



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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

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

Part 1 – Premises or club premises details

Name and postal address of premises or, if none, ordnance survey map reference or description Premier Convenience Store 4 Neeld Parade Wembley High Road	
Post Town Wembley	Post Code (if known) HA9 6QU
Name of premises licence holder or club holding club premises certificate (if known)	
Number of premises licence or club premises certificate (if known) 157127	

Part 2 - Applicant details

I am

Please tick ✓ Yes

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

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

Please tick

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ Yes

I am 18 years old or over

Current postal
address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

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

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

Please tick one or more boxes

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

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

This venue is located within a parade of shops on a busy road, and currently has a licence to sell alcohol between 08.00 and 23.00 hours.

Premier Convenience Store is failing to promote two of the Licensing objectives namely **The Prevention of Crime and Disorder**, and **Public Safety** as they continue to breach the strict conditions outlined in their Licence.

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

Police are primarily concerned with the selling of high strength Beers, CCTV not working correctly, the absence of a Designated Premises Supervisor (DPS) and the lack of a Time Delay Safe.

On the 21st May 2014 licensing officers attended the shop to meet the new Designated Premises Supervisor (DPS) Miss Adreea Otvos during the visit it was found that the shop was selling High Strength beers which they were told to remove immediately, and a copy of the licence conditions was given to her and the conditions explained.

Police have made two recent visits to the shop the first one being on the 8th May 2015, and again on the 16th June 2015, on both occasions High Strength beers were on display, and for sale in the shop, on the first visit Mr Sumeet Singh was present in the shop and he informed officers that he was the new owner for the shop and was not aware that there was a condition on the licence that prevented him from selling high strength beers, he was advised to remove these beers which he did and asked to make sure all staff working in the premises were aware of the licence conditions. Mr Singh contradicted himself several times, firstly stating that he was the new owner of the business, then stating that he was in the process of buying it, he at one point stated that he had worked in the shop for some time, and then changed that to it was his

first week working at the premises.

Mr Singh stated that the DPS for the shop was still the previous owner and DPS Miss Adreea Otvos, it became apparent that Miss Otvos had no day to day running of the business and was not carrying out her duties as the DPS.

On the 14th May 2015 a meeting was arranged between Licensing officers, Mr Singh and Miss Otvos to discuss the breaches found and for officers to assist and advise in the best way forward in the running of the shop.

Mr Singh declined to attend, Miss Otvos stated that Mr Singh said that it was nothing to do with him and was not attending.

Miss Otvos stated that she was taking a backseat from the business as she had recently given birth and was busy looking after her baby, she admitted that she was not having any dealings with the running of the shop, she was informed that if she was no longer the DPS for the shop then it needed to stop its licensable activity straight away, she was reluctant to commit herself to managing the Business and stated that she would go straight to the shop and make them stop selling alcohol, she went on to say that her husband was the person in control of the sale of the shop, it was apparent that she was not in control of the decisions being made regards the selling/running of the Business. she was issued with a warning letter with regards to the breach on the 8th May 2015

Later the same day Miss Otvos attended the Civic Centre with Mr Singh and asked for a further meeting, Mr Singh was asked why he hadn't attended the earlier meeting, he stated that as he was not the DPS he didn't feel it was his responsibility, asked why he wanted a meeting now he said he wanted to sell alcohol and Miss Otvos had asked him to stop, it was explained to him in the presence and hearing of Miss Otvos that she was no longer in a position to be the DPS and that if no DPS was in place the shop would be unable to sell alcohol, it was at this point he said that Miss Otvos had agreed to remain as DPS and would have daily involvement in the running of the business, Miss Otvos was asked if this was now true to which she replied 'yes' it was put to her that she earlier stated that she was unable to commit to her role as DPS due to having a young baby to care for, she hesitantly stated that she could do both, she was asked several times if she understood what would be expected of her, and if she could realistically manage both, she stated that she could, this contradicted what she had said earlier when she said that her newborn baby took up all her time, and it was felt by officers that possibly Mr Singh and Miss Otvos husband had convinced her into agreeing to stay on as DPS.

Mr Singh stated that he would eventually take over as the DPS and had a course booked, he also said that he was in the process of transferring the Premise Licence over in to his name.

On the 16th June 2015 a second visit was conducted at the shop, there was one male working in the shop who gave his name as Mr Babar Sulehri, he stated that he had only worked at the shop for one week and was unaware that the shop had a licence, he stated that he was not a personal licence holder and did not know what one was, there was no licence in the shop and no part B on display, Mr Sulehri was asked if the CCTV system was working, he said he was unsure as he did not know how to work it, he was asked if the DPS had been in the shop recently to which he replied 'No she hasn't been here for about one month' asked how he knew that as he had only worked there for one week he replied 'Mr Singh told me she hasn't been in for over a month, he went on to say that he had not seen her during the week he had worked there, a check of the fridge found several high strength beers on sale, Mr Sulehri was asked if he was aware what strength beers could be sold in the shop, he again said he did not know, it was pointed out to him that alcohol above 5.5 % Vol was not permitted and that there were several on sale at 7.5 % Vol, he was advised to remove these straight away, in a second fridge which had its curtain down there was a large amount of alcohol with a sign that read ' Out of date 50p each' a further check revealed that the shop has no time delay safe under the counter, again breaching another condition of the licence.

Later the same day I contacted Miss Otvos and informed her that I had visited the shop, and informed her that I had found several breaches, I asked her when she last at the shop to which she first said 'yesterday' I informed her that Mr Suleh had informed me that she had not been in

the shop in the last month she then stuttered and said she was in the shop on the 12/06/2015, I asked her how many times she had been to the shop since our meeting to which she replied 'Twice I think' I informed her that this was not sufficient and that on our previous meeting when she agreed to stay as DPS and oversee the running of the shop what that would involve, and that she would need to attend the shop on a regular basis and manage it accordingly, I informed her that I would be asking for the shops CCTV for the date she says she was last in the shop to prove her attendance, she then said she couldn't remember if she had gone to the shop on that day but believed she had.

I then called Mr Singh and again informed him of my visit, he stated that the DPS Miss Otvos was at the shop every second day and had an active involvement in the business, I asked him if the shops CCTV was working correctly and being kept for 31 days to which he replied 'yes it is' I then asked if he could give me a copy of the CCTV when Miss Otvos was in the shop to prove her attendance, he then changed his story and said the CCTV was not working he then said that the CCTV was broken and he had changed the hard drive as it had stopped working about two weeks ago, and that it was only replaced yesterday, he then called me back later in the day and said he had been given a quote to replace the CCTV, I pointed out that he had earlier told me that it had only just been replaced, to which he denied saying.

In Summary the current operation at this premise is detrimental to the licensing objectives. The current licence holder has been advised, but continues to ignore the responsible authorities. The above displays the risks of allowing the premises to continue operating in such an irresponsible way.

It is clear that Miss Otvos is in no position to continue as the DPS, and I believe that she has not had any involvement in the day to day running of the shop, and should be removed from this position with immediate effect.

It appears that the new owner Mr Singh has little or no experience of running a licensed premises and clearly only has one objective in mind, and that is to make money.

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

Street drinkers and drunkenness is a major cause for concern in Brent. If the premise does not stock these types of high strength, cheap beers, lagers and ciders then the problem will be lessened or displaced.

Not Having the CCTV system working correctly, or a Time Delay Safe in place puts the shop, staff and members of the public at risk, as any reported crime will be difficult to follow up if the CCTV evidence is not recorded, and any robbery of the shops takings will be substantial as the whole of the shops money is in the till due to no safe being available, these conditions were originally placed on the license to prevent these types of incidents.

Police request the current conditions (Below) to remain on the premises licence.

Licensable activities and the times authorised by this licence

Supply of Alcohol:

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

Non standard timings: Good Friday 08.00hrs to 22.30hrs
 Christmas Day 12.00hrs to 15.00hrs and 19.00hrs to 22.30hrs
 Whether alcohol is authorised to be supplied on or off the premises.

The Opening Hours of the Premises:

Day	Start Time	End Time
Monday	06:30	23:00
Tuesday	06:30	23:00
Wednesday	06:30	23:00
Thursday	06:30	23:00
Friday	06:30	23:00
Saturday	08:30	23:00
Sunday	08:00	23:00

Annexe 1 - Mandatory Conditions

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

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

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

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

Embedded Conditions

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

Alcohol shall only be sold between the times specified:

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

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

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

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

Annexe 2 - Conditions Consistent With the Operating Schedule

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 on request;

2 no high strength beers, lagers, and ciders above 5.5% ABV shall be stocked or sold;

3 on major event days at Wembley Stadium the following shall apply: -

(a) no more than four cans of beer, lager or cider to be sold to an individual.

(b) No sales of beer, lager or cider above 5.5% abv during the above period.

(c) all persons buying alcohol, at any time, to be advised of the Street Drinking ban

(d) stop selling all alcohol one (1) hour before the scheduled kick off

(e) be prepared to cease the sale of all alcohol should you be requested to do so by a police officer.

(f) no drinks shall be displayed or sold in glass containers with the exception of wines and spirits;

4 the following crime prevention measure shall be implemented:-

a time delay safe with deposit slot and anti-fishing mechanisms must be used at the counter till area.

Police require the following conditions to be added to the current premises licence;

1. A CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the beer garden and smoking areas.

2. 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.

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

4. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:

- (a) all crimes reported at the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any faults in the CCTV system
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service.

5.. 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.

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

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

8. Any staff directly involved in selling alcohol for retail to consumers, will undergo 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.

Also, as stated above, police request the **removal of the current DPS** Miss Adreea Otvos and the appointment of a new DPS in her place.

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

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

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

Below is a History of the store, which has been collated on the Police CLASS System since the Current DPS has taken charge.

21/5/14 - Visited as new DPS, over 5.5abv beers in fridge, told to remove immediately, photos in file. Copy of licence given and explained - 22/5/14 NM

08/05/15 Male serving behind counter Mr Sunmeet SINGH states that he is in the process of buying the shop and this should be completed in the next two weeks.

Part A produced

No Named person in PLH part just shop address

He stated that the DPS is the owner of the shop Mrs Adreea OTVOS

Tel no 07454213969 DPS Licence number 03903

He did not know the licence conditions and I was not convinced he was telling me the whole truth about being in the process of buying the shop, checks of the fridges showed numerous high strength beers for sale, one of the conditions on the licence is no beers, lagers ciders above 5.5

368qk

14/05/2015 - Meeting at CC with DPS. She stated that she is selling the business to Mr SINGH and that her partner deals with the business transaction and the shop?! She was advised that as current DPS she remains wholly responsible for the current operation. She was advised regarding the high strength and she stated that Mr. Singh must have started selling these. She stated that she is selling the business as she now has a young baby (who was with her) to care for. She has taken a back seat and it is debateable whether she is even involved in the business anymore. When asked why Mr. Singh was not at the meeting she stated that he had basically

said that it was nothing to do with him. She was advised that as she was not DPS'ing at the premise, then no licensable activity should take place and a variation should be submitted to the council. A warning letter was issued to her for high strength. Later she returned to CC with Mr. Singh. He explained that she was buying the shop and wished to become DPS, however, he does not hold a personal licence, so was unable. He is sitting his exam next week. I advised him that he will have to find someone who does hold a PL and not currently a DPS, to act in the meantime. Andrea said that she would be happy to stand in until a replacement is found. 782QK & 368QK

16/06/2015 - Visit to the premises as part of operation BIGWING. One male in shop working behind the counter, he gave his name as Mr Babar SULEHRI he stated that he had worked in the shop for one week, and he is not a personal Licence holder. There was no Part A or B of the Licence on the premises and he was unable to work the CCTV system as he had not been trained, he was unsure if it was working correctly, he stated that the New owner Mr Singh had told him that the DPS had not been to the shop for over one month and he had not seen her during the week he had worked there.

This breaches condition (A) No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended. High strength beers on sale in the Fridge, High strength Guinness Foreign extra, Guinness Foreign extra stout and Dragon Stout all 7.5 Vol on sale in fridge. This breaches condition 2 no sales of high strength beers, lagers and ciders above 5.5 % AVB shall be stocked or sold. A sign on a second fridge containing beers, read 'Out of date 50p each' however the curtain was down over this fridge. There is no Safe under the counter - Condition 4 on licence states - a time delay safe with deposit and slot and Anti-fishing mechanism must be used at the counter till area. 368QK

17/06/2015 - I contacted the current DPS Miss Andreea OTVOS and spoke to her on the phone I informed her of my visit, she stated that she has only been to the shop twice since the 08/05/2015 and the last time she was there was on the 12/06/2015, I told her that this was not sufficient and that on our previous meeting that when she agreed to stay as DPS and oversee the running of the shop would mean that she would need to attend the shop on a regular basis and manage it accordingly, this clearly shows that she is no longer a responsible DPS and clearly not suitable to be shown as such for this licence, she stated that she had a young child which takes up most of her time. I then contacted the new owner Mr SINGH and explained to him what I had found during my visit, he stated that he was aware of the visit and that the DPS miss OTVOS visits every second day, I then informed him that I had spoken to her earlier and she had told me that she had only been to the shop twice since our meeting on the 08/05/2015 to which he stated that she was at the shop on Monday 15/06/2015 I asked him if his CCTV was working and able to record to which he replied it was all working correctly, I then asked him if he could copy the CCTV for the 15/06/2015 showing Miss OTVOS in the shop, he then changed his mind and said that the CCTV was not working and he had changed the hard drive as it had stopped working about two weeks ago, and that it was only replaced yesterday, he later called me back and said that he had got a quote yesterday from a company to come in and repair the CCTV system, when I pointed out that he told me that this had just recently been repaired his denied saying he had just got it repaired. He stated that he has completed his training for a Personal Licence, but has not yet applied for a licence with the council, and that he has sent the paperwork to Brent Council to transfer over the Premises Licence into his name. A check on the Council system shows that his application was rejected as the paperwork was incorrectly completed. 368QK

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

Please tick ✓ **Yes**

If yes, please state the date of that application

Day

Month

Year

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

Checklist

Please tick ✓ Yes

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

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

Part 3 – Signatures (please read guidance note 3)

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

Signature

Date

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

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

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

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

Notes for Guidance

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

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

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

☎ 020 8937 5359

Fax: 020 8937 5357

Email: environmentandprotection@brent.gov.uk

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

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

Tel: 020 8733 3206

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

Tel: 020 7587 2778

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

Tel: 020 8937 5555

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

Tel: 020 8937 5252

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

Tel: 020 8937 4175

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

Tel: 020 8937 5359

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

Tel: 020 8937 5210

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

Tel: 020 8937 5359

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