



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

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

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I...Police Constable Nicola McDonald on behalf of the Commissioner of the Metropolitan Police Service..... *[insert name of applicant]* **apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable).**

### Part 1 – Premises or club premises details

<b>Name and postal address of premises or, if none, ordnance survey map reference or description</b> Jeen Cash and carry 306 Harrow Road	
<b>Post Town</b> Wembley	<b>Post Code (if known)</b> HA9 6LL
<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Mr. Kannan Thangarasa	
<b>Number of premises licence or club premises certificate (if known)</b> 161693	

## Part 2 - Applicant details

I am

Please tick ✓ Yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

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

Please tick

Mr

Mrs

Miss

Ms

Other title   
(for example, Rev)

Surname

First names

Please tick ✓ Yes

I am 18 years old or over

Current postal  
address  
if different from  
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

### (B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Nicola McDonald PC157QK Brent Licensing Wembley Police Station 603 Harrow Road, Wembley, HA0 2HH
Telephone number (if any) 02087333206
E-mail address (optional) Nicola.mcdonald@met.police.uk

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

Please tick one or more boxes

- |   |   |
|---|---|
| 1) the prevention of crime and disorder | X |
| 2) public safety                        | X |
| 3) the prevention of public nuisance    | X |
| 4) the protection of children from harm |   |

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

**Jeen Cash & carry is currently authorised to supply alcohol for consumption OFF of the premises. The venue is privileged to hold a 24 hour premises licence, one of a handful in the Borough. Because of this it has numerous conditions attached;**

1. CCTV shall be installed and maintained in a working condition.
2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.
3. A 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.
4. A "Challenge 21" policy shall be adopted and adhered to.
5. A sign stating "No proof of age - No sale" shall be displayed at the point of sale.
6. "Raid Control" crime prevention measures shall be installed and all staff given suitable training.
7. No high strength beers, lagers or ciders above 5.5% ABV shall be stocked.
8. 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. Members of staff who have formally been given authority should be fluent in English in order to properly conduct the sale of alcohol and more importantly to refuse the sale if so required.

**The premises licence holder is Mr Kannan Thangarasa. The designated premises supervisor is a relative Mrs Renuka Thushyanthan. She is also the designated premises supervisor of another premise situated in the vicinity of this shop. Mrs Renuka Thushyanthan and her husband Mr Thushyantham Alakaratham have been involved in the operation of this shop since 2008.**

**Jeen Cash & carry is failing to promote three of the licensing objectives, namely the prevention of crime and disorder, public safety and the prevention of public nuisance. Police have no faith in the ability or willingness of the management to operate the premises responsibly, they ignore Police advise/guidance and therefore wish to bring the matter before the sub-committee for consideration. Police are primarily concerned with insufficient supervision, disregard of licensing**

legislation and sales of prohibited items. The operation of this premises 24 hours daily is adding to the unacceptable number of street drinkers in the vicinity at all hours of the day and night. Police have witnessed much of this and in addition have received complaints from other authorities.

Police seek the removal of the DPS who struggles to supervise this 24 hour venue sufficiently whilst supervising another premise and managing a young family. A reduction in authorised hours; sale of alcohol permitted from 0800 hours to 0200 hours daily. Police would request additional conditions be attached to the premises licence in relation to major football event days at Wembley Stadium :

- No sales of beer or cider in glass containers to be undertaken during this period, remove glass bottles except wines and spirits from display.
- No more than four cans of beer or cider to be sold to an individual
- All persons buying alcohol, at any time, to be advised of the Street Drinking ban
- Stop selling alcohol 1 hour before the designated kick off time. Sales of alcohol can resume at the kick off time.

Police feel that these are wholly reasonable, proportionate and appropriate measure to be put in place to promote the licensing objectives. Police reserve the right to give evidence on any further incidents which may take place at, or in the vicinity of the premises, between the service of this application and the hearing and/or during the time allowed for any appeal proceedings.

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

**6th April 2009**

A meeting was held at Wembley police Station with Sergeant Adolphus, myself and Mr Thushyantham Alakaratham the husband of the current DPS. At this time Mr Thushyantham Alakaratham was the DPS for the shop and had held that position since April 2008. He was informed of the requirement for match days at Wembley Stadium, in particular I fully explained to him and despite poor English he fully understood the requirement to:

Not to serve glass bottles of beer and cider only cans or plastic.  
No more than four cans of beer or cider to be sold to an individual  
All persons buying alcohol at any time to be advised of the street drinking ban.  
To stop the sale of alcohol 1 hour before the scheduled kick off.

He was supplied with the latest stadium event list and a letter outlining the above.

Mr Thushyantham Alakaratham agreed to all the voluntary conditions on major football events.

He was then asked what happened in Harrow, he became a bit uneasy and said that he had a very bad experience in Harrow and was let down by his staff. I told him that I did not want a repeat of that, PS Adolphus also informed him that Police had received information of him selling alcohol to children after school time. He totally denied this. He was informed that his premises would be under scrutiny in the near future, and to make sure he was complying with the conditions of his licence and the legislation. He confirmed that he was fully training his staff and that his CCTV at the premises was working correctly and retained images for at least 31 days, he stated that he would not be making any further mistakes as his livelihood and that of his 3 children depended on it.

**25th September 2010**

At 0020 hours PC McDonald visited the premises with PS Adolphus. The DPS at that time, Mr Piraba IYATHURAI was not present. Mr Thangarasa Kannan, dob 01-09-82 of 92 Walton Ave, Sth Harrow, HA2 8QX was managing the shop (current premises licence holder).

**12th December 2014**

2200 hours PC McDonald visited the shop, the DPS Mrs Renuka Thushyanthan was not present. One staff member Kumar Andrenou had very broken English stated she was relative of owner but limited grasp of questions regarding who the DPS was. This breaches condition 8 of the premises licence:

*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. Members of staff who have formally been given authority should be fluent in English in order to properly conduct the sale of alcohol and more importantly to refuse the sale if so required.*

There were bottles of Warki beer with an ABV of 6.5% and also foreign Guinness with an ABV of 7.5% on display in beer fridge. This breaches condition 7 of the premises licence:

*No high strength beers, lagers or ciders above 5.5% ABV shall be stocked.*

**13th December 2014**

A warning letter delivered to the DPS with regard to the breaches identified on 12th December 2014.

**22nd March 2015**

PC McDonald and PC Whitcomb visited the premises at 1700 hours during a major football game at Wembley Stadium. The DPS was not present however her husband Mr Thushyantham Alakaratham was managing the shop. He indicated that there is a silent partner involved in the shop at the present time, negotiating if the shop is a viable investment. Police identified at least five different brands of beer above 5.5% ABV. This breaches condition 7 of the premises licence:

*No high strength beers, lagers or ciders above 5.5% ABV shall be stocked.*

This was pointed out to Mr Thushyantham Alakaratham and told to remove them from display immediately. He claimed they must have come in the cash and carry deliver by mistake. This is a very poor excuse. See photos attached.

All stock of glass bottled beers and ciders were also on display. This was breaching the voluntary agreement and jeopardizes the three highlighted licensing objectives.

**26th March 2015**

Formal Warning letter delivered to the DPS with regard to the breaches identified on 22nd March 2015.

**19th April 2015**

PC McDonald visited the shop at approximately 1200 hours during sell out football event, FA semi final finals.

There was a large amount of football fans on the pavement in the vicinity drinking beer from glass bottles and a minor disturbance. Glass beer bottles is an unusual sight on football events due to the voluntary agreement.

Jeen Cash & carry were once again displaying and selling glass bottles of beers and cider. This was very disappointing; however more worrying was the lack of English speaking, trained, knowledgeable staff. The DPS

was not present, neither was their a personal licence holder. This breaches condition 8 of the premises licence:

*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. Members of staff who have formally been given authority should be fluent in English in order to properly conduct the sale of alcohol and more importantly to refuse the sale if so required*

The two Asian male members of staff could not speak English, a customer was translating on their behalf. One of these males appeared to be disabled. These staff members should have been suitably supervised especially on that day with the added risk of football fans. There was no way these males could have challenged or prevented sales of alcohol. It became apparent the DPS was working at her other shop at 297 Harrow Road. I visited this shop to discover more football fans outside drinking beer from glass bottles, and crates full of glass bottled beer on display. I explained the two staff members in jeen cash & carry needed supervision urgently. Visits were made at the two other off licences in the vicinity and neither had glass bottles of beer or cider on display.

#### **22nd April 2015**

Formal warning letter written to the DPS with regard the events on 19th April 2015.

#### **23rd April 2015**

PC Lewis-Evans delivered the above letter by hand to the shop. The DPS was not present. PC Lewis-Evans spoke to her husband. PC Lewis-Evans saw three High Strength beers displayed for sale on the shelves, namely Zubra 6% ABV, Old Empire IPA Ale 5.7% ABV, and Desporados 5.9% ABV. This is breaching condition 7 of the premises licence:

*No high strength beers, lagers or ciders above 5.5% ABV shall be stocked.*

Meeting held at Brent Civic Centre with Licensing Police, Mrs Renuka Thushyanthan and Mr. Kannan Thangarasa. Police expressed their frustrations that over a four week period 3 visits were made to the shop and breaches where identified on all occasions. That the operators of the shop just appear to be ignoring warnings and advice and that the only way for them to realise the severity of their operation and the harmful impact it has having on the surrounding neighbourhood is to bring it to the attention of the sub-committee.

#### **12th May 2015**

**PC Whitcomb visited the premises at 1245 hours.** The DPS was not present, neither was their a personal licence holder. This breaches condition 8 of the premises licence:

*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. Members of staff who have formally been given authority should be fluent in English in order to properly conduct the sale of alcohol and more importantly to refuse the sale if so required.*

There were two Asian males in the shop one claimed to be a helper and not a member of staff. The one that was staff spoke very limited English and was very nervous. Officers asked to view the CCTV cameras. Officers discovered it was not working in accordance with the authority of the premises licence. This breaches:

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

*Condition 2 All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.2 of the premises licence*

There was no sign at the point of sale regarding proof of age, this breaches condition 5

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



Please tick ✓ Yes

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

If yes, please state the date of that application

Day

Month

Year

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



**Checklist**

Please tick ✓ Yes

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

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

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

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

Signature ..... *Will FC1570K NICOLA McDONAGH*

Date ..... *20-5-2015*

Capacity .....

<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