



**APPLICATION FOR A 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.

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description – Sunny Supermarket (Also Known as) Shree Superstore 11 Wembley Hill Road

Post town Wembley	Post code HA9 8AF
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Name of premises licence holder or club holding club premises certificate – Mr Ankitkumar BHATT
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Number of premises licence or club premises certificate - 251453

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and 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 ✓ yes

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

Post town

Post Code

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

PC Nicola McDonald 157QK Brent Police Licensing Wembley Police Station 603 Harrow Road Wembley HA0 2HH
Telephone number (if any) 0208 7333206
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 | X |

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

Shree Superstore (also known until recently as Sunny Superstore) currently has a Premise Licence to sell alcohol 24 hours daily.

Since 5th October 2017 the Premises Licence holder (PLH) and Designated Premises supervisor (DPS) are one and the same, a Mr Ankitkumar BHATT.

Alcohol is authorised to be supplied for consumption off of the premises and should not be sold in open containers.

The following conditions are attached to annex 2 of the licence:

1. CCTV shall be installed and maintained in a working condition.
2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.
3. 'Raid Control' crime prevention measures shall be installed and all staff given suitable training.
4. 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.
5. 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.
6. Photographic proof of age shall be required from all persons appearing to be under the age of 21.
7. A sign stating 'No proof of age - No sale' shall be displayed at the point of sale.
8. A refusal book shall be kept and maintained.
9. On major event days at Wembley Stadium the following shall apply:
Customers shall not be allowed to congregate outside the premises.
No glass bottles shall be sold, all drinks shall be sold in plastic bottles or cans.

The current operation in the shop is failing to promote all four of the licensing objectives due to consistent violation of licensing legislation and disregard to the safety and welfare of the public. Sitting within the footprint of the National stadium, when alcohol fuelled crime and disorder are a major issue at some events, Mr BHATT fails to assist Police by repeatedly selling large quantities of alcohol and in glass vessels. He refuses to improve the operation of his shop despite Police intervention and advice from a licensing agent. His mistakes continue and have worryingly escalated in a very short period of time.

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.

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

18th May 2017

Warning letter to the previous premise licence holder for breaches of the licensing conditions relating to major events at Wembley Stadium. [Exhibit NM/1](#).

Mr BHATT admitted to Officers he worked alongside the previous licence holders for at least six months before purchasing the business.

During a meeting with Mr BHATT on 14/4/2018, he admitted he had worked alongside the previous owners in the shop for six months prior to purchasing the shop in September 2018. He did this to gauge the profitability of the shop.

22nd September 2017

Mr BHATT officially becomes the premises licence holder.

Mr BHATT officially becomes the designated premises supervisor.

28th February 2018

Brent Police licensing officers visited the shop at approximately 1600hrs, it was a major football event at Wembley stadium, the shop was open to the public and alcohol was being sold.

There was one member of staff present, he gave his name as [REDACTED] he was not the owner of a personal licence. He had no knowledge of licensing legislation. [REDACTED] claimed he often "helps out" but doesn't get paid to work, as his Visa doesn't allow him employment in the UK.

The following premise license conditions were in breach:

1. "Raid Control" crime prevention measures shall be installed and all staff given suitable training.
2. 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.
3. A sign stating 'No Proof of age- No sale' shall be displayed at the point of sale.
4. A refusal book shall be kept and maintained.
5. On major event days at Wembley Stadium the following shall apply:
 - No glass bottles shall be sold, all drinks shall be sold in plastic bottles or cans.

[REDACTED] was told not to sell any alcohol and to cover or remove all the alcohol from display.

We returned to the shop approximately two hours later and Mr BHATT was in the shop. He explained he had to leave the shop for an emergency and had asked [REDACTED] to keep the shop open to serve customers. Mr BHATT said there was no other personal licence holder that worked in the shop. Mr BHATT was told that in that case when he was not on the premises he must not permit sales or display of alcohol. The shop has a 24 hour licence but Mr BHATT said he never opens 24 hours.

Mr BHATT had no knowledge of the 'Raid Control' measures.

Mr BHATT was unaware of the major events at Wembley stadium, he had a negative attitude to the events claiming 'they are always changing'. This was correct with the Tottenham football matches but he was advised it is his responsibility to monitor the Stadium events calendar to prevent breaches of the premises licence.

Officers examined the refusal book, there were only two entries both in November 2017. Mr BHATT admitted he did not bother to fill it and maintain it as required by the licensing conditions.

There was no sign displayed stating "No Proof of age-No Sale".

Officers had a telephone conversation whilst in the shop with Mr BHATT's licensing agent, Mr Panchal, Personal licence courses Ltd. He was informed of what officers had witnessed and advised Mr BHATT not to sell or display alcohol until the breaches had been rectified. Mr

Panchal said he would contact Police when the issues were all resolved.

6th March 2018

Mr BHATT issued with a formal written warning by Police for events on 28th February 2018 and offences under section 136 Licensing Act 2003, namely conducting licensable activities without authority, which carries a fine of up to £20,000 and/or up to 6 months imprisonment.

[Exhibit NM/2](#)

31st March 2018

Crimint QKRT00481809

Police were called to the SUNNY SUPERSTORE 11 WEMBLEY HILL ROAD HA9 8AF to reports of a civil dispute.

A male who was with 3 friends had bought a 1.5 litre bottle of brandy from the shop. They had negotiated a price of £40 and taken it back to the Holiday Inn, where they had been drinking it mixed with water. There was less than 100ml left in the bottle when they realised they weren't drunk. They tasted the liquid and said it tasted like water with sugar in it, and took it back to the shop. The male added that they had struggled to open the bottle as there was something wrong with the lid.

The shop refused to give a refund or exchange it as it was almost all gone. The male was unable to provide a receipt. He was informed it was a civil dispute and to contact either trading standards or take them to small claims court.

14th April 2018

Brent Police licensing officers visited the shop at approximately 1300hrs, it was a major football event at Wembley stadium, the shop was open to the public and alcohol was being sold.

There was one member of staff present behind the counter he gave his name as [REDACTED] he was not the owner of a personal licence. He had no knowledge of licensing legislation. He said he was not working, but there was no other member of staff in particular no personal licence holder present. There was glass bottles of beer on display. [REDACTED] said the owner had just popped home. [REDACTED] chose to close the shop instead or remove or cover all the alcohol.

The following premise license conditions were in breach:

2. 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.

5. On major event days at Wembley Stadium the following shall apply:

- No glass bottles shall be sold, all drinks shall be sold in plastic bottles or cans.

2nd May 2018

Mr Ankitkumar Bhatt attended a meeting at Brent Civic Centre with Brent Police Licensing Officers.

Mr BHATT was asked why he was not at the shop on 14th April 2018 or why a personal licence holder was not present. Mr BHATT stated that his baby had been rushed to hospital, he had no answer when asked why he did not just cover and stop selling alcohol. When Officers probed him about the emergency with his child it became apparent that he was lying and that he child was not ill or rushed to hospital. Mr BHATT then began to claim he was unaware of the conditions on his premises licence, however Police are fully aware Mr Panchal 'licensing agent' had gone over the conditions with him in February and rectified any anomalies. Mr BHATT attempted to blame the previous owner whom he worked under for more than six months, stating they had told him he was permitted to sell glass bottles on event days. Mr BHATT was reminded of the warning letter issued to him at the beginning of March 2018 that echoed these breaches. Mr BHATT then asked for a second chance that there would be no more issues at the shop. Police informed him that a premises licence review was a realistic option.

7th May 2018

At approximately 1400hours PC Sullivan and Pc Cowley from Brent Police Licensing team conducted a licensing visit. On entering the shop Pc Sullivan saw Mr Ankitkumar BHATT

behind the serving counter. When Mr BHATT saw the Officers he turned his head towards the rear of the shop and shouted something in a foreign language. PC Sullivan looked to the rear of the shop and saw three Asian males standing at the rear of the shop drinking from plastic cups. Officers walked to the back of the shop where they saw a large open high strength cider bottle and an open can of Budweiser beer on top of a large blue barrel next to where the males were standing. There were three other Asian males and a Somali male discovered standing in a side room also drinking alcohol. Photographs taken by PC Sullivan [Exhibits NW/3 – NM/6](#).

PC Sullivan went back to Mr BHATT at the counter, he was selling a bottle of cider to a male, the male asked for a plastic cup. Mr BHATT removed a clear plastic cup from a plastic sleeve containing new plastic cups lodge next to the till area see photo [Exhibit NM/7](#) and gave a cup to him. PC Sullivan pointed out that this was not acceptable, encouraging street drinking, Mr BHATT replied 'all the shops do it'. PC Sullivan then asked why there was people standing drinking alcohol in his shop, pointed out he had authority to sell alcohol for consumption off the premises only. The only reason Mr BHATT could recognise for this was that 'the shop was busy and he was on his own'. PC Sullivan told the males to leave the premises and asked Mr BHATT for a copy of the CCTV recording for 1 hour prior to Police arrival. Mr BHATT was advised strongly to operate in accordance with his authority. Mr BHATT provided a memory stick apparently containing the footage, however did not work correctly and did not have all the shops cameras on it.

18th May 2018

At 1400 hours Brent Police Licensing Officers visited the shop. Mr BHATT was present. . PC Sullivan spoke to Mr BHATT and said 'no more people drinking in your shop?' Mr BHATT was confident in his response 'No, No one at the back'. PC Sullivan asked if I could take a look, Mr BHATT then nervously said 'yes' however remained standing at the counter looking sheepish. PC Sullivan and PC Cowley went to the rear of the shop. In the stock room officers discovered an Asian male with a woolly hat and anorak drinking high strength cheap cider from a 2 litre bottle, there was other opened bottles of alcohol. Photo [Exhibit NM/8,9 & 10](#). Officers called Mr BHATT to the rear of the shop and expressed their disappointment upon finding the male. Mr BHATT accompanied Officers up a narrow staircase at the rear of the shop that lead to a locked door. Mr BHATT oddly knocked on the door, he then produced keys and unlocked the door that revealed a hidden room/makeshift residential accommodation. Mr BHATT informed officers he was renting the room out for residential purposes. Photos [Exhibit NM/11,12,13,14,15,16,17](#). Officers asked Mr BHATT if he was authorised to rent out part of the shop. Mr BHATT admitted to officers he was NOT permitted to have people living in the shop and he showed officers an email on his phone that he forwarded to Police. [Exhibit NM/18](#).

Since that date Brent Police Licensing have had verbal communications with Mr BHATT's licensing consultant Mr Panchal. He informed Police he had reiterated on several occasions to Mr BHATT his premises licence conditions, licensing legislation and best practice. Mr Panchal informed Officers he is no longer representing Mr BHATT.

23rd May 2018

The shop was visited by Brent trading standards Officers in company with HMRC Officers. Numerous items were seized by both authorities with reference to illegal age restricted products, alcohol and cigarettes.

26th May 2018

This date was a major football event at Wembley Stadium, the Championship league play off with a 1700 hour kick off. The shop was open to the public and alcohol was being sold. At approximately 1450 hours PC177QK and PC 59QK who were on foot patrol in full uniform around the stadium surrounds, attended the store. The shop was very busy and Officers noticed a long queue of customers some holding glass bottles of beer waiting to pay. As officers entered the shop they saw a customer pay for two glass bottles of alcohol. Police spoke to Mr BHATT working behind the counter who stated that he WAS aware of the restrictions but he was waiting for another member of staff to attend the shop to assist with stopping customers taking glass bottles from the fridge. The Officers explained the licensing requirements on football event days and told Mr BHATT to remove from display or cover all

glass bottles of beer cider and alcohpop style drinks and not to sell more than four cans of beer to anyone person. Officers conducted other licensing visits and then returned to the shop some minutes later. As officers walked in to the shop they saw a customer walking away from the till point having purchased six cans of beer. This information was passed to Brent Police licensing officers also working at the football event. PC Sullivan entered the shop on the same day after reiving the information. He saw Mr BHATT behind the counter. He asked Mr BHATT for an explanation and he said 'I was very busy working here by myself'. He then went on to show PC Sullivan that the glass bottles of beer cider and alcopop style drinks had now been removed from display.

The following premise license conditions were in breach:

5. On major event days at Wembley Stadium the following shall apply:

- No glass bottles shall be sold, all drinks shall be sold in plastic bottles or cans.

Mr BHATT has shown a lack of management in the running of his business, the above evidence shows he has no understanding of what is required of him as the Premises licence holder and Designated premises supervisor. He clearly has no regard to the Licensing regime.

MR BHATT evidently considers making a profit above the good of the local community and licensing objectives.

It is clear that Mr BHATT is not able to abide by the minimal conditions attached to such an extreme authority (24 hours).

It is obvious that Mr BHATT has not taken on board the seriousness of the Police interactions and warnings, or those from his licensing agent Mr Panchal. In my experience as a Licensing Officer I have never dealt with a DPS who in such a short space of time has continuously and shamelessly flouted the legislation with no genuine regret. If Mr BHATT was removed as DPS, he would still have dealings will the day to day operation of the shop because he is the premises licence holder and has a financial interest.

Police do not consider a suspension of the premises licence would produce any improvement. After Police visited the shop on 28th February 2018 Mr BHATT was unable to sell/display alcohol for over a week until he implemented the premises licence conditions, in particular the installation of a time delay safe. As evidenced he then went on to continue breaking the law.

Mr BHATT does not require training, he is aware of legislation but chooses to ignore it. This is also demonstrated by knowingly breaching the lease agreement, the insurance policy of the building and local authority planning consents.

Police have no trust in Mr BHATT's integratory he has failed to show any commitment to improving and this leads me to feel there is no other alternative, to uphold the licensing objectives, than to ask the committee to revoke the premise licence.

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
a		

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

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 (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

Willie PC 1570K

Date

13-8-2018

Capacity

POLICE CONSTABLE

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address 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 (Licensing)
Brent Council
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

☎ 020 8937 5359

Email: environmentandprotection@brent.gov.uk

Cheques should be crossed and made payable to London Borough of Brent.

Please follow the instructions in the checklist on page 14 to submit the relevant copies to the responsible authorities. Contact details shown below:

Chief Officer of Police
Brent Licensing Department
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8733 3206

North West Area 1
London Fire Brigade
169 Union Street
London
SE1 0LL

Tel: 020 8555 1200 x38778

Trading Standards
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5555

Environmental Health
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5252

Children's Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Licensing Authority
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ
Tel: 020 8937 5359

Area Planning Service
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5210

Public Safety Team
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5359

DAAT
Public Health Directorate
Wembley Centre for Health
and Care
116 Chaplin Road
Wembley
HA0 4UZ

