



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 200a Jamie's News & Convenience Store, Lyon Park Avenue.	
Post Town Wembley	Post Code HA0 4HG
Name of premises licence holder or club holding club premises certificate (if known) Mr Aziz Ahmed & Mrs Bhadravati Ahmed	
Number of premises licence or club premises certificate (if known) 156542	

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
- 2) Public safety
- 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)

Jamie's News & convenience Store 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.

The Premises Licence holder (PLH) is Mr Aziz Ahmed, and Mrs Bhadravati Ahmed, and the Designated Premises supervisor (DPS) is Mr Navin Prajapati

Jamies News and convenience Store are failing to promote one of the licensing objectives namely 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 Friday 23rd October 2015, officers from Brent Licensing Police Team conducted a licensing visit at Jamies News & Convenience Store, 200a Lyon Park Avenue HA0 4HG.

As officers approached the venue they saw four Asian males standing directly outside the shop, all were drinking cans of beer and they had white plastic cups on the window ledge, there were several empty beer cans on the floor next to where the males were standing.

The males were talking loudly and laughing, and one of the males in particular appeared to be drunk.

Officers went into the shop and introduced themselves to a male who gave his name as Mr Navin Prajapati, he informed officers that he was the Premises Licence Holder (PLH) and also the Designated Premises Supervisor (DPS) he became very nervous when realising that we

were police officers and quickly went outside to speak with the males, officers followed him outside only to see the males running off down the road, officers also saw several empty miniature bottles where the males had previously been standing.

On re-entering the shop officers noticed a tube of white plastic cups behind the counter, similar to the ones that the males were drinking from outside, Officers asked Mr Prajapati why he had half a tube of white plastic cups behind the counter, to which he admitted selling to street drinkers for ten pence each, it was explained to him that this was unacceptable, and was to stop immediately, he was asked about the males that had been drinking outside and eventually admitted that they were regulars that bought alcohol from his shop and stood outside drinking, again it was explained to him that this needed to stop.

Mr Prajapati speaks very limited English and called his wife to come to the shop, shortly after Mrs Nehal arrived and I asked her if she was aware that the shop sold plastic cups for ten pence, she confirmed that she was aware and that they would stop selling them.

During the visit there was a large amount of people coming into the shop, many of them buying alcohol most seemed to be buying single cans of beer, some appeared to be what I would describe as street drinkers none of them were challenged, there was also people that in my opinion appeared young that should have been asked for identification under the 'Challenge 25 policy' again no one was asked to verify their age, Mr Navin Prajapati seemed more interested in just serving one customer after another as quickly as he could to avoid a queue and possibly losing money by people not wanting to wait to be served, than running the shop in line with the licensing objectives.

Before leaving I arranged a meeting with Mr Navin Prajapati to be held at the Civic Centre to talk through the issues I had found, this meeting was arranged for 29/10/2015.

Mr Navin Prajapati attended the meeting on the 29/10/2015 at the Civic Centre and I discussed the issues that I had found on the 23/10/2015, Mr Prajapati stated that he sold to the local street drinkers as all the other shops did and that if he didn't the other shops would, it became very clear that Mr Prajapati did not understand what was being said during the meeting due to his lack of English, and the meeting was adjourned until a later date so that he could bring someone along with him to interpret what was being said.

A few days later I received a call from a licensing consultant by the name of Mr Noel Samaroo who stated that he was now acting for the premises and suggested that the shop put in a variation with conditions that would be suitable to police.

I then contacted Mr Aziz Ahmed to make him aware of the issues with his shop, I spoke to him on the phone and he denied having any involvement with the shop, stating that he had leased the shop to Mr Navin Prajapati, and had no involvement with the day to day running of the shop, he stated that the Premises Licence was in Mr Navin Prajapati name, I informed him that the Licence was still in his name, he was very confused by this saying that it had been transferred into Mr Navin Prajapati name some time ago.

I asked him if he could attend the next meeting which he declined to do.

I then received a second call from Mr Noel Samaroo who informed me that he had met with his clients and that they felt that the conditions that the police would be asking for would be detrimental to the business, in particular they felt it was unfair for the police to propose that they should stop selling single cans of beer, as other shops are allowed to sell single cans and they would lose customers to them, they also felt that the condition of 'No high strength beers, lagers, and ciders above 6.0% ABV shall be stocked' was unfair as other shops were allowed to sell high strength beers and again people would go elsewhere to buy, and due to this they had now decided that they would not be putting in a variation.

A statement from the dedicated Ward Officer (DWO) has been obtained, this outlines the problems that the area suffers from street drinkers that are linked to this premises.

Below is information taken from one of the police intel systems of drunken behaviour around the location of the shop over the last few months it highlights the street drinking culture in this residential area which also has a primary school very nearby.

QKRT00450868

On Saturday 15/08/2015 PC 743QK attended to the rear of 152A of HEATHER PARK DRIVE HA0 at around 0800hrs where police have received complaints of ASB related to drink.

Has a result the following IC4 MALE

R#####

dob ####/1986

of ### MOUNT PLEASANT HA0

was identified and given a PND ticket. He was consuming alcohol in a controlled drinking zone in a public place contrary to a requirement not to do so.

Act S12 Criminal Justice and Police Act 2001.

QKRT00451604

On Thursday 10/09/2015 PC 743QK whilst on cycle reassurance patrol received a call at 1730hrs relating to the rear of HEATHER PARK DRIVE HA0 which is a hotspot area for drink related anti social behaviour.

On this occasion PC 743QK attended the scene and identified two people who were drinking.

The officer seized their open cans and was met by anger and finger pointing but the MALE calmed down immediately after the officer warned him. There were no passing members of the public although the route is used all the time to access different roads.

On this occasion they were suitably advised and warned regarding brent borough being a controlled drinking zone.

QKRT00450870

On Saturday 15/08/2015 at around 0745hrs PC 743QK was on a reassurance patrol in HEATHER PARK DRIVE HA0 where officer came across the following male who had six pack beer cans in a black bag and was seen in a area where police have had large number of complaints related to ASB involving alcohol.

He was standing possibly getting ready to consume alcohol.

Details

#####

dob ####/1975

of ### TRAVELLER LANE

On this occasion no further action was taken.

He is known for numerous theft related offences.

Police would ask for the following conditions to be added to the Licence

To reduce the risk to the licensing objectives and to assist the DPS in upholding these objectives, in particular to prevent public nuisance, within such a densely populated residential area, police request the following conditions be put on the 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 authorised Officers from Brent Council.**

Good quality CCTV is essential as a deterrent for the prevention of crime and the detection of offenders. It allows for both covert and overt monitoring of the premises. With proper signage, this reassures both staff and clientele, that this is a safe environment where illegal activities are not tolerated.

- 2. A CCTV camera shall be installed to cover the entrance of the premises**

This will give a clear facial view of every person entering the store

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

This will assist staff in asking for Identification and show that a policy is in place

- 4. A “Challenge 25” policy shall be adopted and adhered to.**

This will ensure all staff ask for Identification

- 5. A refusal book detailing date and time of the refused sale and the name of the person refusing the sale shall be kept and maintained and made available for inspection.**

This will be used when a person is refused a sale of alcohol and be made available to Police, and Council licensing officers

- 6. No high strength beers, lagers, and ciders above 6.0% ABV shall be stocked.**

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 Alperton. 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.

- 7. 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) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

This will allow the police and local Authority to view any incidents that have occurred in the shop and assist in helping the DPS in manage the premises better.

8. 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.

A notice displaying the opening hours, the type of licensing activity and licence conditions should be clearly displayed and visible to anyone outside the premises.

This may be incorporated in the summary of the licence, which must be displayed, or the form of a separate item. likewise the name of the Designated Premises Supervisor (D.P.S.) if required should be similarly displayed. This will allow the Police and other responsible authorities to readily identify the licence details. Clearly displayed opening hours will also reduce any confusion for customers prior to entering the premises and possible conflict when the premises close/stop selling alcohol.

9. 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.

The sale of alcohol to drunken people and children is a major cause of concern to police and highlighted in the Governments Alcohol Harm Reduction Strategy. Off Licences are particularly open to these sales receiving little supervision or visits from the responsible authorities. Those who sell alcohol should be fully aware of the legislation and issues around alcohol and should be fully trained to a national standard.

This condition is proposed by police as good practise.

10. No single cans or bottles of beer or cider shall be sold

It is apparent that the sale of single cans, and bottles of Beer, and Cider is mainly being consumed by street drinkers that are congregating around the shop or nearby, causing uneasy to local residents that have to put up with their Anti-Social antics and make residing in the area unbearable, as stated in Officer Aulaks statement this shop is near to a school and street drinkers are seen regularly urinating in public.

11. No miniature bottles of spirits to be sold

As with the sale of single cans of Beer and Cider street drinkers buy miniature bottles of alcohol to supplement their beer intake allowing them to become drunk quicker and cause misery to the lives of local residents, who regularly complain to the local officer. Jamie's has been allowing street drinkers to buy miniatures and selling them plastic cups to allow them to drink in the street, this is a total disregard for the licensing objectives and shows that the shop are more interested in profit and show no consideration for local residents, or schools.

12. A clear and unobstructed view into the premises must be maintained at all times

Having a clear and unobstructed view into the premises allows for any crime taking place inside the premise to be witnessed by passers-by who can alert police.

Police would also be asking for a change of DPS as it is apparent that Mr Navin Prajapati is failing in this role. It is my opinin that it would be detrimental to the licensing objectives if Mr Prajapati is allowed to continue running this operation in such a way.

This list is not exhaustive.

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.

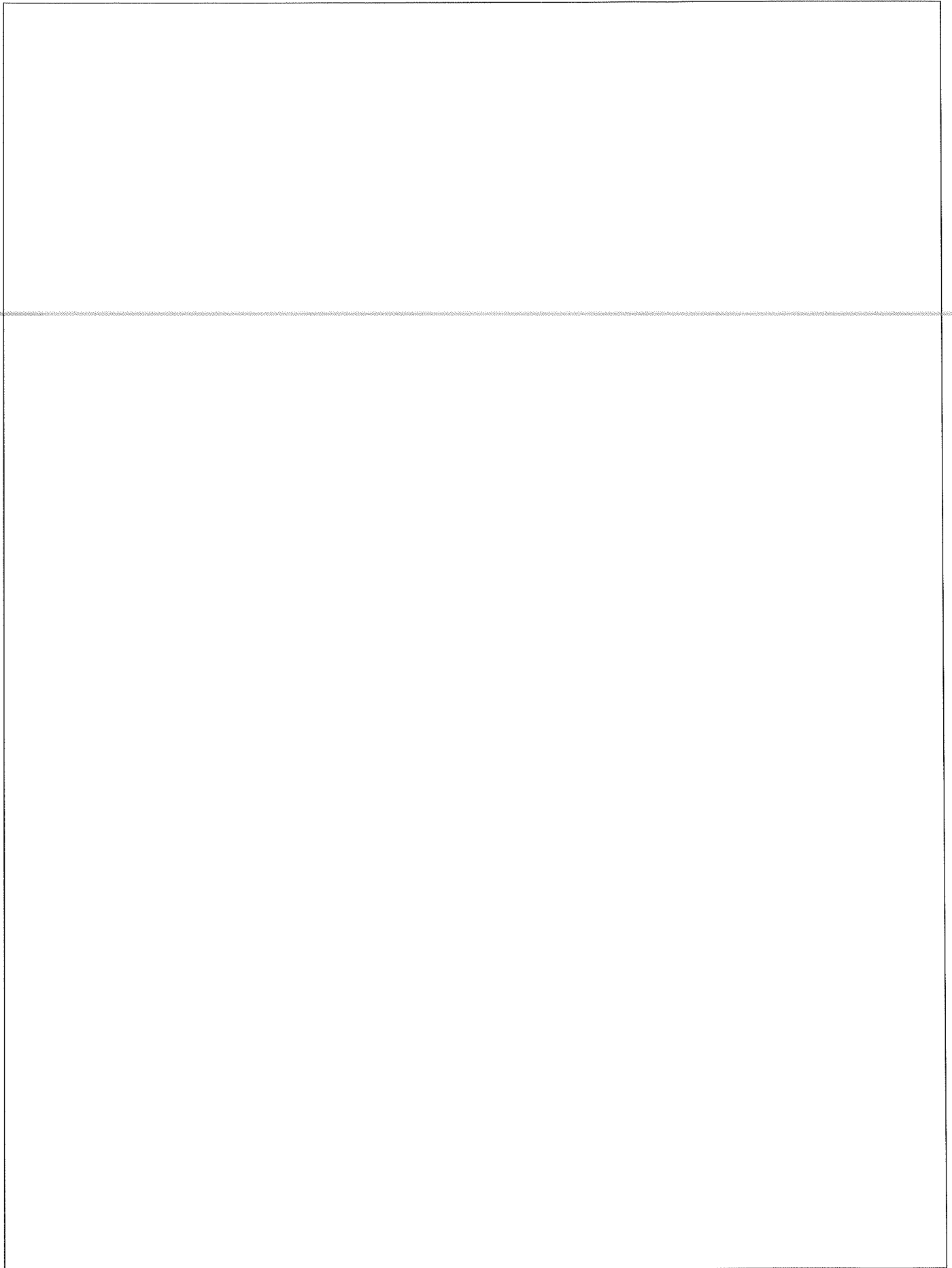
Summary

The above highlights a clear mismanagement of the premises, and the lack of responsibility taken by the DPS to run his business within the licensing objectives.

The above evidence shows the lack of control, along with noise nuisance, and Anti-Social Behaviour caused to local residents, the DPS has failed to show any regard towards local residents.

It is my opinin that it would be detrimental to the licensing objectives if the current DPS is allowed to continue running this premisesy.

To further reduce the risk to the licensing objectives and to assist the new DPS in upholding these objectives, in particular to prevent public nuisance within such a densely populated residential area, police request that all of the conditions asked for be placed on the licence..



Please tick ✓ **Yes**

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

If yes, please state the date of that application

Day

Month

Year

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

Checklist

Please tick ✓ Yes

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

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

Part 3 – Signatures (please read guidance note 3)

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

Signature *Muel Sults*

Date *2nd December 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