



Alcohol and Entertainment Licensing Sub-Committee

Wednesday 1 August 2018 at 10.00 am

Members Suite - 4th Floor, Brent Civic Centre,
Engineers Way, Wembley, HA9 0FJ

Membership:

Members

Councillors:

Allie (Vice-Chair)

Maurice

McLeish

Substitute Members

Councillors:

Chohan, Hector, Kennelly, Long, W Mitchell Murray and
RS Patel

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 4011; Email: devbai.bhanji@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:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item	Page
1 Apologies for absence and clarification of alternate members	
2 Declarations of Interests	
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.	
3 Application for the Review of Premises Licence by Metropolitan Police for the premises known as Shree Superstore 11 Wembley Hill Road HA9 8AF, pursuant to the provisions of the Licensing Act 2003	1 - 58
4 Application for the Review of Premises Licence by Metropolitan Police for the premises known as Bacovia Supermarket, 296 Neasden Lane, NW10 0AD, pursuant to the provisions of the Licensing Act 2003	59 - 88



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.

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LICENSING ACT 2003

Application for the Review a Premises Licence

Name of Applicant:	Metropolitan Police
Name & Address of Premises:	Shree Superstore 11 Wembley Hill Road HA9 8AF
Applicants Agent:	

1. Application

The application is for the review of a premises licence held by Mr Ankitkumar Bhatt. The premises are known as Shree Superstore 11 Wembley Hill Road HA9 8AF.

2. Grounds for Review

The grounds for review are the Prevention of Crime and Disorder, Public Safety and Protection of Children from Harm and the Prevention of Public Nuisance.

3. Relevant Representations

Representations have been received from The Police.

4. Background

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

The Designated Premises Supervisor is Ankitkumar Bhatt.

5. Associated Papers

- A. Copy of Review Application and supporting evidence
- B. Copy of Current Licence
- C. OS Map

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

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

I Police Constable 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, if none, ordnance survey map reference or description –

**Sunny Supermarket (Also Known as) Shree Superstore
11 Wembley Hill Road**

**Post town
Wembley**

**Post code
HA9 8AF**

**Name of premises licence holder or club holding club premises certificate –
Mr Ankitkumar BHATT**

**Number of premises licence or club premises certificate -
251453**

Part 2 - Applicant details

I am

Please tick ✓ yes

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

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

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

X

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

☐

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

Please tick ✓ yes

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

Surname

First names

Please tick ✓ yes

☐

I am 18 years old or over

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

PC Nicola McDonald 157QK Brent Police Licensing Wembley Police Station 603 Harrow Road Wembley HA0 2HH
Telephone number (if any) 0208 7333206
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 | X |
| 4) the protection of children from harm | X |

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

Shree Superstore (also known until recently as Sunny Superstore) currently has a Premise Licence to sell alcohol 24 hours daily.

Since 5th October 2017 the Premises Licence holder (PLH) and Designated Premises supervisor (DPS) are one and the same, a Mr Ankitkumar BHATT.

Alcohol is authorised to be supplied for consumption off of the premises and should not be sold in open containers.

The following conditions are attached to annex 2 of the licence:

1. CCTV shall be installed and maintained in a working condition.
2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.
3. 'Raid Control' crime prevention measures shall be installed and all staff given suitable training.
4. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
5. 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.
6. Photographic proof of age shall be required from all persons appearing to be under the age of 21.
7. A sign stating 'No proof of age - No sale' shall be displayed at the point of sale.
8. A refusal book shall be kept and maintained.
9. On major event days at Wembley Stadium the following shall apply:
Customers shall not be allowed to congregate outside the premises.
No glass bottles shall be sold, all drinks shall be sold in plastic bottles or cans.

The current operation in the shop is failing to promote all four of the licensing objectives due to consistent violation of licensing legislation and disregard to the safety and welfare of the public. Sitting within the footprint of the National stadium, when alcohol fuelled crime and disorder are a major issue at some events, Mr BHATT fails to assist Police by repeatedly selling large quantities of alcohol and in glass vessels. He refuses to improve the operation of his shop despite Police intervention and advice from a licensing agent. His mistakes continue and have worryingly escalated in a very short period of time.

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)

18th May 2017

Warning letter to the previous premise licence holder for breaches of the licensing conditions relating to major events at Wembley Stadium. [Exhibit NM/1](#).

Mr BHATT admitted to Officers he worked alongside the previous licence holders for at least six months before purchasing the business.

During a meeting with Mr BHATT on 14/4/2018, he admitted he had worked alongside the previous owners in the shop for six months prior to purchasing the shop in September 2018. He did this to gauge the profitability of the shop.

22nd September 2017

Mr BHATT officially becomes the premises licence holder.

Mr BHATT officially becomes the designated premises supervisor.

28th February 2018

Brent Police licensing officers visited the shop at approximately 1600hrs, it was a major football event at Wembley stadium, the shop was open to the public and alcohol was being sold.

There was one member of staff present, he gave his name as [REDACTED] he was not the owner of a personal licence. He had no knowledge of licensing legislation. [REDACTED] claimed he often "helps out" but doesn't get paid to work, as his Visa doesn't allow him employment in the UK.

The following premise license conditions were in breach:

1. "Raid Control" crime prevention measures shall be installed and all staff given suitable training.
2. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
3. A sign stating 'No Proof of age- No sale' shall be displayed at the point of sale.
4. A refusal book shall be kept and maintained.
5. On major event days at Wembley Stadium the following shall apply:
 - No glass bottles shall be sold, all drinks shall be sold in plastic bottles or cans.

[REDACTED] was told not to sell any alcohol and to cover or remove all the alcohol from display.

We returned to the shop approximately two hours later and Mr BHATT was in the shop. He explained he had to leave the shop for an emergency and had asked [REDACTED] to keep the shop open to serve customers. Mr BHATT said there was no other personal licence holder that worked in the shop. Mr BHATT was told that in that case when he was not on the premises he must not permit sales or display of alcohol. The shop has a 24 hour licence but Mr BHATT said he never opens 24 hours.

Mr BHATT had no knowledge of the 'Raid Control' measures.

Mr BHATT was unaware of the major events at Wembley stadium, he had a negative attitude to the events claiming 'they are always changing'. This was correct with the Tottenham football matches but he was advised it is his responsibility to monitor the Stadium events calendar to prevent breaches of the premises licence.

Officers examined the refusal book, there were only two entries both in November 2017. Mr BHATT admitted he did not bother to fill it and maintain it as required by the licensing conditions.

There was no sign displayed stating "No Proof of age-No Sale".

Officers had a telephone conversation whilst in the shop with Mr BHATT's licensing agent, Mr Panchal, Personal licence courses Ltd. He was informed of what officers had witnessed and advised Mr BHATT not to sell or display alcohol until the breaches had been rectified. Mr

Panchal said he would contact Police when the issues were all resolved.

6th March 2018

Mr BHATT issued with a formal written warning by Police for events on 28th February 2018 and offences under section 136 Licensing Act 2003, namely conducting licensable activities without authority, which carries a fine of up to £20,000 and/or up to 6 months imprisonment.

[Exhibit NM/2](#)

31st March 2018

Crimint QKRT00481809

Police were called to the SUNNY SUPERSTORE 11 WEMBLEY HILL ROAD HA9 8AF to reports of a civil dispute.

A male who was with 3 friends had bought a 1.5 litre bottle of brandy from the shop. They had negotiated a price of £40 and taken it back to the Holiday Inn, where they had been drinking it mixed with water. There was less than 100ml left in the bottle when they realised they weren't drunk. They tasted the liquid and said it tasted like water with sugar in it, and took it back to the shop. The male added that they had struggled to open the bottle as there was something wrong with the lid.

The shop refused to give a refund or exchange it as it was almost all gone. The male was unable to provide a receipt. He was informed it was a civil dispute and to contact either trading standards or take them to small claims court.

14th April 2018

Brent Police licensing officers visited the shop at approximately 1300hrs, it was a major football event at Wembley stadium, the shop was open to the public and alcohol was being sold.

There was one member of staff present behind the counter he gave his name as [REDACTED] he was not the owner of a personal licence. He had no knowledge of licensing legislation. He said he was not working, but there was no other member of staff in particular no personal licence holder present. There was glass bottles of beer on display. [REDACTED] said the owner had just popped home. [REDACTED] chose to close the shop instead or remove or cover all the alcohol.

The following premise license conditions were in breach:

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

5. On major event days at Wembley Stadium the following shall apply:

- No glass bottles shall be sold, all drinks shall be sold in plastic bottles or cans.

2nd May 2018

Mr Ankitkumar Bhatt attended a meeting at Brent Civic Centre with Brent Police Licensing Officers.

Mr BHATT was asked why he was not at the shop on 14th April 2018 or why a personal licence holder was not present. Mr BHATT stated that his baby had been rushed to hospital, he had no answer when asked why he did not just cover and stop selling alcohol. When Officers probed him about the emergency with his child it became apparent that he was lying and that he child was not ill or rushed to hospital. Mr BHATT then began to claim he was unaware of the conditions on his premises licence, however Police are fully aware Mr Panchal 'licensing agent' had gone over the conditions with him in February and rectified any anomalies. Mr BHATT attempted to blame the previous owner whom he worked under for more than six months, stating they had told him he was permitted to sell glass bottles on event days. Mr BHATT was reminded of the warning letter issued to him at the beginning of March 2018 that echoed these breaches. Mr BHATT then asked for a second chance that there would be no more issues at the shop. Police informed him that a premises licence review was a realistic option.

7th May 2018

At approximately 1400hours PC Sullivan and Pc Cowley from Brent Police Licensing team conducted a licensing visit. On entering the shop Pc Sullivan saw Mr Ankitkumar BHATT

behind the serving counter. When Mr BHATT saw the Officers he turned his head towards the rear of the shop and shouted something in a foreign language. PC Sullivan looked to the rear of the shop and saw three Asian males standing at the rear of the shop drinking from plastic cups. Officers walked to the back of the shop where they saw a large open high strength cider bottle and an open can of Budweiser beer on top of a large blue barrel next to where the males were standing. There were three other Asian males and a Somali male discovered standing in a side room also drinking alcohol. Photographs taken by PC Sullivan [Exhibits NW/3 – NM/6](#).

PC Sullivan went back to Mr BHATT at the counter, he was selling a bottle of cider to a male, the male asked for a plastic cup. Mr BHATT removed a clear plastic cup from a plastic sleeve containing new plastic cups lodge next to the till area see photo [Exhibit NM/7](#) and gave a cup to him. PC Sullivan pointed out that this was not acceptable, encouraging street drinking, Mr BHATT replied 'all the shops do it'. PC Sullivan then asked why there was people standing drinking alcohol in his shop, pointed out he had authority to sell alcohol for consumption off the premises only. The only reason Mr BHATT could recognise for this was that 'the shop was busy and he was on his own'. PC Sullivan told the males to leave the premises and asked Mr BHATT for a copy of the CCTV recording for 1 hour prior to Police arrival. Mr BHATT was advised strongly to operate in accordance with his authority. Mr BHATT provided a memory stick apparently containing the footage, however did not work correctly and did not have all the shops cameras on it.

18th May 2018

At 1400 hours Brent Police Licensing Officers visited the shop. Mr BHATT was present. . PC Sullivan spoke to Mr BHATT and said 'no more people drinking in your shop?' Mr BHATT was confident in his response 'No, No one at the back'. PC Sullivan asked if I could take a look, Mr BHATT then nervously said 'yes' however remained standing at the counter looking sheepish. PC Sullivan and PC Cowley went to the rear of the shop. In the stock room officers discovered an Asian male with a woolly hat and anorak drinking high strength cheap cider from a 2 litre bottle, there was other opened bottles of alcohol. Photo [Exhibit NM/8,9 & 10](#). Officers called Mr BHATT to the rear of the shop and expressed their disappointment upon finding the male. Mr BHATT accompanied Officers up a narrow staircase at the rear of the shop that lead to a locked door. Mr BHATT oddly knocked on the door, he then produced keys and unlocked the door that revealed a hidden room/makeshift residential accommodation. Mr BHATT informed officers he was renting the room out for residential purposes. Photos [Exhibit NM/11,12,13,14,15,16,17](#). Officers asked Mr BHATT if he was authorised to rent out part of the shop. Mr BHATT admitted to officers he was NOT permitted to have people living in the shop and he showed officers an email on his phone that he forwarded to Police. [Exhibit NM/18](#).

Since that date Brent Police Licensing have had verbal communications with Mr BHATT's licensing consultant Mr Panchal. He informed Police he had reiterated on several occasions to Mr BHATT his premises licence conditions, licensing legislation and best practice. Mr Panchal informed Officers he is no longer representing Mr BHATT.

23rd May 2018

The shop was visited by Brent trading standards Officers in company with HMRC Officers. Numerous items were seized by both authorities with reference to illegal age restricted products, alcohol and cigarettes.

26th May 2018

This date was a major football event at Wembley Stadium, the Championship league play off with a 1700 hour kick off. The shop was open to the public and alcohol was being sold. At approximately 1450 hours PC177QK and PC 59QK who were on foot patrol in full uniform around the stadium surrounds, attended the store. The shop was very busy and Officers noticed a long queue of customers some holding glass bottles of beer waiting to pay. As officers entered the shop they saw a customer pay for two glass bottles of alcohol. Police spoke to Mr BHATT working behind the counter who stated that he WAS aware of the restrictions but he was waiting for another member of staff to attend the shop to assist with stopping customers taking glass bottles from the fridge. The Officers explained the licensing requirements on football event days and told Mr BHATT to remove from display or cover all

glass bottles of beer cider and alcohpop style drinks and not to sell more than four cans of beer to anyone person. Officers conducted other licensing visits and then returned to the shop some minutes later. As officers walked in to the shop they saw a customer walking away from the till point having purchased six cans of beer. This information was passed to Brent Police licensing officers also working at the football event. PC Sullivan entered the shop on the same day after reiving the information. He saw Mr BHATT behind the counter. He asked Mr BHATT for an explanation and he said 'I was very busy working here by myself'. He then went on to show PC Sullivan that the glass bottles of beer cider and alcopop style drinks had now been removed from display.

The following premise license conditions were in breach:

5. On major event days at Wembley Stadium the following shall apply:

- No glass bottles shall be sold, all drinks shall be sold in plastic bottles or cans.

Mr BHATT 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 Premises licence holder and Designated premises supervisor. He clearly has no regard to the Licensing regime.

MR BHATT evidently considers making a profit above the good of the local community and licensing objectives.

It is clear that Mr BHATT is not able to abide by the minimal conditions attached to such an extreme authority (24 hours).

It is obvious that Mr BHATT has not taken on board the seriousness of the Police interactions and warnings, or those from his licensing agent Mr Panchal. In my experience as a Licensing Officer I have never dealt with a DPS who in such a short space of time has continuously and shamelessly flouted the legislation with no genuine regret. If Mr BHATT was removed as DPS, he would still have dealings will the day to day operation of the shop because he is the premises licence holder and has a financial interest.

Police do not consider a suspension of the premises licence would produce any improvement. After Police visited the shop on 28th February 2018 Mr BHATT was unable to sell/display alcohol for over a week until he implemented the premises licence conditions, in particular the installation of a time delay safe. As evidenced he then went on to continue breaking the law.

Mr BHATT does not require training, he is aware of legislation but chooses to ignore it. This is also demonstrated by knowingly breaching the lease agreement, the insurance policy of the building and local authority planning consents.

Police have no trust in Mr BHATT's integratory he has failed to show any commitment to improving and this leads me to feel there is no other alternative, to uphold the licensing objectives, than to ask the committee to revoke the premise licence.

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

☐

If yes please state the date of that application

Day	Month	Year
a		

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

Please tick ✓ yes

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

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

Part 3 – Signatures (please read guidance note 3)

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

Signature

Will PC 1570K

Date

13-8-2018

Capacity

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)

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

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

Notes for Guidance

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

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

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

☎ 020 8937 5359

Email: environmentandprotection@brent.gov.uk

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

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

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

Tel: 020 8733 3206

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

Tel: 020 8555 1200 x38778

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

Tel: 020 8937 5555

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

Tel: 020 8937 5252

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

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

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

Tel: 020 8937 5210

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

Tel: 020 8937 5359

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



**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

[REDACTED]
c/o Sunny Store
11 Wembley Hill Road
Wembley

18th May 2017

Brent Police Licensing Unit
Brent Civic Centre
Engineers Way
Wembley
Middlesex HA9 0FJ
Telephone: 020 8733 3206
Mobile: 07824868710
Email:
Nicola.mcdonald@met.police.uk
WEB: www.met.police.uk

Dear [REDACTED]

I write to summarise a recent licensing visit made to your premises on Sunday 14th May 2017. On this day it was a designated Wembley Event Day. There was a football match at Wembley Stadium, namely the Vanarama League Final game between Tranmere and Forest Green Rovers. Your shop was open to the public and alcohol was being sold.

During the visit glass bottles of alcohol were being sold and on display for sale. This breaches condition 9 of your premises licence '**on major event days at Wembley Stadium the following should apply: customers should not be allowed to congregate outside the premises and no glass bottles shall be sold, all drinks sold should be in plastic bottles or cans**'.

Disappointingly this is not the first time you have breached this condition of your premises licence.

It is just as important to maintain this condition on games with lower capacities where sporadic violence is just as common. It is crucial that glass bottles are not accessible and able to be used as weapons

Police insist that the glass bottles are totally covered or removed from display to assist you and your staff from football fans who may persevere in their attempts to purchase them. Glass bottles can cause serious injuries if used as a missile or weapon during disorder.

Contact me on the above email if you have any queries on this matter.

Yours sincerely

Nicola McDonald
Licensing Constable
Brent Police

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**METROPOLITAN
POLICE**

Working together for a safer London

TERRITORIAL POLICING

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

Mr Ankitkumar Bhatt,
Sunny Superstore,
11 Wembley Hill Road,
Wembley,
HA9 8AF

Wembley Police Station
603 Harrow Road
Wembley
HA0 2HH
Telephone: 020 8733 3206
Mobile 07824868710
Email: licensing-qk@met.police.uk
Gary.L.R.Norton@met.police.uk
www.met.police.uk
6th March 2018

Dear Mr Bhatt,

I am writing this letter in response to my two visits to your shop on Wednesday 28th February 2018, along with PC McDonald 157QK, when the venue was open to the public and alcohol was being sold.

During that visit to your shop, I discovered the following breaches of your premises license number: 251453.

1. "Raid Control" crime prevention measures shall be installed and all staff given suitable training.
2. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
3. A sign stating 'No Proof of age- No sale' shall be displayed at the point of sale.
4. A refusal book shall be kept and maintained.
5. On major event days at Wembley Stadium the following shall apply:
 - No glass bottles shall be sold, all drinks shall be sold in plastic bottles or cans.

I must point out that these breaches amount to an offence under section 136 Licensing Act 2003, namely conducting licensable activities without authority, which carries a fine of up to £20,000 and/or up to 6 months imprisonment.

We visited your shop twice on Wednesday 28th February, which was a Wembley Stadium major event day. On the first visit, the person you left in charge to serve customers, Mr [REDACTED] was found not to hold a personal licence. He had no knowledge of any Raid Control measures, such as the need to have a time delay safe and did not know there was a refusals book, or where it might be located. Only some of the glass bottles of beer, cider and alcopops in the fridges were covered to prevent display and sale. However, as there was no personal licence holder in the store, all the alcohol should have been either taken from the shelves and put out of view or covered entirely, as you cannot display or sell alcohol without a personal licence holder present in the shop.

██████ claimed he often “helps out” but doesn’t get paid to work, as his Visa doesn’t allow him employment in the UK.

We returned to the shop later on to speak to you directly. You explained you had to leave the shop for an emergency and had asked ██████ to keep the shop open to serve customers. The shop has a 24 hour licence to sell alcohol and you said you couldn’t be there the whole time to sell alcohol. You also said you did not have anyone else who works for you that is a personal licence holder, when you aren’t there. Therefore, whenever you are not in the shop when it is open, you are breaching your licencing conditions by continuing to display ANY of the alcohol, or sell it.

You stated you didn’t know you had to have a time delay safe, as per the Raid Control licencing condition.

When you asked what day the next Wembley Event day was, you didn’t know and said its impossible to know as the times and dates keep changing. It was pointed that that you need to keep checking, as selling bottles of beer & ciders and alcopops on Event days is not permissible and you

You did locate your refusals book, which had two entries dated in November 2017. You admitted you did not bother to fill it and maintain it as required in your licencing conditions. Finally, you did not have a sign on display stating “No Proof of age-No Sale”.

This letter is a written warning. The Metropolitan Police as a Responsible Authority under the Licensing Act 2003 reserves the right to initiate a Review of your Premises License and take enforcement action with reference to the commission of offences under the ‘Act’

Yours sincerely
Gary Norton 965QK
Licensing Constable Brent Police



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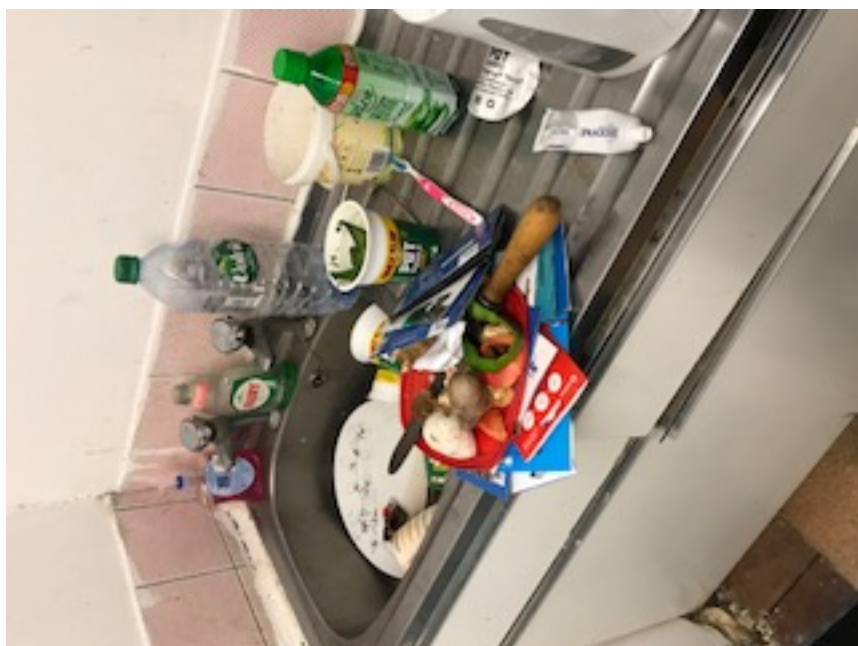
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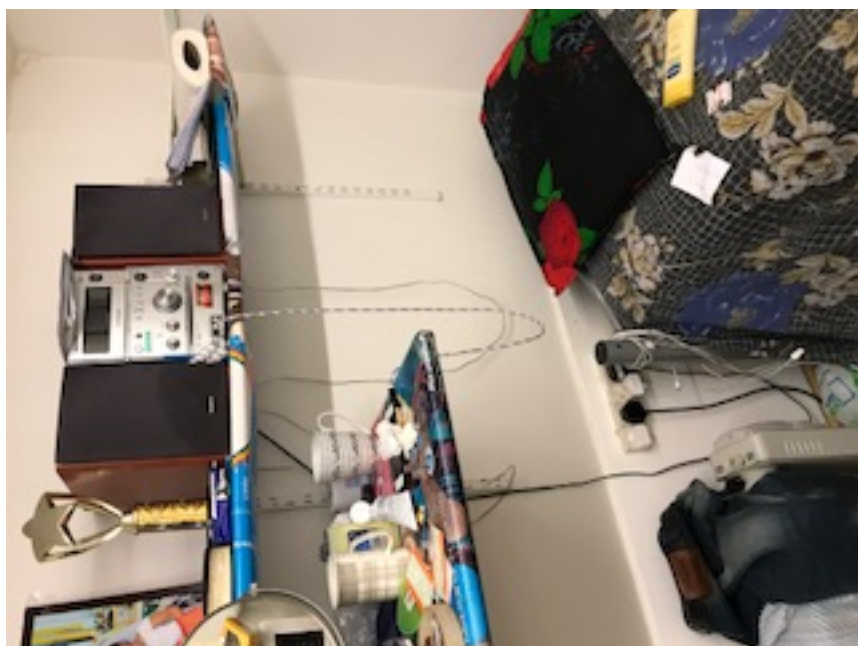
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From: aspectsurveyorslimited.com

Date: Sat, 12 May 2018 at 07:03

Subject: Serious Breach of Lease at 11 Wembley Hill Road Wembley Middlesex

To: ankitbhatt <

Mr Bhatt

Further to my recent inspection of the above premises with my colleague and our subsequent telephone conversation please confirm that room at the rear of your retail unit will no longer be used as residential accommodation.

Such use is in direct breach of your lease the insurance of the building and local authority planning consents.

This illegal use must stop immediately if you have not done so already.

I shall be away from the office next week so please confirm to my colleague on Monday that the room is clear.

Kind regards

Director

Aspect Surveyors Limited

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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.....
Operational Director, Planning & Regeneration

Date: 18 October 2017

Licence number 251453

Licence start date: 16/03/2007

Part 1 - Premises Details

SHREE SUPERSTORE, 11 Wembley Hill Road, Wembley, HA9 8AF

Licensable activities and the times authorised by this licence

Supply of Alcohol:

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

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

The Opening Hours of the Premises:

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

Part 2

Details of Holder of Premises Licence:

Name: Mr Ankitkumar Bhatt

Address: [REDACTED]

Details of Designated Premises Supervisor:

Name: Ankitkumar Bhatt

Address: [REDACTED]

Personal Licence Number: [REDACTED]

Issuing authority: [REDACTED]

Annexe 1 - Mandatory Conditions

Age Verification Policy

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

Minimum Price of Alcohol

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) —duty^{ll} is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) —permitted price^{ll} is the price found by applying the formula—

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

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) —relevant person^{ll} 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 person^{ll} 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 tax 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 day) would be different from the permitted price on the next day (—the second day) 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 premises supervisor in respect of the premises licence, or

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

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

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

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

a) premises where the premises licence authorises plays or films

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

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

Annexe 2 - Conditions Consistent With the Operating Schedule

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

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

3. 'Raid Control' crime prevention measures shall be installed and all staff given suitable training.

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

5. 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.

6. Photographic proof of age shall be required from all persons appearing to be under the age of 21.

7. A sign stating 'No proof of age - No sale' shall be displayed at the point of sale.
8. A refusal book shall be kept and maintained.
9. On major event days at Wembley Stadium the following shall apply:
 - Customers shall not be allowed to congregate outside the premises.
 - No glass bottles shall be sold, all drinks shall be sold in plastic bottles or cans.

Annexe 3 - Conditions Attached After a Hearing by the Licensing Authority
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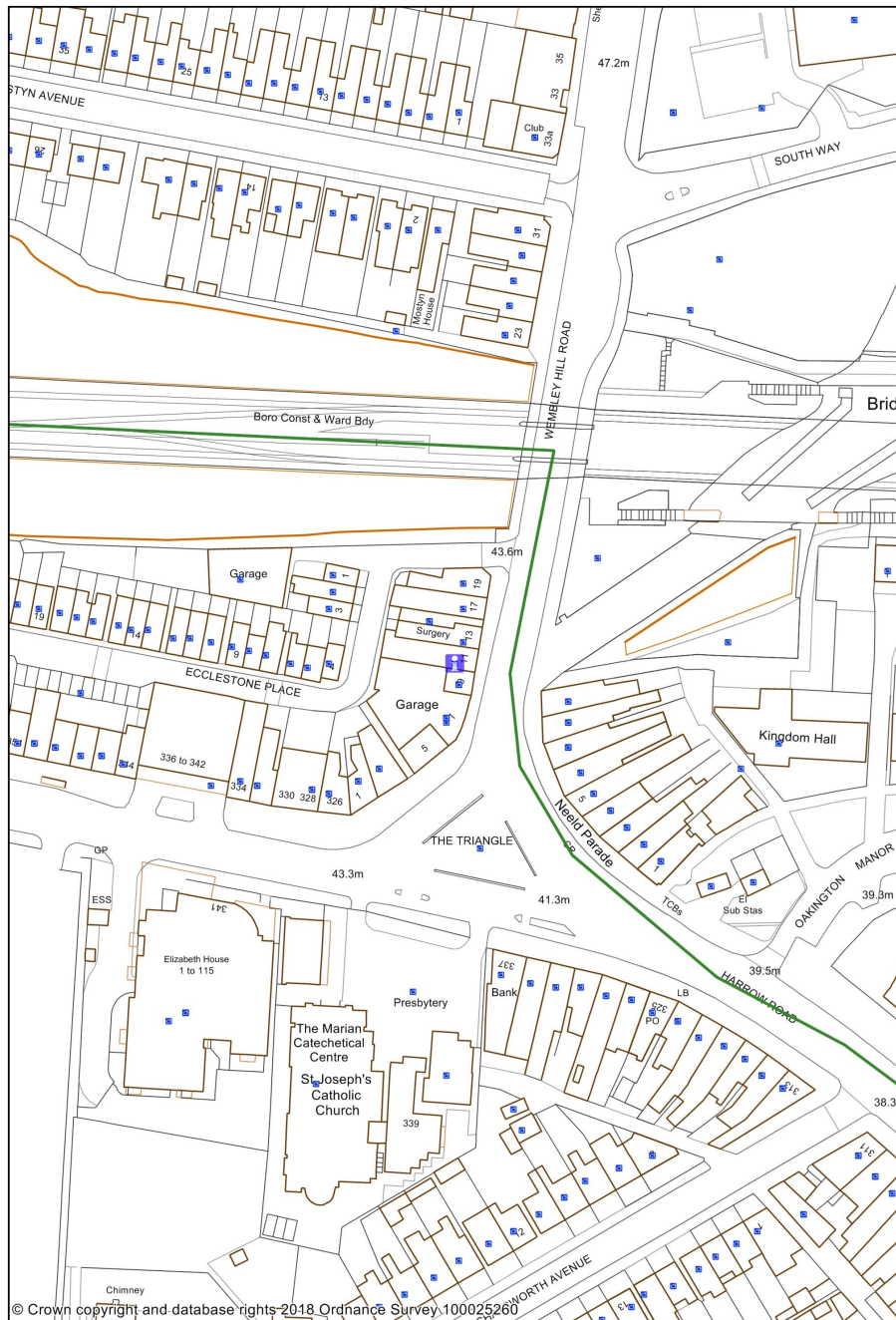
None

Annexe 4 - Plans

See attached sheet.

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Shree Superstore 11 Wembley Hill Road HA9 8AF



1:1250

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LICENSING ACT 2003

Application for the Review a Premises Licence

Name of Applicant:	Metropolitan Police
Name & Address of Premises:	Bacovia Supermarket, 296 Neasden Lane, NW10 0AD
Applicants Agent:	

1. Application

The application is for the review of a premises licence held by Mr Mihai Lupes. The premises are known as Bacovia Supermarket, 296 Neasden Lane, NW10 0AD.

2. Grounds for Review

The grounds for review are the Prevention of Crime and Disorder, Public Safety and Protection of Children from Harm.

3. Relevant Representations

Representations have been received from The Police and Trading Standards.

4. Background

These premises are currently licensed for the sale of alcohol and to remain open from 07:00hrs to 23:00hrs Monday to Sunday.

The premises was previously reviewed in October 2012 by Trading Standards.

The Designated Premises Supervisor is Lavinia Victoria Ileanu.

5. Associated Papers

- A. Copy of Review Application
- B. Copy of Minor Variation Application
- C. Copy of Trading Standards Rep
- D. Copy of Current Licence
- E. OS Map

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Police Constable 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, if none, ordnance survey map reference or description –
**Bacovia Supermarket
296 Neasden Lane
Neasden**

Post town
London

Post code
NW10 0AD

Name of premises licence holder or club holding club premises certificate –
Mr Mihai LUPES

Number of premises licence or club premises certificate -

478253

Part 2 - Applicant details

I am

Please tick ✓ yes

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

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

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

X

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

☐

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

Please tick ✓ yes

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

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

PC Nicola McDonald 157QK Brent Police Licensing Wembley Police Station 603 Harrow Road Wembley HA0 2HH
Telephone number (if any) 0208 7333206
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)

Bacovia Supermarket currently has a Premise Licence to sell alcohol from 0700 hours to 2300 hours 7 days a week.

The Premises Licence holder (PLH) has been held by Mr Mihail LUPES since the licence was first granted on 8th January 2009.

The Designated Premises supervisor (DPS) since 21st January 2015 is Ms Lavinia Victoria Illeanu

Alcohol is authorised to be supplied for consumption off of the premises and should not be sold in open containers.

The current operation in the shop is failing to promote three of the licensing objectives: Protection of Children, Public safety and prevention of Crime and Disorder.

During the initial premises licence application process in 2009 Police requested several conditions be attached to the licence that would promote all the licensing objectives.

In April 2011 Police discovered during a visit to the shop several of the premises licence conditions were being breached.

After hearing an application to review of the premises licence for Bacovia, the Licensing Committee decided to add further conditions to encourage improvements at the shop.

However in July 2017, Mr Lupes applied to remove significant conditions from the premises licence stating his reasoning 'as a small business the cost of putting on training courses is too expensive. I will do regular training with all staff which will be recorded and signed for by DPS and staff'. Mr Lupes is not a personal License holder, his knowledge of licensing legislation is limited and Police question what he can impart to his staff. Police believe this has had an adverse impact on the running of the shop and as a result the recent sale of alcohol to a child has arisen.

Located within an area of alcohol fuelled crime and disorder, Mr Lupes fails to assist Police and partners by selling and stocking illegal age restricted goods.

Police intervention via these means so quickly is to prevent a rapid escalation and risk of putting the public and children at harm.

Removal of conditions from the premises licence has been a catalyst for further offences.

Police request the Licensing Committee add conditions to the premises licence and consider a significant suspension of the premises licence to allow time for more staff to become personal licence holders.

The recommended conditions are:

- (i) That a personal licence holder who speaks fluent English be on the premises at all times that it is open to the public and if such times they are not on the premises, then there shall be no sale or display of alcohol.
- (ii) A clear and unobstructed view into the premises shall be maintained at all times.
- (iii) An incident log shall be kept at the premises and made available for inspection on request of an authorised officer of Brent Council or the Police which will record the following:
 - a. all crimes reported to the venue
 - b. any complaints received
 - c. any faults in the CCTV system or searching equipment or scanning equipment
 - d. any refusal of the sale of alcohol
 - e. any visit by a relevant authority or emergency service
- (iv) No miniature bottles of wine or spirits in units of less than 35cl should be sold at the premises.
- (v) No single cans or bottles of beer, lager or cider shall be sold.
- (vi) Any staff directly involved in selling alcohol for retail to consumers, staff who provide training and all managers will undergo regular training of Licensing Act 2003 legislation. This will be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.
- (vii) Stock shall be purchased only from established traders.
- (viii) Copies of invoices and receipts for stock shall be kept for a minimum of eighteen months and made available to authorised officers.

These recommendations are proportionate and valuable in the upholding of the licensing objectives

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

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

2009

When the premises licence was initially granted in 2009 Police requested the following conditions to be attached to annex 2 of the premises licence

- 1 CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.
- 2 A CCTV camera shall be installed to cover the entrance of the premises.
- 3 A "Challenge 21" policy shall be adopted and adhered to.
- 4 A refusal book shall be kept and maintained.
- 5 Promotions that encourage irresponsible drinking shall not be permitted.
- 6 No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked with the exception of premium beers.
- 7 "Raid Control" crime prevention measures shall be installed and all staff given suitable training.
- 8 A clear and unobstructed view into the premises shall be maintained at all times.
- 9 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.
- 10 A personal licence holder fluent in English shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
- 11 On major event days at Wembley Stadium the following shall apply:
 - Customers shall not be allowed to congregate outside the premises.
 - No glass bottles shall be handed over the bar but decanted into plastic vessels.
 - The DPS shall work in partnership with the Police and if necessary comply with any direction given by the most senior Police Officer on duty at the event.
 - No alcohol or "alcopop" type drinks shall be displayed or sold in glass containers with the exception of wines and spirits.

October 2012

Brent Trading standards Officers made an application to review the premises licence for Bacovia. Their evidence included the sale of alcohol to a child.

Police supported the review application highlighting during a visit to the premises on 12 April 2011 the following breaches of the premises licence were identified

- 8 A clear and unobstructed view into the premises shall be maintained at all times.
- 9 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.
- 10 A personal licence holder fluent in English shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.

The Licensing sub-committee heard the review application and their decision was to add three further conditions to Annexe 3 of the Premises Licence:

- (i) That an application be made to vary the designated premises supervisor within three months of this hearing
- (ii) That a personal licence holder who speaks fluent English be on the premises at all times that it is open to the public and if such times they are not on the premises, then there shall be no sale of alcohol.
- (iii) That signage be displayed at the point of sale stating 'No proof of age, no sale of alcohol'.
- (iv) That alcohol products located behind the counter be covered by a screen at times when they are not for sale.

August 2015

Due to high levels of alcohol fuelled anti-social behaviour and street drinking a multi-agency proactive operation commenced around the Neasden circle area. Police initiated a voluntary agreement not to sell the high strength cheap beers and ciders predominately consumed by habitual street drinkers, for those licensed premises lacking the condition on their licence.

Neasden Circle remains an organic project that is constantly monitored by Police and Partners.

7th February 2017

Police conduct a test purchase operation with a child under the age of 18 years at Bacovia. The child was able to buy alcohol. The member of staff who sold the alcohol was issued with a fixed Penalty Notice for Section 146 Licensing Act 2003.

25th July 2017

The Premise Licence holder Mr LUPES made an application to make minor variations to the premises licence. Significantly Mr LUPES requested the removal of conditions some that are Namely:

- A clear and unobstructed view into the premises shall be maintained at all times.
- A personal licence holder fluent in English shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.

Exhibit NM/1 minor variation application.

6th February 2018

Brent Trading Standards conducted a visit to the above premises which resulted in the seizure of over illicit, unlicensed medicine.

The store room also had unlabelled 2 litre plastic bottles of red wine and 10 litre plastic bags in cardboard containers they type used for selling boxed wine.

4th April 2018

At approximately 1615 hours Police conduct a test purchase operation with a child under the age of 18 years at Bacovia.

The child was able to purchase two cans of Stella Artois for £2.40,

The member of staff who sold the alcohol was issued with a fixed Penalty Notice for Section 146 Licensing Act 2003.

2nd May 2018

Meeting at Brent Civic Centre with Mr Lupes PLH and Ms Illeanu.

Police discovered that Ms Illeanu has three members of staff working under her at the shop, however she is the only personal licence holder. Ms Illeanu works in the shop 5 days a week but the shop is open every day.

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

☐

If yes please state the date of that application

Day Month Year

a							
---	--	--	--	--	--	--	--

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

An application was made to review this premise licence in October 2012 by London Borough of Brent Trading Standards Officers. Police supported that application by submitting representations to that application during the consultation period in November 2012.

Please tick ✓ yes

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

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

Part 3 – Signatures (please read guidance note 3)

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

Signature

Will R1570K

Date

14-6-2018

Capacity

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)

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

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

Notes for Guidance

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

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

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

☎ 020 8937 5359

Email: environmentandprotection@brent.gov.uk

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

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

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

Tel: 020 8733 3206

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

Tel: 020 8555 1200 x38778

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

Tel: 020 8937 5555

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

Tel: 020 8937 5252

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

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

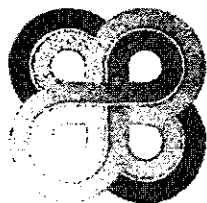
Area Planning Service
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5210

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

Tel: 020 8937 5359

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



Brent



APPLICATION FOR A MINOR VARIATION TO 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 especially Note 1.

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. Once completed please send your application to the relevant licensing authority. You may wish to keep a copy of the completed form for your records.

I/We Mr. MIHAI LUPES

..... [insert name of applicant(s)] being the premises licence holder(s) / club holding a club premises certificate, apply to vary a premises licence under section 41A / club premises certificate under section 86A of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises Details

Postal address of premises (or, if none, ordnance survey map reference or description)

296 NEASDEN LANE
LONDON

Post Town

Post Code NW10 0AD

Telephone number at premises (if any)

07872 320809

Premises licence number/club premises certificate number

478253

Brief description of premises (Please see Guidance Note 2)

SUPERMARKET

Part 2 - Applicant details

I am / we are the premises licence holder/club premises certificate holder (Please delete as appropriate)

Contact phone number in working hours (if any)

07872320809

Applicant Postal Address IF DIFFERENT FROM PREMISES ADDRESS

296A NEASDEN LANE

Post Town

Postcode

NW10 0AD

Please provide email address if you would prefer us to contact you by email (optional)

Part 3 - Proposed variation(s)

Please tick ✓

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐ No

If not, from what date do you want the variation to take effect?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see Guidance Note 3)

☐ Yes

☒ No

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See Guidance Note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent):

Details of proposed variations (Please see guidance note 4)

PLEASE SEE THE PROPOSED VARIATIONS FROM PART A, ANNEXE 2 OF MY PREMISES LICENCE THAT WE WANT TO REMOVE OR MODIFY

- Point
- 1 — N.A
 - 2 — N.A
 - 3 Change from Challenge 21' to 25'
 - 4 — N.A
 - 5 — N.A
 - 6 Change from 5.5% ABV to 6.0%
 - 7 — N.A

8 Can you please remove point 8 from my licence, because the shop is small and we need space for shelving units

9 — N.A

10 Can you please remove point 10 of my licence as a small business the cost of putting on training course is too expensive I will do regular training with all staff which will be recorded and signed for by DPs and staff.

11. Can you please remove point 11 as we are not within Wembley Stadium footprint.

Part 4 – Operating Schedule

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary were successful.

Provision of regulated entertainment

Please tick ✓ Yes

- | | |
|---|--------------------------|
| a) plays | <input type="checkbox"/> |
| b) films | <input type="checkbox"/> |
| c) indoor sporting events | <input type="checkbox"/> |
| d) boxing or wrestling entertainment | <input type="checkbox"/> |
| e) live music | <input type="checkbox"/> |
| f) recorded music | <input type="checkbox"/> |
| g) performances of dance | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) | <input type="checkbox"/> |

Provision of late night refreshment

☐

Sale by retail of alcohol – (Note that this can only relate to reducing licensed hours, or moving them without any overall increase between 7am and 11pm)

☐

Enclosures

- | | |
|--|--------------------------|
| I have enclosed the premises licence/club premises certificate | <input type="checkbox"/> |
| I have enclosed the relevant part of the premises licence/club premises certificate | <input type="checkbox"/> |
| I have included a copy of the plan
(necessary if the proposed variation will affect the layout) | <input type="checkbox"/> |

If you have not ticked one of the previous three boxes, please explain why in the box below:

Reasons why you have failed to enclose the premises licence/club premises certificate or relevant parts.

I have enclosed a copy of my licence as I need the original to be displayed on the shop

Any further information to support your application (See Guidance Note 6)

Please tick ✓ Yes

- I have made or enclosed payment of the fee ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have enclosed the plan, if appropriate, of the premises in scale 1:100, unless otherwise agreed with the licensing authority ☐
- I have enclosed the premises licence/club premises certificate or relevant part of it or provided an explanation ☐
- I understand that if I do not comply with the above requirements my application will be rejected ☒
- I understand that I must now advertise my application for a continuous period beginning on the first working day after the day on which the application was given to the relevant licensing authority and ending at the expiry of the ninth consecutive working day after that day. ☐

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures and Contact Details (see guidance note 7)

Premises Licence

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (See Guidance Note 8). If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign.

Signature

Mihai Lupes

Date

24.07.2017

Capacity: I / We (insert full name and capacity)

MIHAI LUPES

DIRECTOR

sign on behalf of and have authority to bind the applicant.

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (See guidance note 9). If signing on behalf of the applicant please state your name and in what capacity you are authorised to sign.

Signature

Date

Capacity: I / We (insert full name and capacity)

.....sign on behalf of and have authority to bind the applicant.

CLUB PREMISES CERTIFICATE

Where the premises are a club:

I (insert full name)make this application on behalf of the club and have authority to bind the club.

Signature

Date

Capacity: I / We (insert full name and capacity)

.....sign on behalf of and have authority to bind the applicant.

Contact name (where not previously given) and address for correspondence associated with this application (See guidance note 10)	
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.

Please return the completed form and accompanying documents to:-

Licensing Department
Brent Council
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

☎ 020 8937 5359

Email: business.licence@brent.gov.uk

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

From: Bandukwalla, Ali
Sent: 11 July 2018 09:49
To: Business Licence <business.licence@brent.gov.uk>
Cc: Prashar, Anu <Anu.Prashar@brent.gov.uk>
Subject: RE: CONSULT: Review - 296 Neasden Lane, London, NW10 0AD - 12304

Dear Sir/Madam

Brent and Harrow Trading Standards wish to make a representation for the application for review for the licence at Bacovia Ltd 296 Neasden Lane, London NW10 0AD on the grounds of Prevention of Crime and Disorder and Protection of Children from Harm. The representation is made based on the seizures of illicit products from the business as well as an underage sale conducted by Brent and Harrow Trading Standards.

ali

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Mihai Lupes
Bacovia Supermarket
296 Neasden Lane
London
NW10 0AD

11th July 2018

Case Reference: 12304

Licensing Representation to the Application to Review the Premises Licence for Bacovia Supermarket, 296 Neasden Lane, London, NW10 0AD

I certify that I have considered the application shown above and I wish to make representations that the likely effect of the review of the application is detrimental to the Licensing Objectives for the reasons indicated below.

Licensing Inspector: Esther Chan

An officer of the Licensing Authority, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The application has been made to review the premises licence under section 51 of the Act.

Following the review application related to Bacovia Supermarket, 296 Neasden Lane, London, NW10 0AD, I conducted a visit to the premise on Wednesday 20th June 2018 at approximately 10:49hrs to carry out an inspection.

During my visit, the DPS, Ms Lavinia Victoria Lieanu and the manager Mrs Maria Ana were both present.

The following conditions which are embedded on the premise licence were breached whereby various conditions were not met or fully complied with:

Condition 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.

I was informed that CCTV recordings are only kept for 30 days.

Condition 3 - A 'Challenge 21' policy shall be adopted and adhered to.

During my inspection, I observed a 'Challenge 25' poster displayed on the glass window by the front counter. Ms Lieanu confirmed that the premise adopts a 'Challenge 25' policy and a refresher training is conducted once every month. She then showed me staff training records, which did not stipulate Challenge 25 is adopted. The training records states that no persons under 21 years of age regardless of circumstances is allowed to buy alcohol and tobacco. This was pointed out to Ms Lieanu that training records does not appear to correspond with the age verification policy adopted at the premises. Ms Lieanu admitted the error and stated she will update the training records.

Condition 9 - 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.

This condition has not been met. An old copy of the premise licence dated 31st July 2013 showing part of the licence was displayed. Ms Ana was advised to ensure the most recent copy of the summary licence (Part B) of the premise licence is displayed facing outside the premise.

Condition -14 Alcohol products located behind the counter be covered by a screen at times when they are not for sale.

During my observation, it was noted that there was no screen located behind the counter to cover the alcohol. Both Ms Lieanu and Ms Ana were unaware of this condition.

Summary

To summarize, the Licensing Authority makes representation against this application as we are not confident that the licensee and DPS have a full understanding of the requirements under the Licensing Act. Based on the number of breaches identified at my inspection, the licence holder is unable to fully uphold the licensing objectives.

The Licensing Authority agree with all the conditions imposed by the Licensing Police in this review application.

Yours faithfully,



Esther Chan
Licensing Inspector
Planning, Transportation & Licensing

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.....
Head of Regulatory Services*

Date: 17 February 2015

Licence number 478253

Licence start date: 08/01/2009

Part 1 - Premises Details

BACOVIA SUPERMARKET, 296 Neasden Lane, London, NW10 0AD
Telephone: 07872 320809

Licensable activities and the times authorised by this licence

Supply of Alcohol:

Day	Start Time	End Time
Monday	07:00	23:00
Tuesday	07:00	23:00
Wednesday	07:00	23:00
Thursday	07:00	23:00
Friday	07:00	23:00
Saturday	07:00	23:00
Sunday	07:00	23:00

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

The Opening Hours of the Premises:

Day	Start Time	End Time
Monday	07:00	23:00
Tuesday	07:00	23:00
Wednesday	07:00	23:00
Thursday	07:00	23:00
Friday	07:00	23:00
Saturday	07:00	23:00
Sunday	07:00	23:00

Part 2

Details of Holder of Premises Licence:

Name: Lupes, Mihai

Address: [REDACTED]

Telephone: [REDACTED]

Details of Designated Premises Supervisor:

Name: Lavinia Victoria Ileanu

Address: [REDACTED]

Personal Licence Number: [REDACTED]

Issuing authority: [REDACTED]

Annexe 1 - Mandatory Conditions

Age Verification Policy

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either?

- (a) a holographic mark, or
- (b) an ultraviolet feature.

Minimum Price of Alcohol

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1?
 - (a) —duty¹ is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) —permitted price¹ is the price found by applying the formula?

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

where?

- (i) P is the permitted price,

- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) —relevant person^{ll} 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 person^{ll} 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 tax^{ll} 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 day^{ll}) would be different from the permitted price on the next day (—the second day^{ll}) 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 premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

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

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

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

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

Embedded Conditions

Not applicable

Annexe 2 - Conditions Consistent With the Operating Schedule

1 CCTV shall be installed 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 A 'Challenge 21' policy shall be adopted and adhered to.

4 A refusal book shall be kept and maintained.

5 Promotions that encourage irresponsible drinking shall not be permitted.

6 No high strength beers, lagers, and ciders above 5.5% ABV shall be stocked with the exception of premium beers.

7 'Raid Control' crime prevention measures shall be installed and all staff given suitable training.

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

9 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.

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

11 On major event days at Wembley Stadium the following shall apply:

- Customers shall not be allowed to congregate outside the premises.
- No glass bottles shall be handed over the bar but decanted into plastic vessels.
- The DPS shall work in partnership with the Police and if necessary comply with any direction given by the most senior Police Officer on duty at the event.
- No alcohol or 'alcopop' type drinks shall be displayed or sold in glass containers with the exception of wines and spirits.

12 An application be made to vary the designated premises supervisor within three months of the hearing (hearing date 7/6/13)

13 A personal licence holder who speaks fluent English be on the premises at all times that it is open to the public and if such times they are not on the premises, then there shall be no sale of alcohol.

14 Alcohol products located behind the counter be covered by a screen at times when they are not for sale.

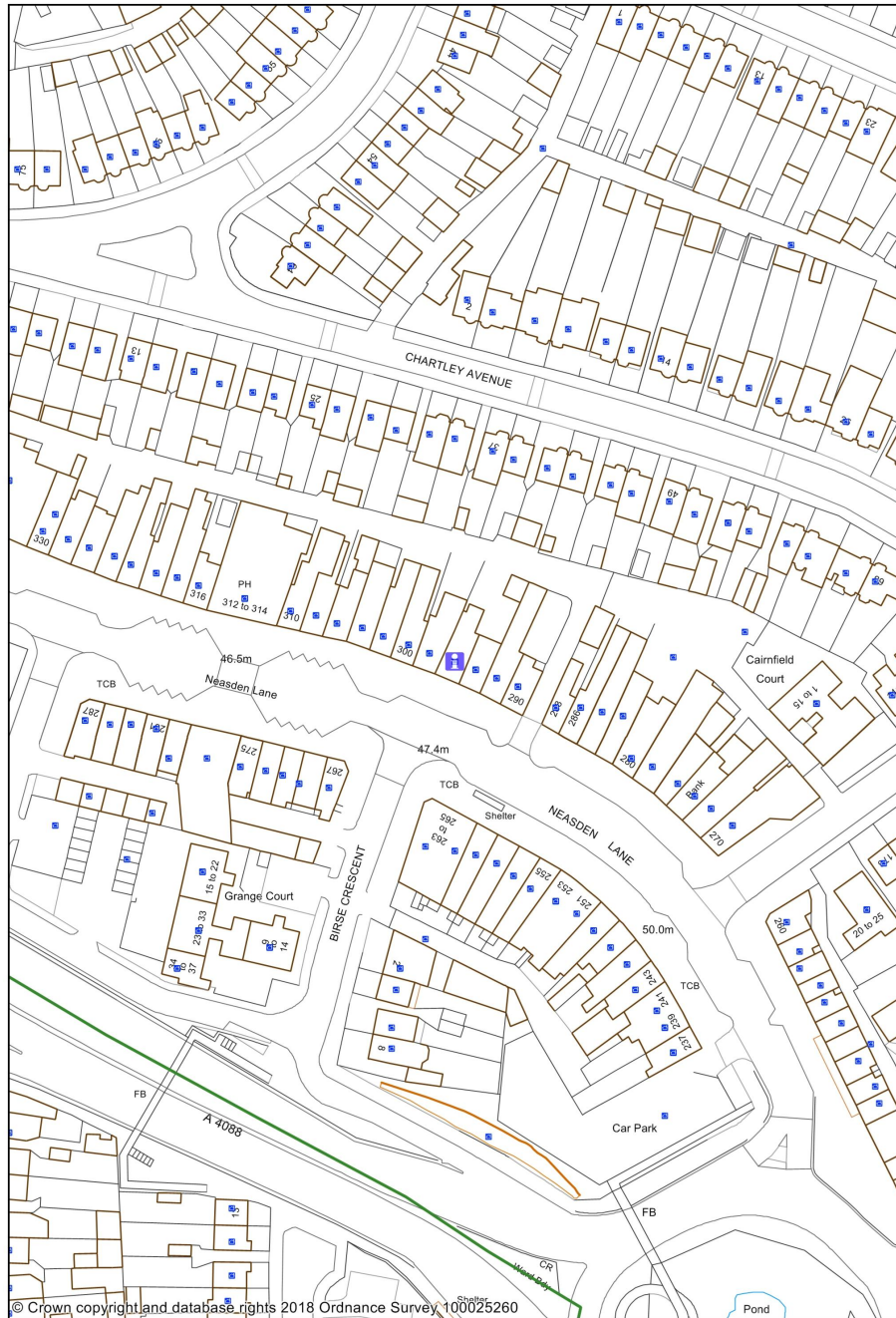
Annexe 3 - Conditions Attached After a Hearing by the Licensing Authority
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None

Annexe 4 - Plans

See attached sheet.

Bacovia Supermarket 296 Neasden Lane NW10 0AD



1:1250

0 0.02 0.04 kilometres



Brent

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