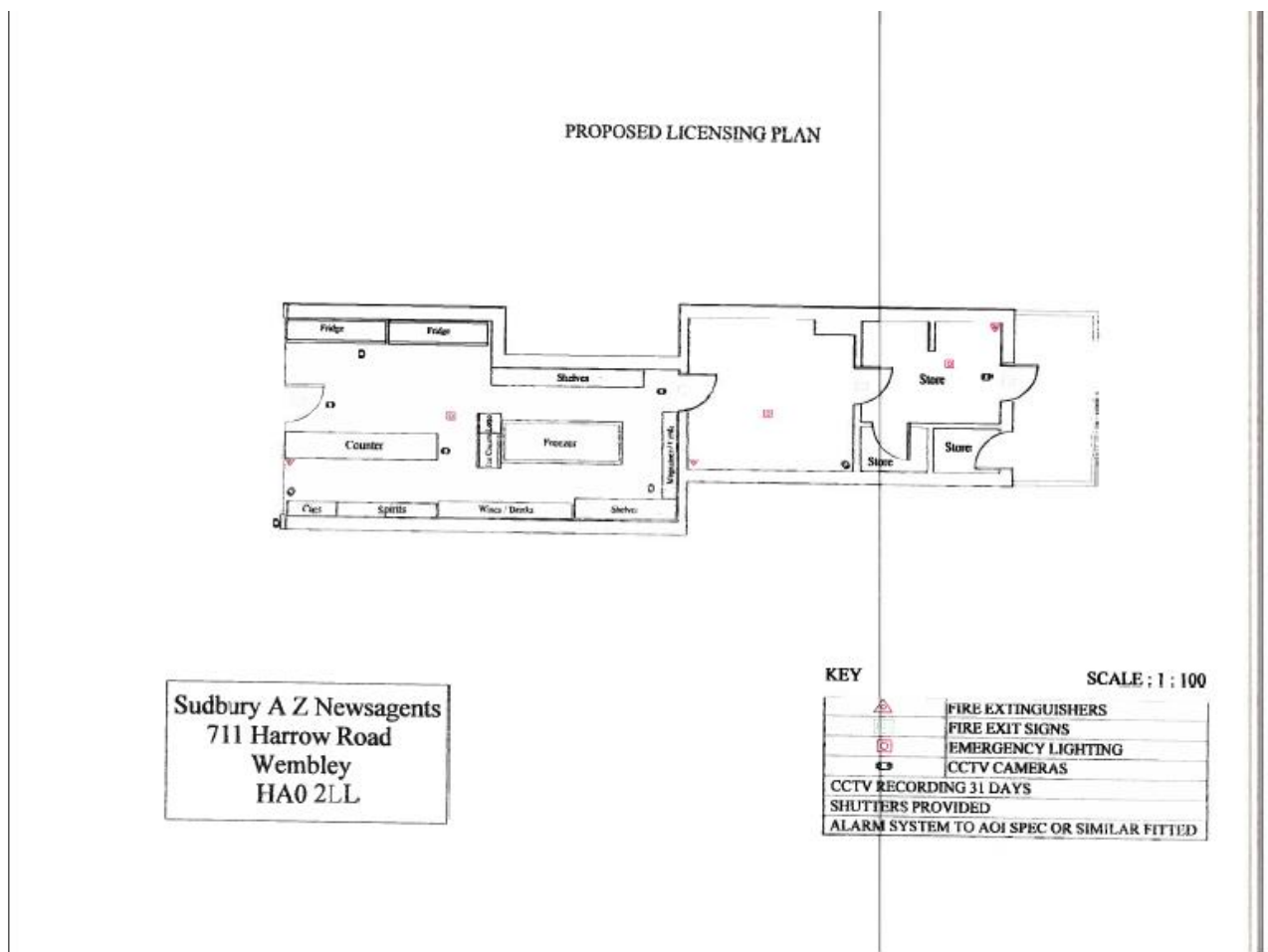
12 There shall be no sale of single cans of alcohol at any time.

13 All high strength beers, lagers and ciders above 6.0% ABV currently stocked on the premises to be removed by midnight on 8 December 2014.

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

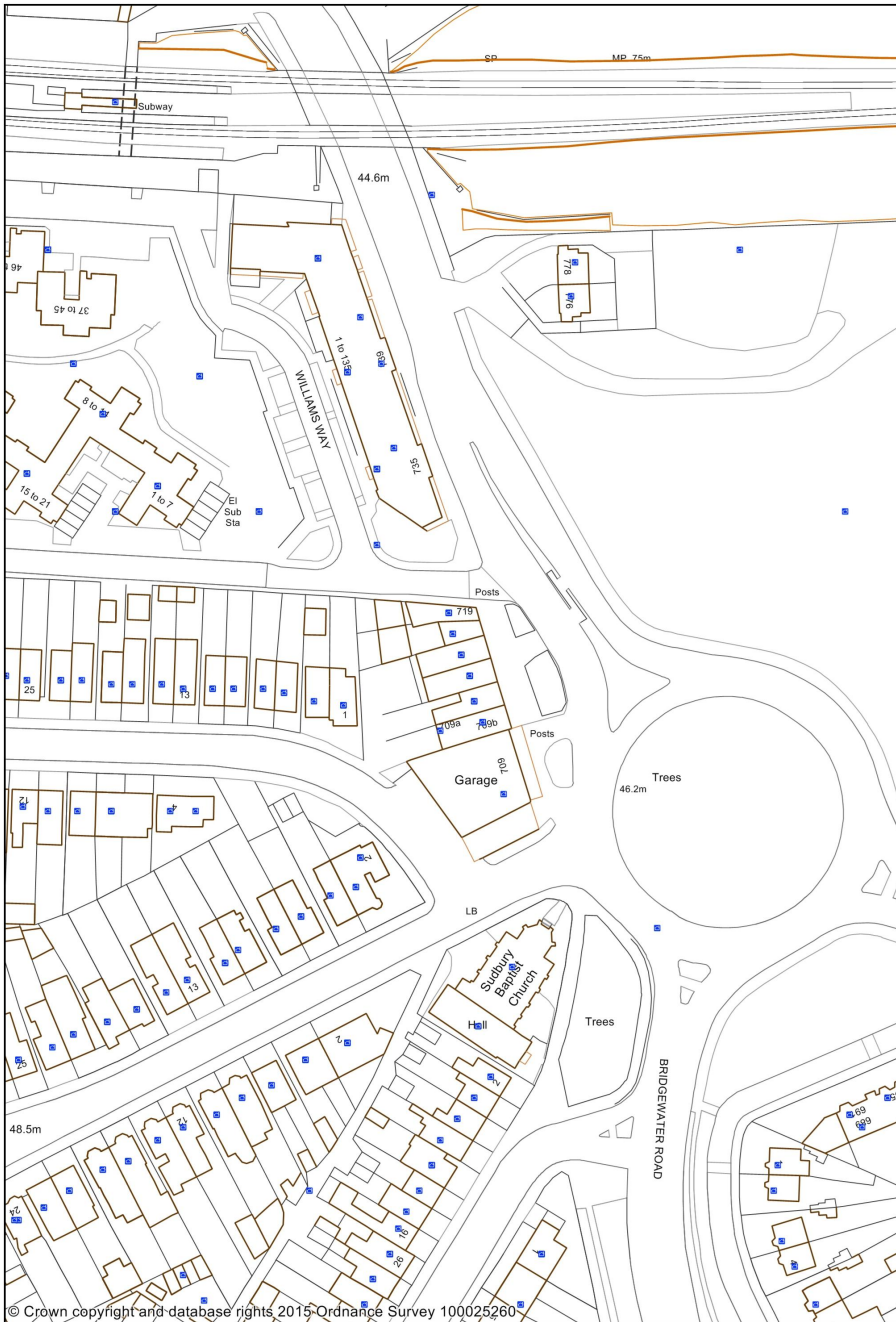
None

**Annexe 4 - Plans**





Sudbury A-Z, 711 Harrow Road, Sudbury, HA0 2LL



1:1250

0 0.02 0.04 kilometres



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