

Makeswaran Uthayashnkar
Jackmans
279 Neasden Lane
London
NW10 1QJ

13th August 2019

Case Reference: 16800

Licensing Representation to the Application to Review the Premises Licence at Jackmans, 279 Neasden Lane, London, NW10 1QJ

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 the above review.

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 Thursday 26th July 2018 at 9:15hrs, I conducted an unannounced visit at Jackmans, 279 Neasden Lane, London, NW10 1QJ. The premise was open to the public and Mr Jeyakanthan Mageswaran who holds a personal licence was lone working at the time of my visit.

- Upon entering the premise, I noticed that most of the view into the premise was obscured, contravening Condition 8 embedded on premise licence which states:

A clear and unobstructed view into the premises shall be maintained at all times by keeping 60% of the frontage clear (Exhibit SF008).

Mr Mageswaran stated he was aware of street drinkers in the area when I highlighted the issues. He presented the refusal book, which indicated that street drinkers have visited the premises and were refused sale of alcohol. However the refusal book was incomplete with details and did not appear up to date (Exhibit SF005).

During my inspection, a number of conditions embedded on the premise licence were breached. A warning letter was sent to both the licence holder (Exhibit SF006) and DPS (Exhibit SF007).

Both the licence holder and DPS did not contact the Council.

- On Thursday 11th July 2019, I conducted a visit with Licensing Inspector Susana Figueiredo and Sergeant Vollrath to collect CCTV footage due to reported complaints of street drinkers in the area. Mr Jeyakanthan Mageswaran gave Ms Figueiredo a USB stick for the requested date. It has been noted that CCTV system was not showing the correct time as it was approximately an hour out. Mr Jeyakanthan Mageswaran could not provide a valid reason as why it had not been changed and corrected the CCTV system to reflect the correct timing in our presence.
- On Monday 15th July 2019, I revisited the premise with Ms Figueiredo and Sergeant Vollrath to collect additional CCTV footage. Mr Mageswaran told Ms Figueiredo he no longer had the drive, therefore was unable to provide the requested CCTV footage. Ms Figueiredo asked Mr Mageswaran to call the licence holder to discuss the CCTV footage and question his attendance at the premise.
- On Wednesday 17th July 2019, the Licensing Authority submitted an application to review the premise licence.
- On Wednesday 31st July 2019, the licence holder submitted an application to Vary the DPS and nominated himself as the prospective DPS.

Summary

To summarise, the Licensing Authority support this application as we are not confident that the Licence Holder and DPS have a full understanding of the requirements under the Licensing Act in order to uphold the licensing objectives.

Despite the licence holder submitting an application to become the DPS on 31st July 2019, his response to Ms Figueiredo on the 15th July 2019 where he told her that she should had contacted him to request a meeting knowing that are serious issues in the area is an excuse to cover the contraventions.

He has demonstrated a lack of responsibility and has not been transparent with officers. Even if he is the DPS, he will rely on his workers to control the day to day running of the premises.

It is evident that the Police and Licensing Authority have taken time and exhausted every avenue to help the licence holder uphold the licensing objectives.

The Licensing Authority believe that revoking the premise licence is the only option.

Yours faithfully,



Esther Chan
Licensing Inspector
Planning, Transportation & Licensing