



NTAD CONSULTANTS

WITNESS STATEMENT

Statement of: Noel Anthony Samaroo

Age if under 18: Over 18

Occupation: LICENSING CONSULTANT
AND TRAINER

This statement (consisting of 5 page(s) each signed by me) is true to the best of my knowledge and belief.

Signed

A handwritten signature in black ink, appearing to read 'Noel Samaroo', written over a light grey rectangular background.

Dated the 18 January 2016

My name is Noel Anthony Samaroo and I currently operate as an independent Licensing Consultant and Trainer trading as National Training and Development Consultants Ltd ("NTAD").

This Statement is prepared for the purposes of a Premises Licence Review Hearing relating to **JAMIES News & Convenience Store, 200 A Lyon Park Avenue , HA0 4HG.**

I have considered all the paperwork served in relation to these review proceedings.

I would like to make it clear at the outset that I have been involved in advising the Premises Licence Holder and in preparations for this review hearing in my capacity as a licensing

consultant. My reputation is based on integrity and I have been scrupulous in not compromising my independence when writing this Report which is designed to assist the Licensing Sub Committee in promoting the licensing objectives in an appropriate and proportionate manner. My fees for preparing this report are not contingent on its contents or conclusions and clients may use or reject the Statement at their discretion. The contents of this Statement are true, fair and accurate and reflect my honest and professional opinion on the matters I have observed.

Experience

Prior to taking up the role with **NTAD** I completed 20 years as a licensee and Designated Premises Supervisor (DPS) within a variety of London Boroughs. In 2009 due to ill health I made a conscious decision to change my lifestyle from constant night work and put my wealth of experience to good use. I achieved my **PTTLS qualification** along with **APLH level 2 and NAPLH level 3** and began to train candidates for their APLH 2 qualification in preparation for their Personal Alcohol Licence.

During this period I became increasingly aware that many, otherwise responsible, Premises Licence Holders were non-compliant with all the conditions of their premises licences usually because of ignorance of the law under the Licensing Act 2003 and were thus putting their premises licence in jeopardy. I therefore also began to consult with my clients on a variety of issues surrounding compliance under the Licensing Act 2003, Food Safety Act, and the Health and Safety Act. In recent years I have continued my professional development in regard to licensing by taking and passing the **National Licensees Certificate and National Door Supervisors course**. This enabled me both to successfully apply for a Personal Licence and to become approved by the **Security Industry Authority (SIA)** as a front line operative. In September 2011 I successfully applied to become a nominated tutor with **EDI** enabling me to carry out training in the **Award for Responsible Alcohol Retailing and the Award for Personal Licence Holders Level 2 and the Level 3 Award for Designated Premises Supervisors**.

Since January 2012 I have worked in a consultancy role with licensed premises producing strategies aimed at reducing crime and disorder and public nuisance issues in and around venues. This experience has enabled me to give sound advice in regard to licence compliance and licensing in general. I have considerable respect for the responsible authorities and seek to work in partnership with them whenever possible.

REVIEW HEARING 27 January 2016

The Review application has been brought by way of an application for a review of the Premises Licence due to breaches of the Licence, by Mr PRAJABATI Navin, DPS of JAMIES NEWS & CONVENIENCE STORE, 200 A Lyon Park Avenue , HA0 4HG.

The Trigger for this Review being brought is based that on the 23rd October 2015 a Premises licence check was carried out by officers from Brent Licencing Police.

Brent Licencing Police Team visited the premises on a routine visit where it is alleged that breaches of the premises licence were found.

- a) Males standing outside the off licence Premises consuming alcohol.
- b) DPS failing to promote the licencing objectives.

In addition there were found to be some plastic cups outside the premises and some plastic cups in a sleeve behind the counter.

Acting as a consultant in the best interest of my client, I have taken the proactive approach to all the conditions brought forward by Brent licencing Police Team to promote the licencing objectives. Having taken into account PC AULAK Manjit's statement, and the intel gathered by the police, it has come very apparent that the area around, 200 A Lyon Park Avenue, HA0 4HG, suffers from a street drinking and anti-social Behaviour problem. Those previous incident and accounts of events except from the Statement of PC AULAK are non-relative to JAMIES NEWS & CONVENIENCE STORE as they occurred further away from 200 A Lyon Park Avenue , HA0 4HG. I would like to draw the attention of the committee that within a mile radius, 2 off licences with full off licence conditions, an on licence and a public house are present.

On Wednesday 13th of January, I Met PC SULLIVAN, to discuss the proposed conditions and in consultation with my client, I would like to draw the committee's attention on the following condition :

No High strength beers, lagers and ciders above 6.0% ABV shall be stocked.

This condition in particular will reduce my client's variety of choice available at the premises, thus drastically affecting his ability to compete against the other off licences present within a walking distance in the area. Bearing in mind that JAMIES NEWS & CONVENIENCE STORE has been present in the area since 1969, and would for some be classified as a landmark, we therefor would like the committee to consider having an exception to this condition by allowing 3 specialist brands:

" DESPERADOS, FOREIGN GUINNESS, DRAGON STOUT ." It is to be noted that the police have stated that they have no objection to that proposed condition

Please find below the proposed conditions as per the review for a premises licence.

PROPOSED CONDITIONS TO THE PREMISES LICENCE HOLDER

- 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.
- A CCTV camera shall be installed to cover the entrance of the premises.
- A sign stating “No proof of age –No sale” shall be displayed at the point for sale.
- A “Challenge 25” policy shall be adopted and adhered to.
- 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 the inspection.
- No High strength beers, lagers and ciders above 6.0% ABV shall be stocked **with the exception of 3 named specialist beers “ DESPERADOS, FOREIGNN GUINNESS,DRAGON STOUT .“**
- 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 receives
 - (d)any incidents of disorder
 - (e)all seizures of drugs or offensive weapons
 - (f)any faults in the CCTV
 - (g)any refusal of the sale of alcohol
 - (h)any visit by a relevant authority or emergency service
- 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 personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
- No single cans or bottles of beer or cider shall be sold.
- No miniature bottles of spirits to be sold.
- A clear and unobstructed view to the premises must be maintained at all times.

Conclusion

I would also like to take this opportunity to confirm to the committee that all of the alleged breaches raised in the Review Application have now been rectified along with Full APLH Level 2 Training has been delivered. An extra member of staff will be assisting with operating procedures during peak hours.

The premises licence Holder/DPS have taken steps to correct the deficiencies with regard to Compliance issues and have taken a positive step in proposing and agreeing the Proposed Conditions within the operating schedule. A considerable amount of improvement has been made to the premises; a new CCTV camera system has been installed to Home Office Guidance standards covering the entrance of the premises.

Right outside JAMIES NEWS & CONVENIENCE STORE in front of the bay window, was an open patio area that was being used as a meeting point for individuals in relation to street drinking. I can now confirm that a fence has been placed preventing this from occurring, please see Picture exhibit provided. The signage stating "No Proof of Age – No sale" a "Challenge 25" and "No street Drinkers" has been made more visible along with a CCTV system in operation. All these improvements involved a financial cost to my client, but goes to show his willingness to improve his services.

Through my frequent visit to the area, I came across a local Police Community Support Officer based next door to 200 A Lyon Park Avenue, HA0 4HG, who has confirmed that since the improvement has been made to the front of the premises, it is longer being used for people to meet and drink.

From my observations, contact with the client, the retraining of the staff and the new operating Schedule, I have not observed any further issues that would lead me to believe that this premises offers any risk to the general public or to undermine any of the Licensing Objectives. Given the nature of the business it is clear that any further financial conditions imposed would be financially unsustainable.

It is my opinion that the premises can operate within the parameters of the Brent Council's Licensing Policy. It is therefore that I respectfully request that the Licensing Sub Committee show leniency and proportionality in their decision.