



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 / apply for the review of a club premises certificate under section 87 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	
Variety Food & Wine 261 High Road	
Post Town Willesden	Post Code (if known) NW10 2RX
Name of premises licence holder or club holding club premises certificate (if known) Mr Sellathurai PRABAHARAN Mr Manickam RAJEETHARAN	
Number of premises licence or club premises certificate (if known) 161072	

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 Nicola McDonald PC157QK Brent Licensing Wembley Police Station 603 Harrow 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 | |
| 4) the protection of children from harm | X |

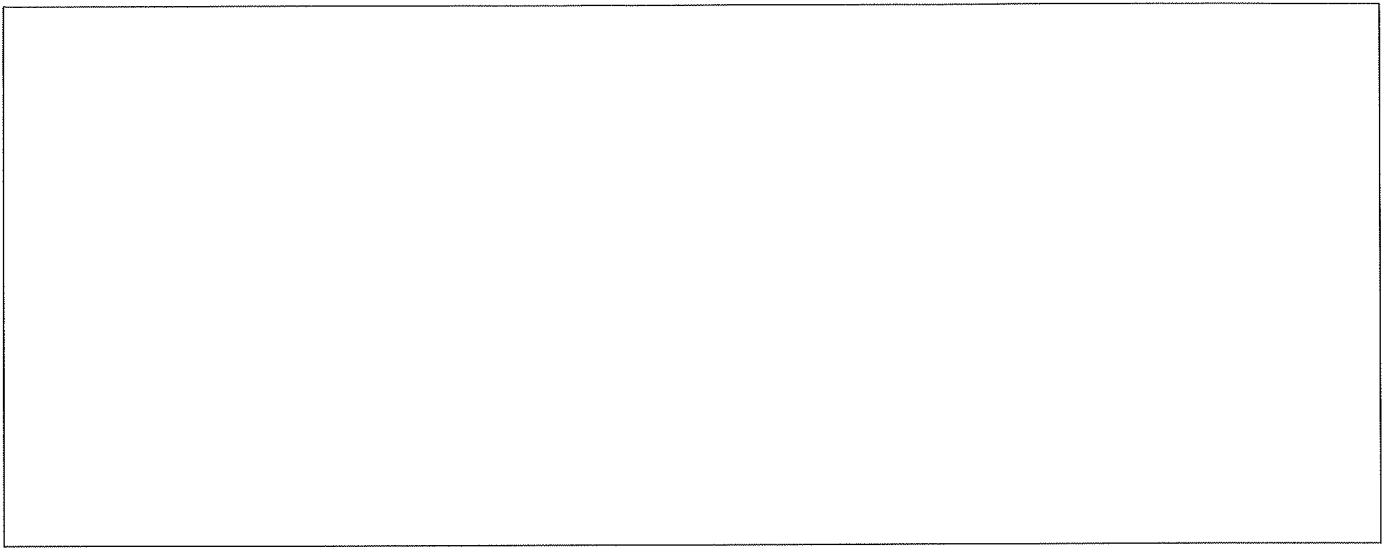
Please state the ground(s) for review (please read guidance note 1)

Variety Food And Wine 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. Sellathurai Prabakaran. He holds the premises licence with Mr. Manickam Rajeetharan, he appears to be a silent business partner, someone I have never met or seen at the premises.

Variety Food & Wine is failing to promote three of the licensing objectives, namely the protection of children from harm, prevention of crime and disorder and public safety. 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, total disregard of licensing legislation and sales of prohibited items. Police have witnessed much of this and in addition have received complaints from other authorities. Police seek the removal of the DPS who struggles to supervise the venue sufficiently. A period of suspension to enable both intensive licensing legislation training of staff and locate a suitable DPS. Police would request conditions be attached to the premises licence including those highlighted in the action plan, restrictions on sales of high strength beers, lockable shutters for secure storage of alcohol when the premises are still open to the public outside authorised hours, anti-robbery time delay safe, and a clear and unobstructed view in to the shop.

Police feel that these are wholly reasonable, proportionate and appropriate measure to be put in place to promote the licensing objectives



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

27th August 2013

Under age test purchase operation carried out by Brent Trading Standards Service in the Brent area. Using two children aged 15 and 13. Children asked to buy alcohol from Variety Food Fairs (High Road Food & Wine Variety Food), 261 High Road, London, NW10 2RX. A child aged 15 was able to purchase 4 cans of Strongbow cider contrary to Section 146 Licensing Act 2003.

The seller was Mrs Vimla Bhowdal, she was the sole member of staff and appeared to have minimal licensing knowledge.

At the same time Trading Standards Officers discovered a large amount of hand rolling tobacco and cigarettes with no health warning displayed.

30th November 2013

At 0045hrs PC Nicola McDonald Brent Police Licensing and Esther Chan Brent Licensing Enforcement Officer visited Variety Food & Wine. There was one lone member of staff working. The designated premises supervisor was not present. There was no written authority from the DPS to sell alcohol. There was no CCTV recording, no incident or refusal book. Whilst the Officers were in the shop two separate drunken males entered the shop and purchased cans of beer contrary to Section 141 of The Licensing Act 2003. In addition other males entered the shop asking to buy single cigarettes. Officers discovered open packets of cigarettes beneath the serving counter. See exhibit photos NM/1, NM/2, NM/3 and NM/4 taken by PC McDonald. The premises licence does not authorise sales of alcohol at 0045 hours, these sales were contrary to section 136 Licensing Act 2003

4th December 2013

The DPS Mr Mr. Sellathurai Prabakaran attended Brent Civic Centre and after a formal discussion with PC McDonald and Ms Chan an Action Plan was produced (see attached)

Actions to be implemented:

. Ensure that the full license is available within the premises for inspection at all times and a summary displayed at the venue. This is a legal requirement.

. Premises Hours of licensable activity

Monday to Saturday 08.00 am to 23.00 hours Sunday 10.00 am to 22.30 hours

. Premises Opening Hours

Monday to Saturday 08.00 am to 23.00 hours Sunday 10.00 am to 22.30 hours

. D.P.S or a personal license holder to be on site when open for business.

The above person shall be responsible for an incident log which shall be kept at the premises, and made available on request to an authorised officer of the 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) seizures of drugs or offensive weapons

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

(g) any refusal of the sale of alcohol

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

.Challenge 21 policy to be adhered to at all times and signage supporting this initiative prominently displayed within the venue.

.D.P.S to keep a record of all staff employed at the venue which is to include names, addresses and national insurance details.

. CCTV

Adequate CCTV will be installed at the venue. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition as well as comprehensive coverage of all outside drinking areas.

Management and permanent staff will be trained in how to use the system.

The system at the venue will have the capability to either download footage on to disc or memory stick.

The footage on the CCTV system will be held for a minimum of 30days before rewriting itself with correct

date and time showing.

. STAFF TRAINING

All staff will undergo training of Licensing Act 2003 legislation, this will be documented and signed for by the DPS giving the training. This training log shall be kept on the premises and made available for inspection by relevant authorities.

Mr Prabakaran was also reminded selling single cigarettes, selling alcohol to drunks offering counterfeit or non duty paid products is illegal and should not be allowed to happen under any circumstance.

Friday 14th June 2014

Premises visited by Brent Police Licensing Officers at 2345 hours. There was one solitary member of staff Mr Thavanesan Prabakaran, he informed Police he is not a personal licence holder. The premises were still open to the public and alcohol was still being sold contrary to Section 136 of the Licensing Act 2003, conducting licensable activities without authority. (See attached Police Statement)

During that visit I identified the following points of the action plan were not being conformed with:

Ensure that the full license is available within the premises for inspection at all times and a summary displayed at the venue. This is a legal requirement.

Hours of licensable activity

Monday to Saturday 08.00 am to 23.00 hours

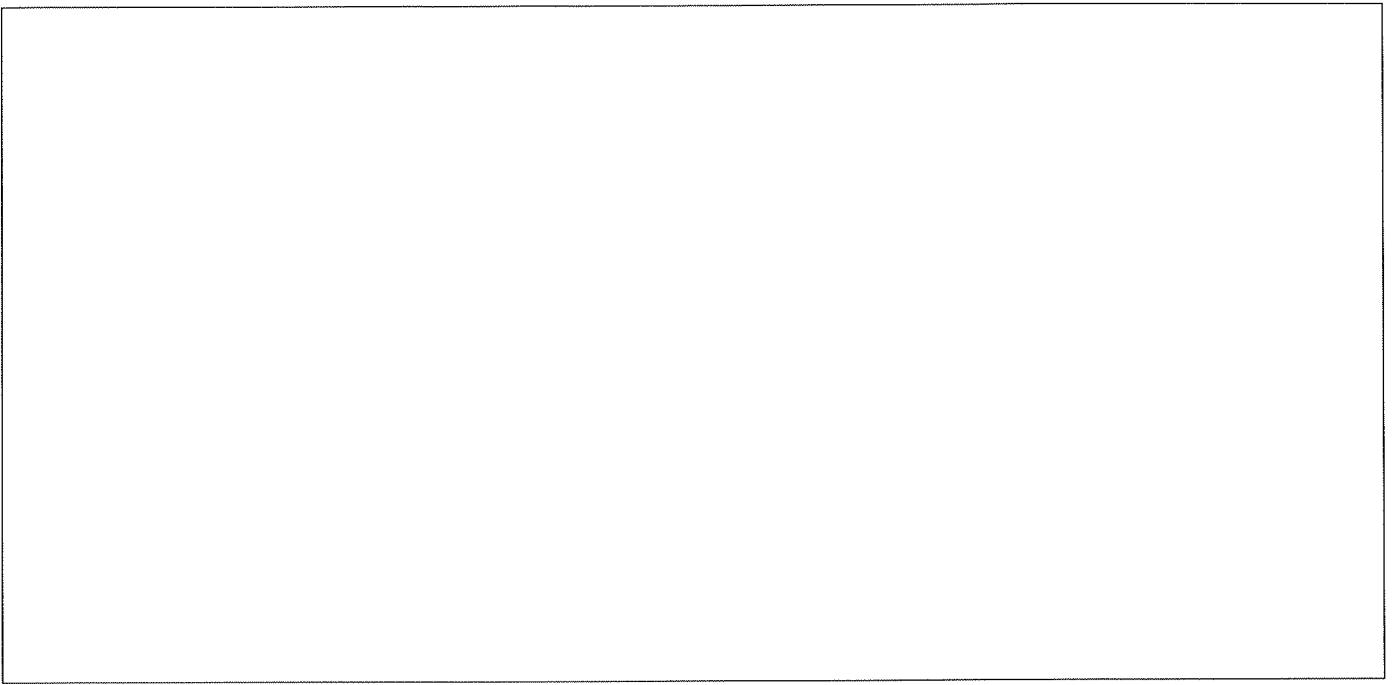
Opening Hours

Monday to Saturday 08.00 am to 23.00 hours

D.P.S or a personal license holder to be on site when open for business.

18th June 2014

PC McDonald posted a letter to the DPS both home address and shop address (letter attached). The DPS has failed to make contact with PC McDonald in order to view the CCTV and examine staff training records.



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 *WJ P C 1570K*

Date *21-8-2014*

Capacity *POLICE CONSTABLE*

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