

Nana Darko Agyei
Cedar Grocery Store
160-162 Manor Park Road
London
NW10 4JT

15th April 2019

Case Reference: 15407

Licensing Representation to the Application to Review the Premises Licence for the Cedar Grocery Store, 160-162 Manor Park Road, NW10 4JT

I certify that I have considered the application shown above and I wish to make representations that the likely effect of the review of the application is detrimental to the Licensing Objectives for the reasons indicated below.

Licensing Inspector: Esther Chan

An officer of the Licensing Authority in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The application has been made to review the premises licence under section 51 of the Act.

Licensing Inspector's Comments:

The Licensing Authority is making this representation in support of Brent Police Licensing Department in relation of the review of the premise licence related to Cedar Grocery Store, 160-162 Manor Park Road, NW10 4JT.

We believe that this review is necessary given the way the premise is being managed and would invite the Licensing Committee to take the steps it deems appropriate and proportionate to promote the licensing objectives.

History

On 13th September 2018, the Licensing Authority received written notification from the previous premise licence holder to surrender the premise licence at Cedar Grocery Store, 160 -162 Manor Park Road, NW10 4JT.

On 17th September 2018, I conducted a visit to the premise subsequent to the notification to surrender the premise licence. At the time of my visit, the premise was open to the public. Alcohol was exposed for sale. I was advised by a member of staff that [REDACTED] was in charge of the premise.

Following my visit, [REDACTED] contacted me via telephone. He was advised to cease supply of alcohol until the Licensing Authority are in receipt of an application to transfer the application and vary the DPS (designated premise supervisor) or alternatively he can apply for a new premise licence.

On 17th October 2018, the Licensing Authority received an application to transfer the premise licence to Mr Nana Darko Agyei.

On 20th November 2018, the Licensing Authority received an application to vary the DPS to Mr Nana Darko Agyei.

On Friday 14th December 2018 at approximately 17:00hrs, I conducted an unannounced visit with PC Nicola McDonald to the premises. The premise was open to the public, alcohol was exposed on display for sale. A female member of staff known to be [REDACTED] was sitting behind the counter. She claimed to be 'helping out' and does not get paid. [REDACTED] confirmed she did not hold a personal licence. [REDACTED] made a call to the 'manager'.

At 17:10hrs, the manager known to be [REDACTED] appeared on site. She confirmed she also did not hold a personal licence. PC McDonald and I were advised by [REDACTED] that the owner 'Nana' was at church and she would pass on a message to contact PC McDonald.

During our inspection, it was identified that a number of conditions embedded on the Premise Licence were not met. Furthermore, the plan connected to the premise licence had substantially changed. It was apparent that the premises had been divided into two separate shops. Cedar Grocery Store remained at 160 Manor Park Road and a barbers called called Ike Star was trading at 162 Manor Park Road. As a result, [REDACTED] was warned to cover all the alcohol on display and not supply alcohol due to the number of breaches identified alongside an invalid plan.

On 19th December 2018, I was copied into an email from PC McDonald requesting the licensee to attend Brent Civic Centre on 20th December 2018 to discuss matters concerning the premise licence. We did not receive a reply from Mr Agyei to confirm his availability.

On 21st December 2018, I sent a warning letter via post and email to Mr Agyei confirming my visit with PC McDonald on Friday 14th December 2018 ([Exhibit EC/NDA/01](#)).

On 2nd January 2019, the Licensing Authority sent an email to Mr Agyei advising him that a variation application would not be accepted as two addresses would invalidate the licence and an application for a new premise licence would be required instead ([Exhibit EC/NDA/02](#)).

On Tuesday 26th February 2019 at approximately 19:00hrs, PC McDonald and I revisited the premise which was open to the public and alcohol was exposed for sale. A male member of staff

known to be ██████ was behind the counter. He claimed 'he was not working, just helping out'. He was not able to demonstrate he had any licensing knowledge or experience selling alcohol. Since our visit on 14th December 2018, there was no evidence to indicate that the licensee had satisfy the conditions on the premise licence and moreover, he had not submitted an application for a new premise licence, which he was advised by the Licensing Authority on 2nd January 2019.

██████ contacted the ████████████████████ who he referred as 'the boss' who was working at another premise located in Park Parade, Harlesden. After the telephone call, ██████████ came to the premise to see us and told us that Mr Agyei was conducting church duties. ██████████ appeared confused when we explained why alcohol could be supplied and sold at the premisie. He advised me that an application had been sent to the Council and attempted to show me the evidence on his mobile phone. Even if an application had been received, there was no blue public notice displayed on the premise to meet advertising requirements. I advised ██████████ that I would check at the office and arranged a meeting with him, Mr Agyei and PC McDonald on Wednesday 27th February 2019 to discuss licensing matters.

On Wednesday 27th February 2019, a meeting was held at Brent Civic Centre with PC McDonald, ██████████ Mr Agyei and I to discuss the requirements for a new premise licence. It was confirmed at the meeting that the Licensing Authority had not received an application for a new premise licence and why the application submitted to the Licensing Authority in January 2019 was rejected.

██████████ & Mr Agyei confirmed that they are business partners and will be applying together for the new premise licence. PC McDonald and I explained issues identified at our visits and explained the application process. PC McDonald and I made it very clear that all alcohol must be removed and not sold until the application for a new premise licence is granted. We advised them what possible conditions may be proposed as part of our representation and highlighted the importance of employing staff with sound licensing knowledge or hold a personal licence.

Following the meeting, I sent an email to both ██████████ & Mr Agyei confirming the above matters discussed on the same day ([Exhibit EC/NDA/03](#)).

The Licensing Authority have not received the application form for a new premise licence to date.

On 26th March 2019, the Licensing Authority received the Review Application from the Metropolitan Police based on the objectives related to the prevention of crime and disorder and public safety.

On Monday 15th April 2019, I conducted a visit to the premise at approximately 9:00hrs. The premise was closed and a notice served by the Bailiffs was displayed on the front shutter, which suggest the premise has closed down ([Exhibits EC/NDA/04 & EC/NDA/05](#)).

Summary

To summarise, the Licensing Authority makes representation to support this application it is evident that the Premise Licence Holder has undermined the licensing objectives by ignoring requirements under the Licensing Act 2003.

The Licensing Police Officer and Brent Council Licensing Officer have taken time and exhausted every avenue to help the licence holder uphold the licensing objectives. However, the evidence presented by the Metropolitan Police show that the premise was clearly used for illegal activities.

The Licensing Authority agree with the Licensing Police that revoking the premise licence is the only option.

Yours faithfully,



Esther Chan
Licensing Inspector
Planning, Transportation & Licensing