



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	
Sudbury A-Z Newsagents, 711 Harrow Road, Sudbury	
Post Town Wembley	Post Code HA0 2LL
Name of premises licence holder or club holding club premises certificate (if known)	
Mr Liaqat Ali Nutt	
Number of premises licence or club premises certificate (if known)	
160128	

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 | |
| 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)

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

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

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

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

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

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

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

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

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

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

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

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

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

Anti-robbery time delay safe shall be installed and used

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

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

A challenge 21 policy shall be adopted and adhered to

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Condition 10 - An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:

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

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

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

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

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

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

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

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

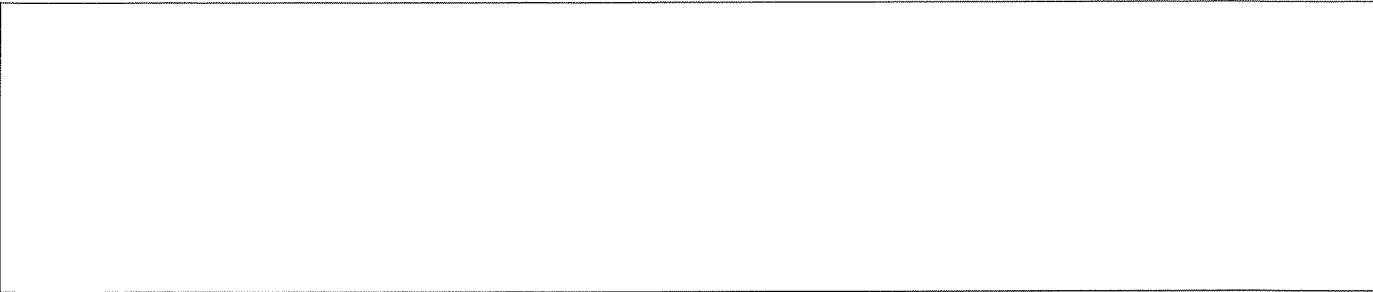
Also after assuring me that he would remove all the posters from the front of the shop windows to allow a clear and unobstructed view into the premises, I was surprised to see as I passed the premises on the 04/08/2015 that no attempt had been made to remove any of the posters and the windows are exactly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

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

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

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

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



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 *M. J. Smith PC3682K*

Date *4th AUGUST 2015*

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