



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 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

**Crystal Sport & Shisha Bar (Mango)
Ground Floor (front)
1 Popin Commercial Centre
South Way**

Post Town **WEMBLEY**

Post Code **HA9 0HB**

Name of premises licence holder or club holding club premises certificate (if known)

Mr Kuppusamy Kirupakaran

Number of premises licence or club premises certificate (if known)

222004769

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) **X**
- 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

Crystal Sport

Name and address

Nicola McDonald PC 157QK
Brent Police Licensing
Wembley Police Station
609 High 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)

Crystal Sports Bar (Mango) holds an extensive Premises Licence which allows ten licensable activities in particular the supply of alcohol from 10.00hours until 05.00 hours Monday to Sunday. Music dancing and the likes 1800 hours until 0500 hours Monday to Sunday and is open to the public from 0630 hours until 0530 hours Monday to Sunday.

Crystal Sports Bar (Mango) is failing to promote three of the licensing objectives, prevention of crime and disorder, the prevention of public nuisance and public safety.

The premises licence holder is Mr Kuppusamy Kirupakaran.

The designated premises supervisor since April 2016 is Mr Paul David Kelly.

The arrangement of this licence premise is unlike any other within the Borough. It is located on the ground floor within an industrial, commercial building with a warren of doors, stairs and corridors. There are internal doors leading directly in to other licence premises that have differing designated premises supervisors and much larger capacities. There are other influences within the operation of this premise in particular the owner of the entire building and financial investors none of whom the effect of the Licensing Act would have any impact upon. The building is located in an industrialised area of the borough with no residential properties in the vicinity which should be of benefit and was part of the consideration for responsible authorities not objecting to such extensive late operating hours. However Police now believe that the operators have taken advantage of the hours and remote location to allow drunkenness and deplorable activities.

Police have no faith in the ability of the designated premises supervisor to operate the premises responsibly in its current state as a night club and the premises licence holder has a very distant, weak influence on the running of the premises. Police therefore wish to bring the matter before the sub-committee for consideration.

The Brent Police Licensing team know Mr Kelly and Mr Kuppusamy Kirupakaran mainly because of the proximity of the premises to Wembley Stadium and the impact of alcohol on event days. The majority of Police dealings are with Mr Kelly as he deals with the day to day operations of the venue. In general this working relationship has been satisfactory but has gradually deteriorated since September 2016 when Mr Kelly began breaching the conditions of the premise licence.

Below is a chronological list of recent events:

On **21st August 2016** at 0430 hours Police witnessed fighting and disorder involving a group of Asian males in South Way, Wembley. One male was arrested for brandishing an offensive weapon, this male had been a customer at Crystal Sport Club (Mango) an altercation had occurred between two different groups and the disorder ensued. Mr Kelly was spoken to over the phone on 21st August 2016 by the investigating Officer PC Garner, and CCTV footage was requested. On **31st August and 10th September** PC Garner phoned Mr Kelly asking for the CCTV footage, however he got no response. On **1st October** 2016 at 1300hours PC Garner attended the venue in South Way but Mr Kelly was not there and the premise was closed to the public. However he did find an office open at the rear of the venue and spoke to a member of staff and left a message for Mr Kelly to contact him re the footage. PC Garner then contacted Brent Police Licensing informing that he was having difficulty getting hold of Mr Kelly and the CCTV footage vital to charge a male with offences. PC Mike Sullivan spoke to Mr Kelly on **3rd October** 2016 and discovered Mr Kelly had not downloaded the footage that he 'looked at the CCTV and could not find any relevant footage, he was not aware that police wanted a copy and this has now been deleted from the system'.

Cris 1921230/16 refers

In the early hours of **10th September 2016** a serious life threatening and left changing road traffic accident occurred in Greenford. One vehicle was involved that contained a male driver and 3 male passengers. The investigation was conducted by Detective Constables Zenga and Bowers. Statements taken from the passengers concluded that the prior to the accident they had been for a night out in Mango (Crystal Sports Bar) South Way Wembley. In order to build a criminal prosecution against the driver highlighting dangerous driving CCTV is obtained from the scene of the accident and back along all the roads he travelled, this required CCTV footage from Mango (Crystal Sports Bar) when investigating officers could identify occupants of the car and place them within the vehicle. The occupants entered Mango (Crystal Sports Bar) at 2238 hours and left at 0138 hours. Detective Constables Zenga and Bowers made contact directly with Mr Kelly and a male who gave his name as Abi 07763838387 and made a verbal request for the CCTV footage.

During this time other Detectives were making a similar investigation after a serious road traffic accident in The Mall, Kenton. Again Mr Kelly had been contacted directly by the investigator requesting CCTV footage.

Unfortunately after making the initial request the investigating officers had difficulty contacting Mr Kelly or Abi and due to the premises only opening after 2300hrs on weekends (no weekday openings) they contacted Brent Police Licensing on 21st September 2016 to request our assistance to obtain this footage. In addition Mr Kelly has said to the investigating Officers that CCTV would not be any relevance to them as were the vehicle was parked was not covered by the cameras.

Cris 2523575/16 refers

On **21st September 2016** a meeting was held with Mr Kelly at Brent Civic centre I handed him a formal letter requesting CCTV footage from all the cameras coving premises licence number 222004769 on 10th September 2016 from 0135 hours. Mr Kelly was aware of both traffic accidents and explained the delay in providing was because he had forgotten the password for the hard drive. He said he would get an engineer in to assist him.

Exhibit NM/1 - CCTV request letter

On **4th October 2016** I wrote a formal warning letter to Mr Kelly outlining condition 1 of the premises licence regarding CCTV. I expressed how disappointed Police were that footage was still outstanding and he had taken it upon himself to make a decision whether the footage was of relevance when he did not know the full details of the investigation. He was told in order to uphold the licensing objectives his role was to download the footage and inform officers it is ready for collection and Police will assess the footage for any relevance to the allegation.

Exhibit NM/2 - Formal warning letter

On **8th October 2016** I visited Crystal Sport Club (Mango) During this time the premises was open to the public and relatively busy due to a major football game being played at Wembley stadium later that day. Alcohol was being sold and loud amplified music being provided. Mr Kelly would have been expecting a visit from Police on this day. I was in full uniform in company with PC Michelle Heath. As I entered the venue Mr Kelly guided us to the office area where the CCTV system for the ground floor and first floor premises. In the office was an Asian male, he did not wear any identifiable work logo but was apparently a CCTV engineer. He appeared to be working on the hard drive of the CCTV system. A rather staged scenario ensued whereby Mr Kelly asked the engineer to download the footage from 10th

September 2016 as required. The engineer then said 'no I told you it would all be lost'. Mr Kelly then said 'no I told you the reason I wanted you to do this was to download this footage'. Both men then had a verbal disagreement and the engineer left the office. The final result being that all footage that was required for the investigation of 10th September 2016 had been deleted.

Police asked to see the door supervisor register. Mr Kelly said it was not on the premises and that it arrives with the security staff. Some of the security staff were already at the venue as it was open to the public. This was an unusual procedure and Police understood the door supervisors were provided by Mr Kelly's security company called 'Defuse Security'.

Offence Section 57 Licensing Act 2003 During this visit the premises licence summary was not displayed as required by the licensing Act 2003 and the premises licence was not available for me to examine.

Offence Section 136 Licensing Act 2003 Unauthorised licensable activity; on this day providing amplified recorded music on the premises otherwise than as authorised (after 1800 hours)

Offence Section 136 Licensing Act 2003 Unauthorised licensable activity; on this day breaching conditions 4 of the premises licence (security register/log)

Offence Section 136 Licensing Act 2003 Unauthorised licensable activity; on this day breaching condition 11 of the premises licence (incident log)

Exhibit NM/3 - MG11 statement by PC McDonald required for dangerous driving court case

On **Sunday 9th October 2016** at 0230 hours an offence of GBH occurred between customers of Crystal Sports Bar (Mango) the victim of the assault was intoxicated, he bumped in to the suspect spilling his drink. The victim was ejected by security. Outside the venue the suspect has punched the victim several times in the head causing him to loose consciousness for a short period and receive a gash to the face. Even though Licensing Police had been present at the venue a few hours before and a CCTV engineer had apparently installed a new Hard drive in front of them; there was no CCTV footage available from the venue to assist the investigation. An incident log has not been provided regarding this crime.

Cris 1925821/16 refers

Cad 1516 refers

On **16th October 2016** from 0230 hours there was a large disturbance outside Crystal Sport Bar (Mango) involving customers and door supervisors.

One male arrested for affray and charged. This male was seen by Brent Council CCTV operator to through a paving slab during the brawl.

Incident log provided.

Cris 1926490/16 refers

Exhibit NM/4 Brent Council CCTV Footage of the disorder

Cad 1347 16Oct16 refers

On **19th October 2016** I wrote to Mr Kelly pointing out the breaches from the Police visit to the premises on 8th October 2016 and requesting the security register and the incident log from 1st January to 19th October 2016. A copy of the letter was delivered to the venue, Mr Kelly's home address and sent to him electronically.

Exhibit NM/5 - Letter to Mr Kelly pointing out the breaches from the Police visit to the premises on 8th October 2016 and requesting the security register and the incident log from 1st January to 19th October 2016.

Exhibit NM/6 Police have only been provided with one Incident Log entry from that request dated 16th October 2016.

On **Sunday 23rd October 2016** at 0350 hours an assault occurred at Crystal Sports Bar (Mango), the Asian male victim was aged 18 years and was heavily intoxicated when seen by Police. So much so he was unable to provide a statement at the time. Victim was punched several times in the side of his head.

CRIS 1927168/16 refers

Cad 1755 23Oct16 refers

No CCTV provided
No Incident Log provided

On **Sunday 30th October 2016** at 0500 hours violent disorder occurred at Crystal Sports Bar (Mango). Two of the victims were Asian males aged 18 and 19 years, the remainder of the victims/witnesses were under 25 years of age. CCTV captured by Brent Council identifies Mr Kelly witnessing the chaos and having no control over the door staff. Two males were arrested by Police, these males were working at the venue that night in the position of door supervisors; however neither were registered with the Security Industry Authority. This is a mandatory condition of the premises licence and contrary to Section 136 Licensing Act 2003. Mr Kelly was spoken to at the time by the investigating officer Detective Sergeant Paul Connelly. Mr Kelly claimed the two suspects were employed as fire marshals and stewards. This practice has never been carried out at the venue before and is not the truth. Both of these males have been charged with affray and assault. Mr Kelly claimed not to be able to operate the CCTV system and requested DS Connelly assist him. Efforts were made to copy all footage for the last 40mins onto a USB stick however he did not know how to burn it and the system froze when he was trying to view. Any responsible designated premises supervisor would be able to operate the CCTV system and if Mr Kelly is unable to, it begs the question whether he is in a position to check the system is working correctly before conducting daily licensable activities. Mr Kelly told Police he would call a CCTV engineer and be in touch with the footage. Mr Kelly was asked for a list of all the door staff working that evening, he provided a very poor list, largely unreadable and written in felt tip. It was incomplete partial names and badge numbers.

Cris 1927834/16 refers

Cad 1487 refers

Exhibit NM/7 Brent Council CCTV footage

On **Wednesday 2nd November 2016** at 1900 hours I visited Crystal Sport Club (Mango) in the company of PC Sullivan. During this time the premises was open to the public due to a major football game being played at Wembley stadium later that evening. Alcohol was being sold and loud amplified music being provided. Mr Kelly had been in contact with me with regard to the letter I send to him dated 19th October 2016 where I requested to see the incident logs and door supervisors' registers from 1st January to 19th October 2016. He had informed me that I could view these documents at the venue on that night and he wanted to show me the CCTV system was now operating fully. Both Mr Kelly and an Asian male I know to be Abi Sattar or Abi kattar were with PC Sullivan and I in the office. Mr Kelly provided me with Seven Sia logs 2nd September, 3rd September, 30th September, 1st October, 21st October, 22nd October and 28th October only. They were all incomplete with vital names, and badge numbers missing. Most concerning is the same name appearing on different time sheets with different badge numbers alongside. This appears to be a clear act to mislead authorities so any door supervisor involved in any incidents within the premises can not be traced. This is emphasize with lack of SIA log's provided for 8/9th October 2016 when there was a serious assault (as above) when the victim was ejected by security. When I asked Mr Kelly where ther door supervisors' logs were for the remainder of the year (as requested) he said ' I bin them every three months'. This practice would never be endorsed by any authority, I believe this to be a lie. Surely they would be kept for tax purposes. He could not give an reason for throwing them away.

Exhibit NM/8 SIA Logs provided on 2nd November

Mr Kelly provided four incident reports. Two for 29th October 2016 and two for 16th October 2016. They are all completed by Eric job title Steward. The first incident on 29th October 2016 was at approximately 0200 hours and a group of males were refused entry to the Shisha area, they were unhappy about this and a member of door staff was hit in the face. Door staff was threatened with a knife. The second incident on 29th October 2016 was at 0445 hours when a customer was attacked and then a large fight broke out where bottles knives and spades were used as weapons. When I asked to see the remainder of the incident reports Mr Kelly said they were at home. Our meeting was specifically arranged for me to see the incident book/records. Mr Kelly has not made them available to view since that date. I do not think Mr Kelly had been maintaining an incident book He could not operate the CCTV in our presence because he could not find the remote control for the monitor. When we explained the premises were being poorly operated and serious improvements needed to come about quick time Mr Kelly and Abi made suggestions that an ID scanner would assist and deter bad behaviour from customers. They informed PC Sullivan and I that they had one already and it just needed fitting. Police explained to Mr Kelly as he was not a front line SIA badge holder and therefore could not employ door supervisors directly. Police described how to get the relevant badge

and clarified he would need to employ door supervisors from a company. Police suggested at this time that an SIA approved door supervisor company would be the best option and to browse the SIA website for a list. Mr Kelly was advised to maintain an incident book and retain it for seven years in case of civil claims and the same with the doors supervisor log and that both should be stored at the venue. Both Mr Kelly and Abi agreed with the suggestions.

Exhibit NM/9 Incident report dated 29Oct2016 020hours

Exhibit NM/10 Incident report dated 29Oct2016 0445 hours

On **Sunday 13th November 2016** at 0248 hours serious disorder and fighting outside Crystal Sports Bar (Mango) involving heavily intoxicated customers. The hostility had started inside the club, continued outside culminating in belts and glasses being used as weapons. Victims attended hospital with lacerations to the head. Several persons arrested and charged.

Officers attending claimed the door staff were less than helpful saying it all happened outside and then disappeared out of sight. Excessively drunk customers

Exhibit NM/11 Brent Council CCTV footage

Exhibit NM/12 Email from PC Johal who attended the venue at the time of the disorder.

Cris 1928974/16 refers GBH

CAD: 1205/13NOV16 refers

CAD:7851/13 Nov16 “

CAD 1698/13NOV16 “

As a result of Police Licensing Officers' visits to the premises and conversations held with Mr Kelly, in addition to the continuous incidents of crime and disorder at the venue (every weekend bar one from 4th October to 13th November 2016) a formal Action Plan was compiled. The action plan was developed by the Police in consultation with both The Designated Premises Supervisor and Premises Licence holder over several weeks of discussions. The plan highlighted the primary responsibility of the PLH and DPS to ensure that the premises are a safe and secure environment. The aim of the Action Plan was to adopt practical options to ensure that the conditions of Premises License, (2003 Licensing Act) were met and erase the criminal offences that have plagued the venue for the previous two months.

On **18th November 2016** the Action Plan was delivered electronically to Mr Kelly and Mr Kuppasammy

There are five main points to the action plan.

CCTV

Door Supervisors (from an SIA approved company)

Stop sales of full bottles of spirits

Install and operate an Identification Scanner

Retained the incident log for a minimum of seven years.

Exhibit NM/13 The Action Plan (electronic copy)

Exhibit NM/14 The Action Plan (Signed copy by PC Paul Whitcomb who had the subsequent meeting on 24th Nov 16)

On **Saturday 19th November 2016** at 0413 hours Brent Council CCTV controller contacted Police and stated there were customers from Mango (Crystal Sport and Shisha) having an altercation outside. Half of the party involved got in to a vehicle and drove off. The display of driving leads the CCTV controller to allege a possibility of drunk driver.

This vehicle was not located by Police.

CAD 1582/19NOV16 refers

On **Thursday 24th November 2016** Licensing Officers PS Paul Riley and PC Paul Whitcomb had a meeting with Abi (the business man), Mr Paul Kelly (DPS), My Kuppasamay (PLH) (accompanied by his nephew Tharshan Navaratnarasa).

Abi did most of the talking. He has said that the club is happy to accept and fully comply with the action plan. They said that the I.D Scanner has been purchased. They will no longer sell single bottle of spirits. These can be purchased retained behind the bar and waiters/waitress will serve these in the correct measures. The CCTV has been arranged and the only part outstanding is the fact that they need to install a wi-fi modem so that Mr Kuppasamay can remotely monitor the CCTV. A signed copy of the Action Plan was handed over.

Exhibit NM/15 PC Whitcomb's electronic notes made immediately after the meeting.

On Wednesday 7th December 2016 Licensing officers PC McDonald and PC Sullivan visited

Mango (Crystal Sport and Shisha). During this time the premise was open to the public due to a major football game being played at Wembley stadium later that evening. Alcohol was being sold and loud amplified music being provided. Officers met with May Paul Kelly, Abi and David Bates Managing Director of an approved SIA door supervisor Company 'Task Personnel Solutions Security Services' Popeshead Court Offices Peter Lane, York. YO1 8SU. Mr Bates explained he would be appointing a head door man who will be in charge of booking all door staff off/on checking logging and SIA badge numbers. He is introducing a lone working app where he can see where the staff are at any time it will be available for Police. When incidents are logged or statements are required they can be provided to Police immediately electronically however hard copies will be retained at the venue. No more bottles of spirits or champagne are served at the tables and the ID scanner was in place. Mr Bates advised Officers to contact him directly with any requests relating to This meeting gave Officers hope that the venue was operating in a more positive way and the action plan assisting with this.

Cris 1931833/16 11/12/2016

Theft of a handbag between 0200hrs – 0230 hours.

On **Sunday 11th Dec 2016** at 04.26 hours the operator at Brent Council CCTV control room requested Police attendance in South Way Wembley outside Crystal Sport and Shisha (Mango). The allegation was of a fight involving customers and one possibly wearing a knuckle duster. Upon Police arrival there was a large amount of people in the road, the fight had stopped. There was no allegation of crime made to Police and due to the amount of persons it was difficult to identify who had been involved in the fight.

CAD 1713/11DEC16 refers

On **Friday 16th December 2016** PC McDonald emailed David Bates Managing Director of the newly assigned approved door supervisor company and requested to put a date in the diary for the new year to discuss your progress at the above premises, that by then you will have experienced the club for a couple of months. PC McDonald never received any response.

Exhibit NM/16 electronic correspondence with Mr Bates dated 16/12/16

On **Saturday 17th December 2017** at 0551 hours a female phoned Police from an address in East London. This woman had been woken by a male who had banging on her front door, the male was covered in blood and asking for help.

Investigating officers have established this male was a customer of Mango (Crystal Sport and Shisha) earlier that morning. He had gone to the club alone. While in the club he had met a group of men whom he befriended and bought a number of drinks for. At some point in the morning they had gone outside and he said that his phone had run out of power, and he needed to charge it to order himself an Uber cab. One of the suspect stated that he could charge the phone in his vehicle. The victim willingly went into the vehicle to charge his phone. At some point one of the suspects stated that they would drop him home and not to call a cab. The victim agreed, however what then occurred was that the victim was beaten, kidnapped and robbed. The victim could not give a statement at the time because he was drunk.

Licensing Police emailed MR Kelly on **20th December 2016** and asked him to provide CCTV footage of the venue from 0200 hours to 0600 hours on 17th December 2016 in order to identify the suspects and verify his story.

Cris 1932072/16 refers

CAD 2185 17Dec16 refers

Exhibit NM/17 Email chain between PC McDonald and Mr Kelly regarding CCTV footage request.

On **Sunday 18th December 2016** at 0300 hours Police and ambulance service were called to near Wembley Stadium and South Way by two males who had been chased and assaulted.

Investigating Officer discovered that a male had been stabbed and attacked with glass bottles in South Way Wembley. Prior to the assault the victim and his friend had been customers in Mango (Crystal Sport and Shisha). When leaving the bar they had been chased by several other customers from that venue who then using bodily force and glass bottles had stabbed the victim in the leg and caused a head injury that required stitches. The ambulance had taken the victims to the local Hospital.

This is a separate incident from the one below some 40 minutes later.

Cris 1932179/16 refers

CAD2028, 1387 and 1419 refer

On **Sunday 18th December 2016** at 0340 hours Police and ambulance service was called to a male at

Mango Bollywood Diner (Crystal Sport and Shisha) where disorder had broken out and a male assaulted.

Cris 1932161/16 refers

CADS 1648, 1238, 1347 18DEC16 refer

On **Wednesday 21st December 2016** PC McDonald sent a further Email to Mr Kelly and Mr Kuppasamy requesting CCTV footage from 18th December 2016 from 0130 – 0300 hours be downloaded for the investigating Officers to view.

PC McDonald also Emailed David Bates Managing Director of the newly assigned approved door supervisor company and requested a copy of the incident log and list of staff working at Mango on the weekend of 16th/17th/18th December 2016.

On **Tuesday 27th January 2016** at 0218 Hours Police and ambulance services were called to Crystals Club. Callers and Brent Council CCTV operator could see serious disorder and fighting outside the location involving patrons. During the chaos glass bottle were used as weapons and missiles, belts were removed from trousers and the used as weapons and a door supervisor brandishes a friction operated baton. There were several persons arrested for affray assault and possession of offensive weapons.

I

It became apparent after a later investigation by Police licensing that both Mango (Crystal Sport and Shish) and Crystal Aqua were open on the night of 26th/27th December 2017 and that Mr Paul Kelly was managing both events. Door supervisors identified on the footage are ones that work for Mr Kelly and have for several years at that venue.

Cris 1932913/16, 1932906/16, 1932904/16, 1932908/16, and 1933170/16 refer

CAD 730 and 726 27Dec16 refers

Exhibit NM/ 18 Brent Council CCTV footage of the disorder

On **1st January 2017** Police Officers were driving along South Way, Wembley when their attention was drawn to a male with a female who appeared to be in distress. The Officers established the pair had been partying at Crystals Sport and Shisha (Mango) but had had a domestic argument and left. The female made an allegation of common assault against the male. This female had spent the evening in mango and was extremely intoxicated

Cris 1900006/17 refers

By **3rd January 2017** PC McDonald had not received any response from Mr Kelly and Mr Kuppasamy so sent them a further email stating the footage as requested was still required for the investigation. Mr Kelly responded immediately the same day stating the footage had been downloaded and was ready for collection.

PC McDonald had not received any correspondence from Mr David Bates from the door supervisor company so telephoned him. Mr Bates said that Mr Kelly had wanted to retain all the door supervisor staff that had worked for him previously and not willing to accept new staff. Mr Bates claimed that his company name was just being used by Mr Kelly but he was unwilling to implement the improvements. As a result of this conversation Mr Bates sent PC McDonald an Email outlining going forward he would not be engaging with Mr Kelly and the venue.

Exhibit NM/19 Electronic correspondence with Mr Bates

On **4th January 2016** PC McDonald asked if she could collect the footage from the venue on either 6th or 7th January.

On **7th January 2016** PC McDonald had a telephone conversation with Tharshan Navaratnarasa with regard to the footage. He said Mr Kelly had left it in the safe at the premises, however he could not hand it to me because only Mr Kelly had access to the safe.

PC McDonald therefore emailed Mr Kelly again asking for a reassurance that the footage could be got to Police by the end of the weekend (8th January) as it was an allegation of serious assault and the investigating officers needed to progress.) PC McDonald also asked about details stored in the ID Scanner (part of the action plan) and could this be examined/viewed by Police.

On **10th January 2016** Mr Kelly sent an odd reply to PC McDonald stating she should liaise with Angelique from Trade Inn Licences as they are acting on my behalf.

PC McDonald replied immediately asking if he had the footage downloaded and that there was two criminal investigations urgently awaiting this.

Exhibit NM/20 Electronic correspondence in relation to obtaining the CCTV footage and ID Scanner data.

By **13th January 2016** Brent Licensing had still not received any CCTV footage from the venue relating to criminal offence over the weekend of 17th and 18th December 2016, so PC McDonald and PS Riley at 1100 hours attended Crystal Sport and Shisha (Mango). Mr Kuppasamy and Tharshan Navaratnarasa were both present and gave permission to enter the office where the CCTV system was operating. Using powers under the Police and Criminal Evidence Act 1984 Police seized the hard drives (Two) for the venue. These are in the process of being viewed in relation to the above investigations.

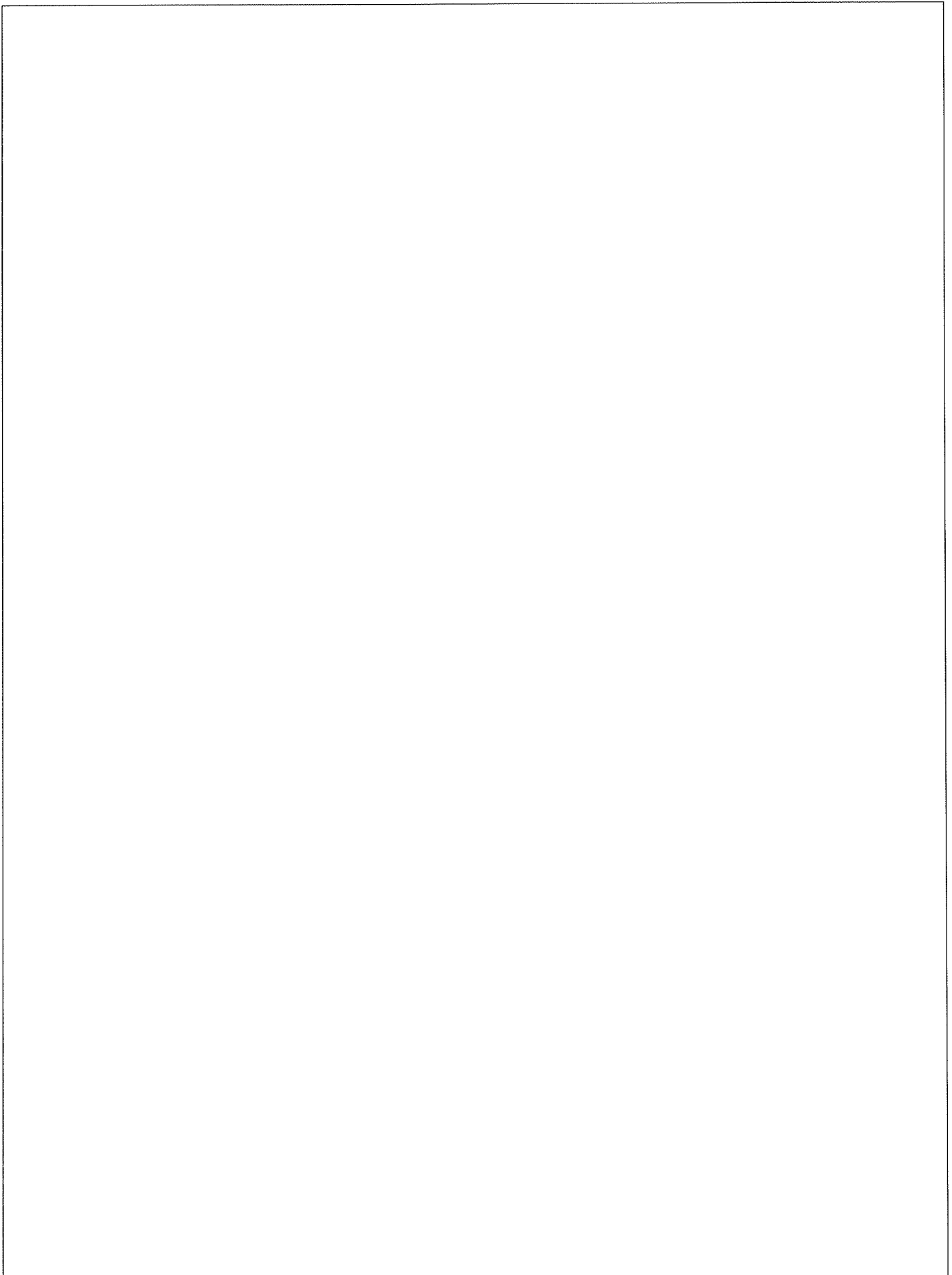
Summary

There is a pattern at this venue of drunkenness leading to violent behaviour and injuries requiring vast utilization of emergency service resources. This all comes about due to the excessive authorised hours and a designated premises supervisor that is unable to manage the premises by upholding the licensing objectives. Unfortunately there is mistrust, Police have lost all faith in the DPS. Police request Mr Paul Kelly be removed as the DPS.

The only reason an expedited review has not been submitted is because Police believe the Premises Licence Holder is working in good faith and as assured Police the premises will not operate in the future as a late night club venue. This has been displayed by the recent removal of the Shisha smoking area to the front of the venue. Police understand there are legal leaseholder/tenant issues that are not relevant to this review but to assist the licence holder and strengthen his position Police requested the hours for licensable activities cease at 0100hours with the premises closing to the public at 0130hours. All the crimes evidence in this application has happened after 0100 hours.

Police believe if the Action Plan had been implemented correctly the operation at this venue would have improved and licensing objectives upheld. Therefore Police request the Action Plan be added as conditions to the premises licence.

Police reserve the right to give evidence on any further incidents where the licensing objectives have not been promoted 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 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 *Will PC 157 OK*

Date *21st JANUARY 2017*

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

Crystal Sport

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