

**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 – Cedar Grocery Store 160-162 Manor Park Road Harlesden
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Post town London

Post code NW10 4JT

Name of premises licence holder or club holding club premises certificate – Nana Darko AGYEI
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Number of premises licence or club premises certificate -
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153631

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

Please tick ✓ yes

I am 18 years old or over

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

Nicola McDonald PC2157NW NWCU Police Licensing Unit South Harrow Police Station 74 Northolt Road South Harrow HA2 0DN
Telephone number (if any) 0208 7334530
E-mail address (optional) Nicola_mcdonald@met.police.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

X
X

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

Cedar Grocery Store 160 – 162 Manor Park Road, currently has a Premise Licence to sell alcohol from 0800 hours to 2300 hours Monday to Saturday and 1000 hours to 2230hours on Sundays.

The Premises Licence holder (PLH) has been held by Mr Nana Darko AGYEI since he transferred the premises licence in to his name in October 2018.

The Designated Premises supervisor (DPS) is also Mr Nana Darko AGYEI.

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

The current operation in the shop is failing to promote two of the licensing objectives protecting public safety and prevention of Crime and Disorder.

The plans attached to Annex 4 of the current premise licence are not a true likeness of the premises. Major construction work has taken place at the premises. The one shop 160-162 Manor Park Road has been divided in to two separate shops. Cedar Grocery remaining at 160 and a barbers shop called Ike star now situated in 162. Also the depth/ rear of both shops has altered with the introduction and removal of stud walls. **However it is important to note that both premises can be accessed from each shop through connecting doors and rooms towards the rear of the shops.** Mr Nana Darko AGYEI has been told on several occasions from both the licensing authority and Police, that until Annex 4 is updated with plans reflecting the layout of the venue he cannot conduct licensable activities. Any display of supply of alcohol would be contrary to Section 136 of the Licensing Act 2003. Mr Nana Darko AGYEI has committed offences contrary to section 136 Licensing Act 2013 on several occasions. He leaves persons working alone in the shop whom he has not given written authority to sell alcohol, these persons have no licensing legislation knowledge, they have not been given any training.

Police conducted a search, with a search warrant issued by Brent Magistrates, at the premises and discovered a large amount of Class A and Class B drugs and a cannabis factory.

Mr Nana Darko AGYEI fails to operate a responsible licensed venue in an area that suffers alcohol and drug fuelled crime and antisocial behaviour.

Police intervention via these means is in response to the severity of the crime, to prevent a rapid escalation and risk of putting the public at harm.

Police request the premises licence to be revoked.

These recommendations are proportionate and valuable in the upholding of the licensing objectives

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)

Summer 2018

The premises were closed to the public and building work appeared to be taking place.

13th September 2018

Premises Licence surrendered.

17th September 2018

Licensing authority visited the premises and gave **written advise** to the proposed new owner [REDACTED] he had 28 days to transfer the premises licence under section 42 Licensing Act, vary the premises licence under section 34 Licensing Act to change the designated premises supervisor and submit new plans for the premises (after the internal alterations). Or the new owner could apply for a new premises licence under section 17 Licensing Act.

17th October 2018

Application submitted by Mr Nana Darko AGYEI to transfer the premises licence in to his name.

20th November 2018

Application submitted by Mr Nana Darko AGYEI under section 34 Licensing Act 2003 to vary the premises licence to add himself as the designated Premises Supervisor.

14th December 2018

Police and Licensing Authority visited the shop. It was open to the public and alcohol was on display and being sold. One male member of staff who claimed to be 'just helping out', he gave his name as [REDACTED]. He told officers to wait and he made a phone call to a person he said was 'the manager'. Officers waited for some time at the shop and was then joined by a female who gave her name as [REDACTED]. Neither of these people owned a personal licence to sell alcohol. [REDACTED] told Officers that the owner, Nana, was at church and she would pass on message. The premises licence could not be produced for Officers to examine. Part B of the premises licence that was displayed behind the counter was out of date (details of the previous premises licence holder and DPS) these are offence under section 57(4) and 57(7) Licensing Act 2003.

A thorough licensing inspection of the premises was conducted, Officers used their own Part A of the premises licence they had taken along to the venue. There are 14 conditions under Annex 2 of the licence. None of the conditions could be shown to be implemented in accordance with the authority. **Warning letter** sent to Mr Nana Darko AGYEI (see attached **NM/1**)

Officers left their details for Mr Nana Darko AGYEI to contact them. [REDACTED] and [REDACTED] were told that all alcohol have to be covered and supply of alcohol could not take place, not only because of breaches of the conditions but because new plans were required to be submitted by way of a premises licence application.

19th December 2018

Mr Nana Darko AGYEI had not contacted Licensing Officers.

Email sent asking for him to contact Police for a possible meeting on 20th December 2018.

Police did not have any response to that email.

2nd January 2019

Licensing Authority received an incorrect application. The applicant was sent a thorough email explaining the correct requirements. See attached **NM/2**

26th February 2019

Police and Licensing Authority Officers visited the shop at 1900hrs. Premises open to the public, alcohol being sold and on display. One member of staff called [REDACTED] claimed 'he was

not working just helping out'. He had no licensing knowledge or experience selling alcohol. There was no improvement to fulfilling the licensing conditions since the visit on 14th December 2018. However that was irrelevant because the Premise Licence Holder Mr Nana Darko AGYEI has still not submitted a new premises licence application with new plans as requested on 2nd January. [REDACTED] contacted [REDACTED] who he described as 'the boss' who came to shop from another premise in Park Parade Harlesden. He was advised the premises was not licensed to supply or display alcohol. [REDACTED] said he was completely confused as to what he should do to obtain the correct authority. Arrangements were made for him and Mr Nana Darko AGYEI to attend Brent Civic Centre the following day. Officers explained it was very difficult to accept this as an excuse, plenty of advice had been given however it was very difficult to actually speak to the premises licence holder face to face. Arrangements made to meet with both [REDACTED] and the premises licence holder the following day at Brent Civic Centre.

27th February 2019

Meeting at LBB Civic Centre with [REDACTED] and Nana Darko Agyei. The whole process was explained in detail. They explained that they are business partners and will be applying together for the premises licence. They were advised why the licensing authority were unable to process the application submitted in January 2019, however it had been returned with a letter detailing corrections required before it could be process but neither male had acted on that advise. Clear direction was given how to advertise the application.

They were advised that they cannot supply or display alcohol at the above premise until the application for a new premise licence is granted, which could exceed the 28 days consultation period.

Officers explained what possible conditions we may propose in a letter of representation and it is imperative that staff employed are trained to sound knowledge in licensing matters or hold a personal licence.

28th February 2019

A warrant issued by Brent Magistrates under Misuse of Drugs Act was executed by Police officers.

In the store room at the rear of this premise numerous established cannabis plants were seized, other class B and class A illegal drugs, and drug paraphernalia connected to the production of illegal drugs. **See NM/3**

9th March 2019

I was in full uniform and visited the premises, it was open to the public. There was no alcohol on display. In the shop was the male I had met on 26th February who gave his name as [REDACTED]. Also on the premises was [REDACTED]. I asked to see the back of the premises where the drugs had been seized. [REDACTED] lead me through the shop he used a key in his possession to unlock a Chubb lock on an internal door, this led through to a dark passage and then to the right were two small rooms both with open doorways. In the first room I saw several grow bags and large plant pots (items that had not been seized by Police). In the second room there was numerous household items and babies toys/equipment. There were numerous stud walls. These rooms at the rear of the shop were connecting and led me to the rear of the barbers' shop which was open to the public.

A licensed premise must be operated responsibly and proficiently. The business has been managed/organised by persons who are showing blatant disregard to the law and permitting serious crime within the premises. It would be completely inappropriate for this venue to be permitted authority to supply alcohol and would undermine the licensing authorities expectations and policy.

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

If yes please state the date of that application

Day	Month	Year
28	03	2009

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

Police applied for a premises licence review 28/3/2009. This went to review hearing on 25/07/2009. The panel attached conditions to the premises licence.

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

Will Goodall PC2157NW

Date

25-3-2019

Capacity

POZICE GNSTABLE

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

