

The Notice of ... A True Copy Was Served By
 Me On The Within Named On The 15TH Day Of
DECEMBER 2013 at 15.53HRS.
 By Personal Delivery To MR. MOHAMED BASHIR
 At MACE, 17 COLLEGE PARADE NW6
 By Affixing To The 6 RN
 Of The Premises At
 By Sending The Same By Recorded Delivery Addressed
 To The Within Named At The Address On The Notice For
 Recorded Delivery No. See Registration Book No.
 Signed
 Designation ENFORCEMENT OFFICER



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

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	
Mace 17 College Parade Salisbury Road	
Post Town Kilburn	Post Code (if known) NW6 6RN
Name of premises licence holder or club holding club premises certificate (if known)	
Mr Mohammed Nadeem BASHIR	
Number of premises licence or club premises certificate (if known)	
165078	

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 PC Nicola McDonald 157QK Brent Police Licensing Wembley Police Station 603 Harrow Road Wembley HA0 2HH
Telephone number (if any) 0208 733 3206
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 | <input type="checkbox"/> |
| 3) the prevention of public nuisance | X |
| 4) the protection of children from harm | X |

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

Mace is currently authorised to supply alcohol for consumption OFF of the premises. The venue has a converted premises licence from 2005 with traditional 'Off' licence permitted hours and no conditions attached. The premises licence holder and designated premises supervisor are one and the same; Mr Mohammed Nadeem BASHIR. Mace is failing to promote three of the licensing objectives, namely the protection of children from harm, prevention of crime and disorder and 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. Police are primarily concerned with:
Under age sales. Three offences under section 146 of the Licensing Act 2003 witnessed by Police and other offences alleged by local residents (statements attached)
The association with drug use, continual attraction of youths using the shop and forecourt as a social centre due to connections with family members that leads to crime and disorder and anti-social behaviour in the vicinity. Police have witnessed much of this and in addition have received complaints from a variety of different local residents and businesses (statements attached).
Employing an illegal immigrant. (There is evidence that some workers employed illegally are paid less than the minimum wage, do not pay tax, and may be doing dangerous work that breaks health and safety regulations. Employers who use illegal workers may do so because they want to avoid providing minimum standards, such as the National Minimum Wage and paid holidays. This is harmful to the workers involved and enables dishonest employers to gain an unfair advantage over competitors who operate within the law.)
Failure to display the premises licence.
Alcohol on display for supply outside permitted hours.

Alcohol supplied without authority (outside permitted hours) section 136 Licencing Act 2003

Selling alcohol to a drunk section 141 Licensing Act 2003

Failure to implement the Action Plan. There were 12 actions on this plan, 7 of those have definitely not been fulfilled. They are:

Written training procedures for all staff

Operate a proactive and firm refusal to customers who demonstrate excessive signs of alcohol consumption.

Comprehensive CCTV system to be installed and designated premises supervisor to have working knowledge of operation.

Demonstrate due diligence and a responsible standard of business management.

Nazeem Bashir (DPS's brother) not to work in the shop without direct supervision of the DPS

Record all incidents within our incident logging system.

Maintain a clear and un-obstructive view in to the premises.

Consider removal of industrial rubbish bin outside the front of the premises due to allegations of drug use and anti social behaviour.

Police believe that the evidence provided is enough to ask for a revocation of this premises licence. However Police recognise this is a family business and therefore taking an appropriate approach and considering 'human rights' Police propose the following course of action in order to promote the licensing objectives lawfully. A minimum of a three month suspension of the licence during which time all the staff can take formal intensive training courses on responsible sales and licensing legislation.

Removal of the DPS who due to illness struggles to actively manage the daily management of the shop. The DPS should be replaced by a personal licence holder who has not had previous dealings with the poor operation of this shop.

A reduction of permitted hours for licensable activities to 1000 - 2000 hours daily. Police would request the following conditions be attached to the premises 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.

2. A CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the entrance of the shop.

3. A sign stating "No proof of age - No sale" shall be displayed at the point of sale.

4. A "Challenge 21" policy shall be adopted and adhered to.

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

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

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) any complaints received

(c) any incidents of disorder

(d) all seizures of drugs or offensive weapons

(e) any faults in the CCTV system or searching equipment or scanning equipment

(f) any refusal of the sale of alcohol

(g) any visit by a relevant authority or emergency service.

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.

9. A personal licence holder fluent in English shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.

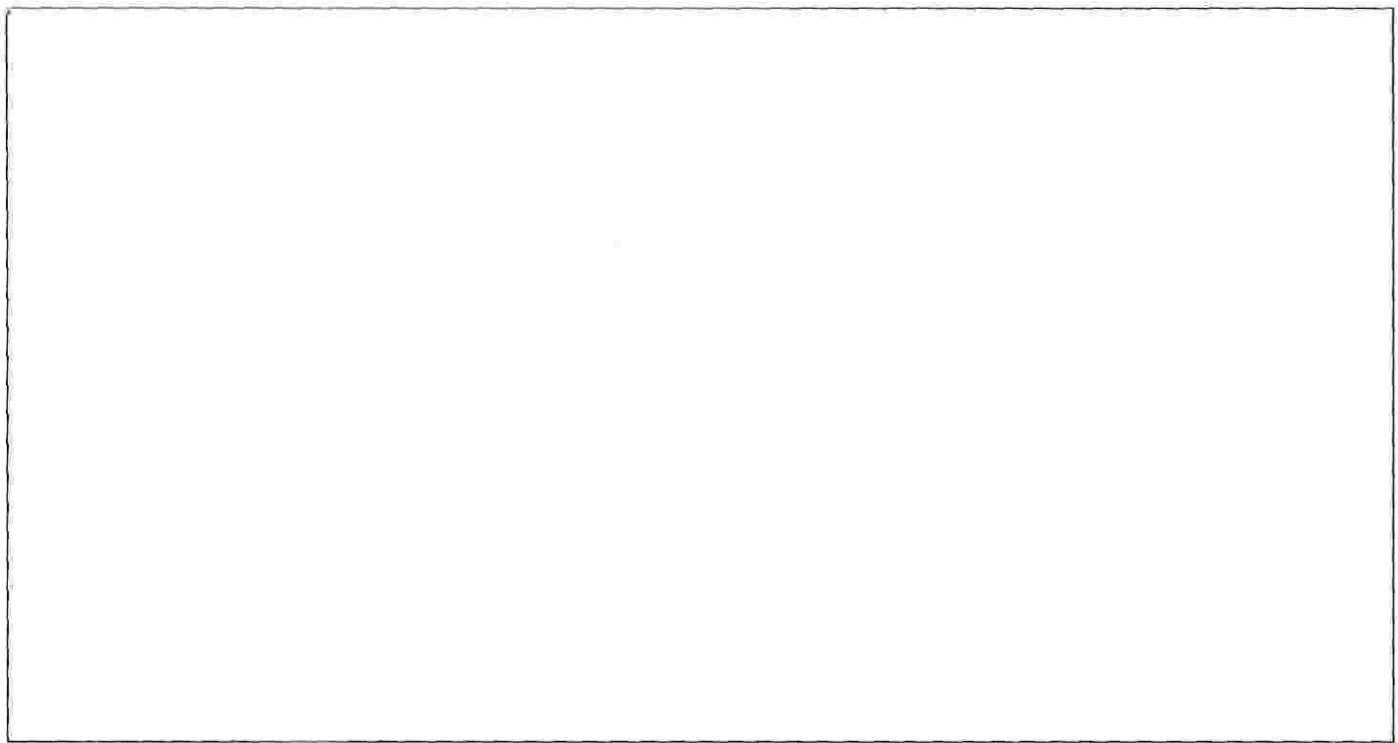
10. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.

11. The following crime prevention measures be implemented:

A time delay safe with deposit slot and anti fishing mechanisms must be used in line with a cash

Minimization policy.

Regular robbery awareness and cash minimization training given to all staff



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

23rd November 2006 CRIMINT QKRT00323269

Officer source: PCSO 7156QK PEARSON-WRIGHT

Source: MEMBER OF PUBLIC

On 23/11/2006 a member of public spoke with police regarding drug dealing occurring outside 17 COLLEGE PARADE SALUSBURY ROAD NW6.

Member of public stated that a young male with shaved hair that drives a blue Fiat Punto VRM who works behind the counter of 17 COLLEGE PARADE is dealing drugs inside the shop from under the counter and on the footway directly outside the shop. Police know this male as the brother of the DPS

The person also stated that people arrive in their cars and the male meets them on the footway and reaches into his sock and makes an exchange.

These events are said to happen throughout the day but do carry on into the night therefore the SNT is in the dark as the on goings happen when the SNT are off duty.

19th January 2007 CRIMINT QKRT00329284

Officer source: PCSO YOUNG 7192 QK PC 513 QK PCOS PEARSON-WRIGHT 7156 QK

Source: POLICE

On FRIDAY 19/01/2007 at 2100 hours police were on foot patrol o/s PEACHES AND CREAM 17 COLLEGE PARADE SALUSEBURY ROAD NW6.

On approaching the shop police saw two IC3 males o/s the front entrance of the shop and could smell cannabis from the direction of where the males were standing. They were both spoken to by police. During this time the owner of the shops parents were unloading goods from a van into the shop with the help of their younger son.

The younger son suddenly became very aggressive towards one member of police completely un-provoked shouting "stop *** staring at me, get away from me, I *** hate you people, get off my property". When the officer tried to talk to the subject he kept saying "get away from me, im not talking to you, your just community support, you shouldn't be *** looking at me like that". At this point PC 513QK stepped in as it was obvious that was not prepared to talk with the other officer. He eventually calmed down and he apologised to the officer who he was being abusive to.

Officers suspect that this incident may have been a distraction as the property is known on crimint for drug supply and handling stolen goods.

The youngest son was given a verbal warning not to talk to police in this manner again.

27th April 2009 CRIMINT QKRT00368139

On 27/04/09 on patrol at Winchester Ave NW6 I was approached by residents who claimed that have witnessed youths gathering up outside the shop PEACHS AND CREAM 17 College Parade Salusbury Road NW6 and smoking drugs and making loud noises and he also said he has witnessed the shop keepers son pulling something out of the his sock and handing it over the counter to customer and he believe he is dealing some sort drugs from behind the counter and he also said that he has seen many under age males and females come in and buy cigarettes and alcohol

3rd Feb 2010 CRIMINT QKT00379339

Police attended **** NW6 and spoke to Miss *** who wanted to report that her daughter has been buying cigarettes from a local convenience store. PC HYMAN 546QK attended and spoke to the informant who states that her daughter *** has been smoking and buying cigarettes. The shop where she is buying them from is MACE CONVENIENCE STORE 17 COLLEGE PARADE NW6. School children regularly attend that shop and her daughter is friends with one of the shop assistants

The informant has spoken to the school head and they are also aware of this.

19th March 2010 CRIMINT QKRT00381679

As a result of extensive observations at 17 College Parade, Magistrates issued a search warrant under the misuse of drugs act 1971. An amount of cannabis was found belonging to the DPS's brother. Also an employee in the shop was arrested for being an illegal overstayer and in possession of fraudulent documents. The manager of the shop at that time was the DPS father Mr Mohamend Bashir. He was reported to the UK border agency for employing an illegal immigrant.

16th April 2010 CRIMINT QKT00382913

An Officer from Queens Park SNT was on patrol on SALUSBURY ROAD, NW6. At approximately 1530 hours the Officer received information from a worker from *** regarding activity of youths aged between 19-25 years going on outside and visiting MACE wine and food store which is located at 17, near the informants business. The informant stated that he has witnessed on many occasions often between the hours of 1545-17:00 hours a group of IC3 or of Somalian MALES loitering outside of the wine and food store and are going into MACE store then leaving towards CHEVENING ROAD then often return again to the shop and meet with the shop managers son. The informant also told me that he often feels uncomfortable and it affects the business in which he works as the group sit outside. When the informant approached the youths about moving on they did not even speak or acknowledge him.

29th July 2011 OFFENCE

During a test purchase operation Mr Nazeem Bashir working in Mace 17 College Parade supplied alcohol to a person under 18 years of age contrary to Section 146 of the Licensing Act 2003. He was issued with a fixed penalty ticket.

22nd January 2012 CRIMINT OKRT00410102

At approximately 16:50hrs two officers from QUEENS PARK SNT were on foot patrol heading up SALUSBURY ROAD NW6 when they both sighted known subject *** hanging around by MACE shop front door on his mobile phone he sighted officers heading towards him to which he then immediately walked backwards into MACE shop and shouted to the young shop owner behind the counter "Oi Oi FEDS" As one of the officers looked into the shop when walking past another IC3 MALE darted out the front door and ran across heading down CHEVENING ROAD This MALE was approximately 16-17 years of age and made no eye contact with the officers *** was seen with the shop owner to quickly exchange something to which *** then recieved it and quickly slid the small item into his right pocket He then came out the shop and acknowledged both officers confidently.

2nd February 2012 CRIMINT QKRT00410471

PC 976QK ROSSINGTON from Queens Park SNT was on foot patrol on Chevening road when he was approachd by the manager of ****. He stated that the the MACE shop was regularly supplying alcohol to underage drinker and that every other day someone would come into his shop by mistake and ask for "Naz" and ask to buy Cannabis. He believed that "Naz" is the younger man who works in the MACE shop in the evenings.

12th March 2012 OFFENCE

Officers conducted a section 23 Misuse of Drugs Act warrant although nothings was found in Mace, an amount of cannabis was found at the DPS home address 1 Plymouth Terrace.

9th April 2012

I just wanted to make you aware of a possible breach of licence conditions at the above venue. We attended a robbery tonight near to the venue where the suspects were seen by the victim to enter the shop and were not seen to leave. We found a group of males (some of them eating the stolen pizza from the robbery) at the back of the shop and the main suspect managed to get out of the back door and away from us. When conducting CCTV enquiries it became apparent that their systems do not work, namely because they don't bother to put tape in to record. The DPS was present in the shop originally but disappeared before we had a chance to speak to him but his mother soon arrived - Tetrie Bashir - Mobile 07943786076. Another one of her sons 'Naz' was one of the males who helped the main suspect out of the back door and thought it was very funny. The group of males also stank of cannabis. This group of males are generally seen loitering in and around the store and without CCTV it is a safe haven for them to duck into after they commit offences. CRIS 1909463/12 refers to the robbery report.

We told all the males to leave but within 30 mins they were loitering once again. Barry Munnelly 625QK

30th June 2012 OFFENCE

During a test purchase operation Mr Mohammed Bashir supplied alcohol to a person under 18 years old contrary to section 146 of the Licensing Act 2003. He was issued with a fixed penalty ticket.

July 2012 Brent Police Licensing were contacted by local residents complaining of crime, disorder and nuisance from Mace. Statements attached.

5th August 2012 VISIT

At 1215hours PC 157QK McDonald conducted a licensing visit to Mace. At 1215hrs 5/8/12 visited the shop. Mr Mohammed Bashir (3/8/53) was working behind the counter and one other member of staff described as park time shelf stocker who spoke poor English. The premises licence was not displayed or on the premises for me to examine contrary to the licensing act. When I asked what the opening hours of the shop are, Mr Bashir replied 9am to 11pm every day. I then asked what happens with the alcohol on Sunday nights from 2230hrs to 2300hrs, that it should not be on display for supply between those 30 minutes, he replied that he covers it with plastic. He said the CCTV was recording but he does not know how to operate the system. Because there are not conditions on the licence I could not dispute this issue with him. I have however requested Mr Bashir attend Wembley police Station with footage from the shop on Mon 30th July 2230hrs to Tues 31st July 0100hrs when an allegation of criminal damage has been made by residents.

10th August 2012 ACTION PLAN

Meeting held at Wembley Police Station with Mr Mohammed Bahir and Mrs Tetrie Bashir DPS's parents. PC McDonald mistakenly thought because of very similar names that the DPS's father who is always in the shop was actually the DPS. DPS never seen by Brent Police Licensing. The operation of the shop was discussed and how currently the shop was failing to uphold the licensing objectives. Solutions were discussed and an action plan produced in partnership. Action plan attached.

18th August 2012

Letter posted for DPS to his home address and hand delivered to Mace left with DPS's father by PC157QK McDonald requesting CCTV footage. Footage never received. DPS did not make contact. Attached

18th August 2012

Letter posted for the DPS to his home address and hand delivered to the shop left with DPS's father by PC 157QK McDonald. Attached.

22nd August 2012

PS Adrian Adolphus had a telephone conversation with a male alleging to be Mohammed Nadeem Bashir. He said he had received the action plan from his parents and will do everything requested. He stated the people hanging around in the evenings are not his brothers friends and that his family make efforts to move these people on. PS Adolphus stressed that the operation of the shop had to improve in order to avoid further action.

27th August 2012 OFFENCE

Selling alcohol to a drunk section 141 Licensing Act 2003
Supplying alcohol without authority (outside permitted hours) Section 136 Licensing Act 2003

Friday 8th March 2013 CRIMINT QKRT00432444

At 2100 hours officers conducted a section 23MDA warrant at MACE, 17 College Parade, Salusbury Road, NW6 6RN CAD4617/08MAR13). The males listed below were in the venue at the time and were all searched. Negative result.

The main Suspect Nazeem BASHIR was working at the time and was irritated that "this was happening again". Nazeem admitted that he would occasionally have a smoke with his friends but not whilst he worked at his fathers shop. He also stated that he had asked the youths that congregate outside to leave as he is aware it alerts Police attention but that they don't actually do anything wrong.

There was a Baseball Bat and Golf Club kept behind the counter in the shop.

3rd May 2013 LICENCING VISIT/ OFFENCES

See attached statement by PC 157QK McDonald

5th May 2013 1300hrs PC McDonald left message left on the DPS mobile phone 07940231007 for him to make contact. No response.

5th May 2013 LETTER

PC McDonlad posted a letter addressed to the DPS at his home address and the shop address. No response.

15th May 2013

1645hrs PC McDonald left a message on the DPS mobile phone as above. He phone back at 19.45hrs and spoke to PS Adrian Adolphus. DPS said he has received your letter. He states that the CCTV does not record so he is trying to get a hardrive but it is an old system and he can't find one compatible. I told him to buy a new system but he is broke.

I explained the problem with the youths outside and he said that it was a problem and they tried their best to get rid of them because they were bad for business. He states he still works at the shop but suffers from a bad back and can only work a few hours a day.

Saturday 7th September 2013 Crimint : QK429090.

** went to MACE Newsagents, SALUSBURY ROAD NW6. ** has gone there to buy alcohol as they serve to him and his friends even knowing he and his friends are thirteen years of age. ** states he has brought alcohol from this shop since he was 12. After ** brought the alcohol he mixed it with Lucozade and started to drink some as he made his way to FINCHLEY ROAD 02 CENTRE. It then transpired that ** had been reported missing by her mother and later found and taken to Royal Free. ** and his parents have then come in to Kilburn Police Station to report the incident and make a complaint against MACE Newsagents for selling the alcohol to him. ** Mother is going to cobntact Trading Standards Statement attached.

8th September 2013 COMPLAINTS from local resident

Alleging staff in MACE sell alcohol to children under 18 years old.

14th September 2013 OFFENCE

During a test purchase operation Mr Mohammed Bashir sold a large bottle of alcohol namely high strength White Ace Cider to a child under 18 years old contrary to section 146 of the Licensing Act 2003. He was issued with a fixed penalty ticket.

4th October 2013 VISIT

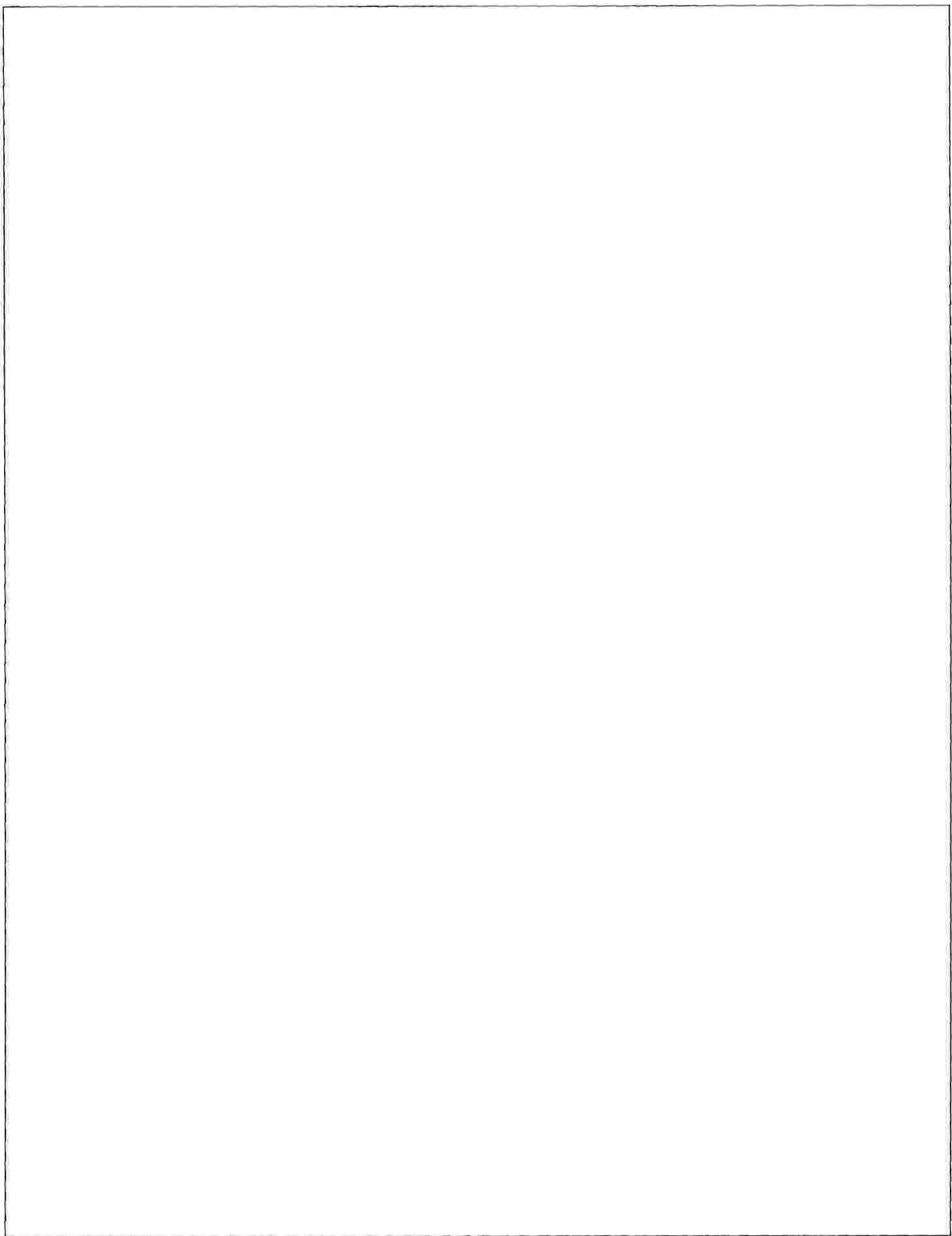
2305hrs. DPS not present, father and younger brother Nazeem present. There was a young black male in the shop as we arrived who promptly left without being served. There was an open bottle of Smirnoff vodka under the serving counter. Mr Bashir stated that they have no CCTV of test purchase incident on 14th September because the CCTV is deleted every 24hrs. At the time of our visit alcohol was on full display without authorisation. There was a hammer also visible behind products on shelf accessible by customers. There was also a carrier bag with cash behind the counter. The staff has no commercial robbery awareness, or licensing legislation awareness. PC McDonald left a letter at shop for the DPS and then hand delivered a letter to the DPS's home address for DPS. Statement attached

8th October 2013

At 1200hrs the DPS Mr Nadeem Bashir phoned me, I requested he attend the civic centre on 9th October 2013 to urgently discuss the future operation of the shop. He said he had an hospital appointment and would phone me back to confirm if he could get transport later in the day. He did not phone back or appear for the appointment.

16th October 2013

Telephone conversation between DPS and PC McDonald. DPS unable to confirm a date for a meeting. He was informed a review of the premises licence would be made and to expect a copy in the post.



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
- 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 *[Handwritten signature: MLL FC 1570K]*

Date *18th December 2013*

Capacity Police Officer

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.