

Licensing Panel AGENDA

DATE: Monday 20 May 2019

TIME: 7.30 pm *

VENUE: Council Chamber, Harrow Civic Centre, Station Road, Harrow, HA1 2XY

* THERE WILL BE A BRIEFING FOR MEMBERS AT 7.00 PM IN THE COUNCIL CHAMBER

MEMBERSHIP (Quorum 3)

Chair: (To be appointed)

Councillors:

Maxine Henson
Angella Murphy-Strachan

John Hinkley

Reserve Members:

Note: There are no Reserve Members currently appointed to this Panel.

Contact: Miriam Wearing, Senior Democratic Services Officer
Tel: 020 8424 1542 E-mail: miriam.wearing@harrow.gov.uk

Useful Information

Meeting details:

This meeting is open to the press and public.

Directions to the Civic Centre can be found at:
<http://www.harrow.gov.uk/site/scripts/location.php>.

Filming / recording of meetings

The Council will audio record Public and Councillor Questions. The audio recording will be placed on the Council's website.

Please note that proceedings at this meeting may be photographed, recorded or filmed. If you choose to attend, you will be deemed to have consented to being photographed, recorded and/or filmed.

When present in the meeting room, silent mode should be enabled for all mobile devices.

Meeting access / special requirements.

The Civic Centre is accessible to people with special needs. There are accessible toilets and lifts to meeting rooms. If you have special requirements, please contact the officer listed on the front page of this agenda.

An induction loop system for people with hearing difficulties is available. Please ask at the Security Desk on the Middlesex Floor.

Agenda publication date: Friday 10 May 2019

AGENDA - PART I

1. APPOINTMENT OF CHAIR

To appoint a Chair for the purposes of this meeting.

2. DECLARATIONS OF INTEREST

To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Panel;
- (b) all other Members present.

3. MINUTES

[Note: Licensing Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chair for that meeting;
- (2) not submitted to the next panel meeting for approval.

Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chair and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].

4. LICENSING PROCEDURES (Pages 5 - 6)

Procedure to be followed at an oral hearing.

5. EXPRESS FOOD & WINE, 21 HIGH STREET, WEALDSTONE, HARROW, MIDDLESEX, HA3 5BY (Pages 7 - 36)

Report of the Corporate Director, Community

6. ANY OTHER URGENT BUSINESS

Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

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Licensing Panel – Licensing Act 2003

Procedure For A Review Hearing - Oral Hearing in Public

*This document provides a summary of the Panel's procedure for the conduct of this oral hearing in public. This procedure is followed during a **REVIEW** procedure.*

*Please note that the **Applicant** is the party who has requested the Hearing*

- i. **Introductions** by the Chair of the Panel:
 - Members
 - Officers and Officers of Responsible Authorities
 - Applicants and Objector(s)
 - the Procedure for the hearing
- ii. **Presentation** of the report (**agenda item 6**) by Officers of the Relevant Authority.
- iii. **Introduction** by the **objector(s)** of their statement. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.
- iv. **Questioning** of the **objector(s)** by:
 - the applicant
 - the Panel
- v. **Presentation** by the **applicant**, or their representative, of their statements. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.
- vi. **Questioning** of the **applicant** by:
 - the objector
 - the Panel
- vii. **Concluding statement** by the applicant.
- viii. **Concluding statement** by objector(s).
- ix. The Panel together with its legal advisor and committee clerk withdraw to consider of the application. Should the Panel wish to clarify any point with any particular party, all sides are recalled for the questions to be asked.
- x. The hearing is reconvened for the Panel to announce their decision.

Agenda Item 4

Should the application be refused or conditions be placed on the licence the Panel must give reasons for this action.

NOTES

WITNESSES: *Either side may call witnesses to support their case. Witnesses should have submitted written statements before the hearing which they present and on which they may be questioned. Witnesses introduced at short notice may speak with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.*

ADJOURNMENT: *The Panel may at any time adjourn to a later date for the further consideration of an application. The date and time should be agreed with all parties as far as possible.*



REPORT FOR: LICENSING PANEL

Date of Meeting: 20 May 2019

Subject: Application for review of the premises licence for Express Food & Wine, 21 High Street, Wealdstone, HA3 5BY

Responsible Officer: Paul Walker – Corporate Director – Community Directorate

Exempt: No

Wards affected: Marlborough

Enclosures: Application for review (appendix 1)
Location map and image (appendix 2 and 2a)
Current premises licence and plan (appendix 3)
Representations (appendix 4)
Licence review guidelines (appendix 5)

Section 1 – Summary

An application has been received from the Metropolitan Police Service to review the premises licence for Express Food & Wine, 21 High Street, Wealdstone, HA3 5BY, on the grounds of the prevention of crime and disorder.

Representations received

From	Representations details
The Planning Authority	No representations received
Health & Safety	No representations received
Environmental Health	<i>No representations received</i>
Trading Standards	Representations received
Area Child Protection Service	No representations received
London Fire Brigade	No representations received
<i>Metropolitan Police</i>	Application made & representations received
<i>Licensing authority</i>	No representations made

Representations from other persons

None

Section 2 – Report

- 2.1 An application has been received on behalf of the Metropolitan Police Service to review the premises licence of Express Food & Wine, 21 High Street, Wealdstone, HA3 5BY on the grounds of preventing crime and disorder (appendix 1).
- 2.2 Description of premises
The premises are located on the busy shopping parade of High Street, Wealdstone. The premises comprise a three storey building. Primarily, the ground floor is an off licence with grocery.
- 2.3 An image of the premises and a location map are provided at appendix 2.
- 2.4 Licensing history
A premises licence was first granted on 30 December 2010. The premises licence was transferred to the premises licence holder on 7 February 2013.
- 2.5 The current premises licence and plan are attached at appendix 3.
- 2.6 Details of the application
Received: 29 March 2019
The application has been advertised in accordance with the prescribed regulations.
- 3.1 Representations
There have been two representations. Both are from responsible authorities. One from the Metropolitan Police Service and the other from Trading Standards.

- 3.2 Officer observations
The application describes how during several visits by the police, the licensee has not been able to uphold the licensing objective for the prevention of crime and disorder. The application shows breaches of licence conditions, the keeping of smuggled goods and immigration offences. The application also shows how the police have tried to work with the licensee to ensure that he upholds the licensing objectives and comply with the conditions of the premises licence.
- 3.3 Statutory guidance
The following passages and paragraphs of the statutory guidance issued by the Secretary of State in April 2018 are relevant to this application.
- 3.4 Paragraph 11.10 of the guidance refers to good practice for responsible authorities to engage with premises to resolve concerns at an early stage without the need for formal action such as a review.
- 3.5 Paragraph 11.20 of the guidance refers to the need for licensing authorities to ensure remedial action should be addressed to the causes identified in the application or representations, and that decisions must be appropriate and proportionate to those concerns.
- 3.6 Paragraph 11.27 and 11.28 of the guidance refers to criminal activity arising from licensed premises which should be treated particularly seriously. This includes the use of licensed premises for employing a person who is disqualified from that work by reason of their immigration status in the U.K. and for the sale or storage of smuggled tobacco or alcohol. Paragraph 11.28 states: "It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered".
- 3.7 Licensing policy
The Panel will bear in mind appendix 1 to the statement of licensing policy, attached to this report at appendix 5. The Panel has discretion to depart from the guidelines, which are designed with consistency and transparency of decision-making in mind.
- 3.8 Legal implications
The Licensing Authority is required to hold a hearing to consider the review application and any relevant representations made. The hearing must be held in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.
- 3.9 The Licensing Panel is required to give appropriate weight to the review application, representations (including supporting information) presented by all the parties, the Guidance issued pursuant to section 182 of the

Licensing Act 2003, the Council's statement of licensing policy and the steps (if any) that are appropriate to promote the four licensing objectives.

3.10 Having considered those relevant matters, the Licensing Panel can take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives –

1. to modify the conditions of the licence;
2. to exclude any of the licensable activities from the scope of the licence;
3. to remove the designated premises supervisor;
4. to suspend the licence for a period not exceeding 3 months;
5. to revoke the licence

and for this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition added.

3.11 If the Panel takes a step mentioned in 1 or 2 of paragraph 2.13 above, it can specify that the modification or exclusion is to have effect for a period up to three months if it considers this to be appropriate.

3.12 It should be noted that –

- clear reasons must be given for the decision;
- any additional or modified conditions should be practicable and enforceable;
- the applicant for the review, the premises licence holder and any person who made relevant representations would have the right of appeal to a magistrates' court on one of the grounds provided in schedule 5 to the Licensing Act 2003.

3.13 In addition to determining the application in accordance with the legislation, Members must have regard to the –

- common law rules of natural justice (i.e. ensuring a fair and unbiased hearing etc);
- provisions of the Human Rights Act 1998;
- considerations in section 17 of the Crime and Disorder Act 1998.

3.14 The Panel must also act appropriately with regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms implemented under the Human Rights Act 1998, particularly articles 6 (relating to the right to a fair trial); article 8 (protection of private and family life); and article 1 of the First Protocol (protection of property).

3.15 The Panel, when exercising its powers, must consider section 17 of the Crime and Disorder Act 1998 which states:

'without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the

need to do all that it reasonably can to prevent, crime and disorder in its area.'

Financial Implications

3.16 There are no financial implications.

Appeals

3.17 If any party is aggrieved with the decision of the licensing panel on one of the grounds set out in schedule 5 to the Licensing Act 2003, they can appeal to a Magistrates' Court within 21 days from notification of the decision.

Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 30.04.2019		

Name: Laurie Marks	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 08.05.2019		

Name: Paul Walker	<input checked="" type="checkbox"/>	Corporate Director
Date: 10 May 2019		

Ward Councillors notified:	YES
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Section 4 - Contact Details and Background Papers

Contact: Richard Le-Brun, Head of Community and Public Protection, Ext. 6267

Background Papers:

Revised guidance issued under section 182 of the Licensing Act 2003 (April 2018)

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

APPENDIX 1

PROTECTIVE MARKING



**METROPOLITAN
POLICE**

TOTAL POLICING

Form 691

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 **PC DOWNES 1529NW**

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 club premises, or if none, ordnance survey map reference or description:

Express Food & Wine, 21 High Street

Post town: **Wealdstone** Post code: **HA3 5BY**
(if known)

Name of premises licence holder or club holding club premises certificate (if known):

Mr Harmeet Singh Kapoor

Number of premises licence or club premises certificate (if known):

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)	<input type="checkbox"/>
2	a responsible authority (please complete (C) below)	<input checked="" type="checkbox"/>
3	a member of the club to which this application relates (please complete section (A) below)	<input type="checkbox"/>

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(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)										
Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>	
Surname:						First Names:				
I am 18 years old or over				<input type="checkbox"/>						
Current postal address if different from premises address:										
Post town:					Post code:					
Daytime Tel. No.:					Email: (optional)					

(B) DETAILS OF OTHER APPLICANT (fill in as applicable)	
Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in as applicable)	
Name and Address:	
PC DOWNES - Harrow Police station – Licensing Team	
Telephone Number (if any):	
Email address: (optional)	NWMAILBOX.LICENSINGHARROW@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	<input checked="" type="checkbox"/>
2	Public safety	<input type="checkbox"/>
3	The prevention of public nuisance	<input type="checkbox"/>
4	The protection of children from harm	<input type="checkbox"/>
Please state the ground(s) for review: (please read guidance note 2)		
During several visits to the premises, it has been found that the premises licence holder has not been promoting the licensing objectives to the required standard - particularly the prevention of crime and disorder objective.		
During visits by police, the following issues have been found:		
<ol style="list-style-type: none"> Staff with no right to work in the UK have been found employed at the premises on more than one occasion. Non duty paid goods have been found at the premises. There has been a continued breache of a condition on the premises licence. Conditions are put in place to assist the premises licence holder to promote the licensing objectives. 		

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Please provide as much information as possible to support the application: (please read guidance note 3)

Wednesday 19th December 2018

The premises was visited on 19th December 2019 as part of a Day of Action in the Wealdstone Area. A licensing inspection was conducted by PC Norton and PS Smith – both NW BCU Licensing officers.

Upon entering the store a male was behind the till serving customers. When the officers began to ask him questions about the licence, such as who the Designated Premises Supervisor was, where any licensing documentation was or how to operate the CCTV, he was unable to answer.

The male was asked to provide some form of identification and the male produced some personal documentation, including a photocopy of his passport. Checks of the males details were conducted with Immigration, and revealed that the male had been failing to comply with his immigration bail conditions for some time and they required him to be detained. The male was arrested and conveyed to a Police Station.

During this visit, a male by the name of Harinder Singh Kapoor came into the venue and informed officers he was in charge of the shop and was the brother of Harmeet Singh Kapoor (The premises licence holder). He stated he had only left for a short while to go to the cash and carry and, leaving the arrested male to work at the shop was a one off. He was reminded that it is an offence to employ anyone who has no status to work in the UK.

Mr Kapoor informed officers that he and his brother were in the process of selling the business.

Friday 1st February 2019

The venue was again visited as a follow up to the previous visit, to conduct a full licensing inspection and ensure that there were no employees working illegally.

I attended along with PC Beresford and PC Wilcock, also in attendance was Harrow Trading Standards officers – Samuel ADULLAHI.

During this visit a male was behind the till when I entered the store and he was in the middle of serving people. There did not appear to be any other members of staff at the venue. When the male had finished serving, I approached the till and informed him who I was, and why I was there. I asked the male to provide me with some form of identification. He handed me a copy of the bio page of his passport and also his most recent Home Office Paperwork. Upon seeing his name I recognised that this was the male who had been arrested previously on 19th December 2019. I called immigration who again checked his status, and confirmed that at this stage he was legally in the country, but should not be working. I was advised that I should tell the male to leave the premises.

When I repeated this information to the male, he said he was not working but was just helping. However, I had witnessed him performing the duties of a cashier and after a check of the shop confirmed that there were no other people there.

During the licensing inspection it was noted that the premises was in breach of condition 1 – “The CCTV system to be maintained and operated in good order and to the satisfaction of Met Police Crime Prevention Officers reasonable requests” As the CCTV monitor was blank and could not be operated.

Found behind the till area was a small amount of non-duty paid tobacco and chewing tobacco – 4x Polish Marlboro Gold x 20 pack and 2x RMD chewing tobacco. This was seized by Trading Standards.

During the visit Mr Harinder Singh Kapoor arrived. I informed him of all our findings and Mr Kapoor stated that he had been to the bank and just asked the male to help out as he knows his Auntie. I explained that this was not acceptable, particularly after the immigration arrest on 19th December 2018 and that I believed that the male was in fact working there on a regular basis. I informed him that employing illegal workers and having non paid goods on his premises could result in him being given a heavy fine and in revocation of his premises licence. I also spoke with Mr Harmeet Singh Kapoor on the telephone and repeated what I had told his brother.

Mr Singh was issued with a notification of alleged offences form and advised that due to the breach of his CCTV condition that he should not conduct any licensable activity until it is fixed. He stated that he would be closing the shop for the evening anyway and that the CCTV would be fixed in the morning.

Friday 22nd February 2019

A test purchase operation was conducted along Wealdstone High Street, with a young person under the age of 18 attempting to buy alcohol with no ID. This premises was included in the operation and rightly refused the sale of alcohol to the young person. As is our usual process, once the test purchase is complete, an officer will re-enter the store and speak with the staff. The young person described the man who had served him behind the till to me, so I knew who to speak to. I suspected that this might be the male who we had encountered on previous visits and who should not be working. When I got to the store, there was only a female behind the till, however as I was talking to her, the male that had been working there on the previous visit walked past the entrance to the shop. It is my belief that he had in fact been inside the premises minutes before and had been working again. I explained to the female behind the till the reason for my visit and then asked her to operate the CCTV so I could see who had been working behind the till at the time of the test purchase. She first stated that the CCTV was not working. When I explained that this was a continued breach of the premises licence, she then stated that the CCTV was in fact working but she did not know

PROTECTIVE MARKING

how to operate it.

As PC Beresford and I were speaking to her, an unknown male came into the premises and attempted to sell an item to the female behind the till. As we were in plain clothes, he had not noticed that we were police officers. Believing that this male was attempting to sell stolen goods, I tried to detain him but he ran away. We searched the area but were unable to track him down. We returned to the shop, and Mr Harinder Singh Kapoor once again came into the store. I informed him that due to the position of his cameras, he would likely have a good image of the male who had tried to sell stolen goods, to assist in a potential investigation or to use for intelligence purposes. Mr Kapoor was unable to operate the CCTV and provide me with any of the footage. He stated that the CCTV has recently been fixed and only his brother, who was unavailable, knew how to download the footage. He did attempt to call his brother several times, to no avail.

I requested that he download an hours worth of footage to be ready for collection the following day. An hour would allow me to see who had been working behind the till and see the male with the potential stolen goods. I explained how this was a prime example of how important it was to have his CCTV in full working order at all times, as per the conditions of his premises licence.

PC Beresford made contact with Mr Kapoor the following day and he stated that he would meet her at his shop at 5pm with the CCTV. Upon arrival, Mr Kapoor was able to show PC Beresford approx. 5 minutes of footage that he had recorded on his mobile phone of the incident involving the stolen goods, and not the hour that had been requested. When she asked Mr Kapoor to bring the footage up on the shop monitor, he said it would take him too long to work out and he could not remember how to do it. He was asked to send the footage via email to our licensing mailbox but this was never received. He was also asked to bring a copy into the police station on a memory stick, but again this has not been received. PC Beresford has tried to contact Mr Kapoor to follow this up but has not been able to reach him.

On Thursday 28th February 2019, I went to visit the venue, but found it closed with the shutters down. I believe the shop has not been open since then.

The guidance under section 182 of the Licensing Act 2003 (paragraph 11.27) states that 'there is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously.'

Among other activities, this includes:

- Employing a person who is disqualified from that work by reason of their immigration status in the UK;
- The sale or storage of smuggled tobacco and alcohol.

Paragraph 11.28 states:

'Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.'

The area of Wealdstone has for a long time been a hotspot for crime and anti - social behaviour, and hard work and problem solving is being done to improve the area by the Neighbourhood Policing Team with the help of the licensing and the Anti-social behaviour teams. However, it is vital that the local community play their part in this, and this includes business owners like Mr Kapoor and his brother. By employing illegal workers, selling smuggled goods and not having a good grip of their licensing practices they have a hand in allowing criminal activity and anti-social behaviour to continue.

With all of the above, I do not believe that either the premises licence holder Mr Harmeet Singh Kapoor or his brother Mr Harinder Singh Kapoor have demonstrated that they are responsible enough to have a premises licence or have the ability/desire to promote the licensing objectives to a satisfactory standard. Mr Kapoor and his brother have shown that they are unable to adhere to the conditions they already have on their existing licence, and I do not believe that the addition of further conditions will remedy this problem. I therefore respectfully request that consideration is given to the revocation of the premises licence.

Have you made an application for review relating to this premises before?

(Please tick yes)

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	Day		Month		Year			
If yes, please state the date of that application:								

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

N/A

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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 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature:		Date:	29/03/2019
Capacity:	Licensing Officer - Metropolitan Police		

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

PC Frankie Downes, South Harrow Police Station, 74 Northolt Road

Post town:	Middlesex	Post code:	HA2 0DN
-------------------	-----------	-------------------	---------

Telephone Number (if any):

██████████

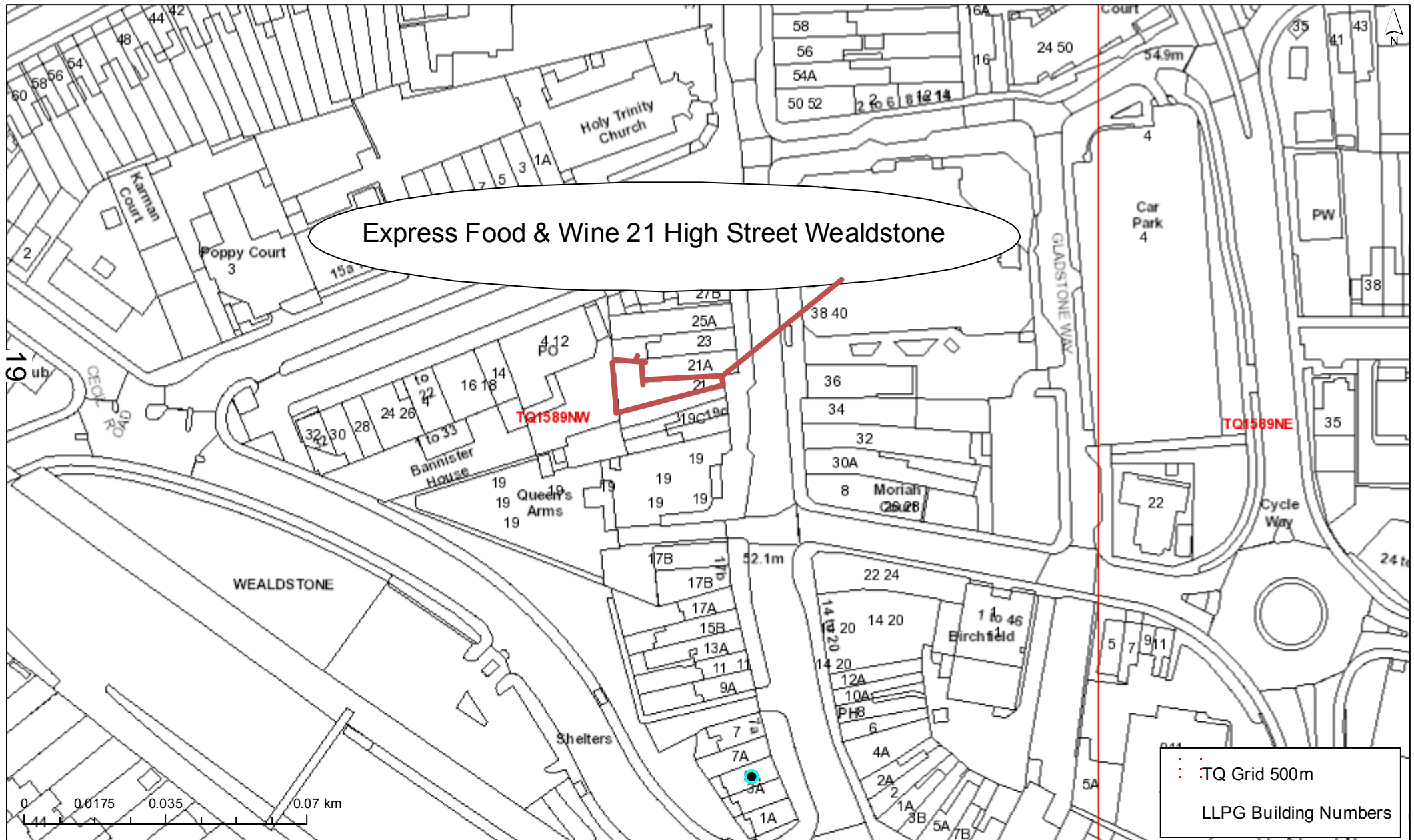
If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional):

NWMailbox.Licensingharrow@met.police.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Retention Period: 7 years
MP 321/12



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LICENSING ACT 2003

Premises Licence

Schedule 12 **Appendix 3**
Part A (Regulation 33,34)
HARROW COUNCIL, P O BOX 18, STATION ROAD, HARROW

Premises Licence Number: LN/000003831/2013/2&3

Part 1 – Premises details


Postal address of premises, or if none, ordnance survey map reference or description:
**Express Food & Wine, 21 High Street, Wealdstone, Harrow,
Middlesex, HA3 5BY**

Telephone Number: N/A

Where the licence is time limited, the dates:
N/A

Licensable activities authorised by the licence:
Sale of retail alcohol

Signed by Finlay Flett
Head of Community Safety Services



Licensable Area
Hours open to public

Sunday	08:00 - 00:00	-
Monday	08:00 - 00:00	-
Tuesday	08:00 - 00:00	-
Wednesday	08:00 - 00:00	-
Thursday	08:00 - 00:00	-
Friday	08:00 - 00:00	-
Saturday	08:00 - 00:00	-

The times the licence authorises the carrying out of licensable activities

Location: Licensable Area

Sale of retail alcohol

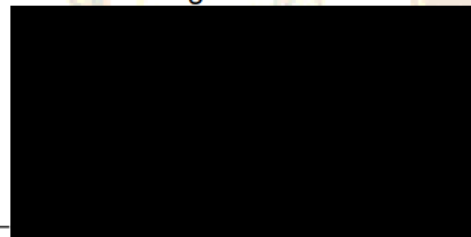
Sunday	08:00 - 00:00	-
Monday	08:00 - 00:00	-
Tuesday	08:00 - 00:00	-
Wednesday	08:00 - 00:00	-
Thursday	08:00 - 00:00	-
Friday	08:00 - 00:00	-
Saturday	08:00 - 00:00	-

Where the licence authorises supplies of alcohol – whether these are on and/or off supplies
Sale by retail off premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Harmeet Singh



Registered number of holder, for example company number, charity number (where applicable):

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol:

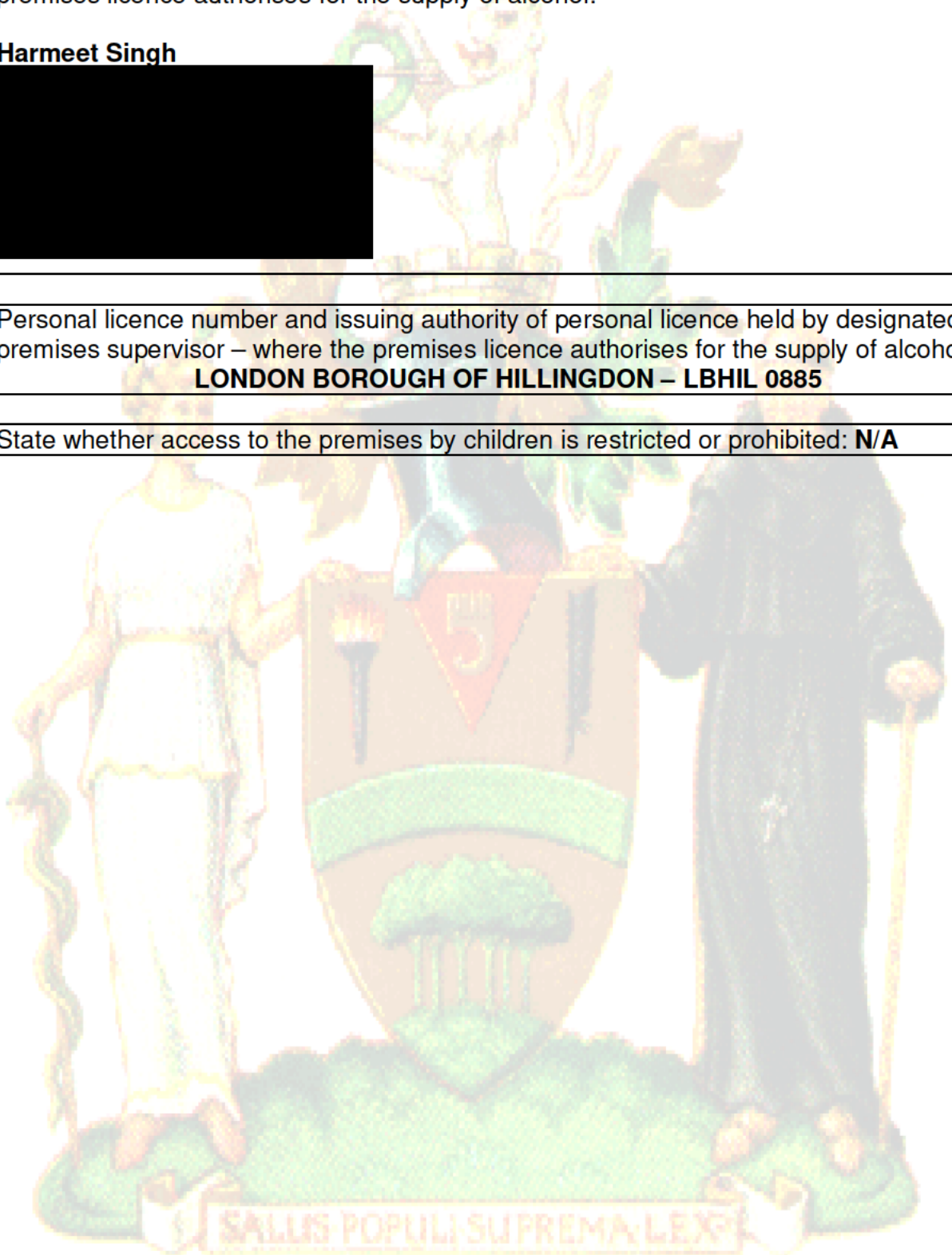
Harmeet Singh



Personal licence number and issuing authority of personal licence held by designated premises supervisor – where the premises licence authorises for the supply of alcohol:

LONDON BOROUGH OF HILLINGDON – LBHIL 0885

State whether access to the premises by children is restricted or prohibited: **N/A**



Annex 1 – Mandatory Conditions

****PLEASE NOTE: MANDATORY CONDITIONS IN GREY DO NOT APPLY****

authorises supply of alcohol:

under the premises licence -

designated premises supervisor in respect of the premises

designated premises supervisor does not hold a personal licence or his

2. Every supply or sale of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory condition where licence requires door supervision:

Where one or more individuals are required to be at the premises to carry out a security activity, such individual(s) must be licensed by the Security Industry Authority:

Mandatory Conditions Order 2010

1.—(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

[REDACTED] or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml

(b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the operating Schedule

1. The CCTV system to be maintained and operated in good order and to the satisfaction of Met Police Crime Prevention Officer's reasonable requests.

[REDACTED] by Shutters.

[REDACTED] noise or vibration at the boundary of neighbouring

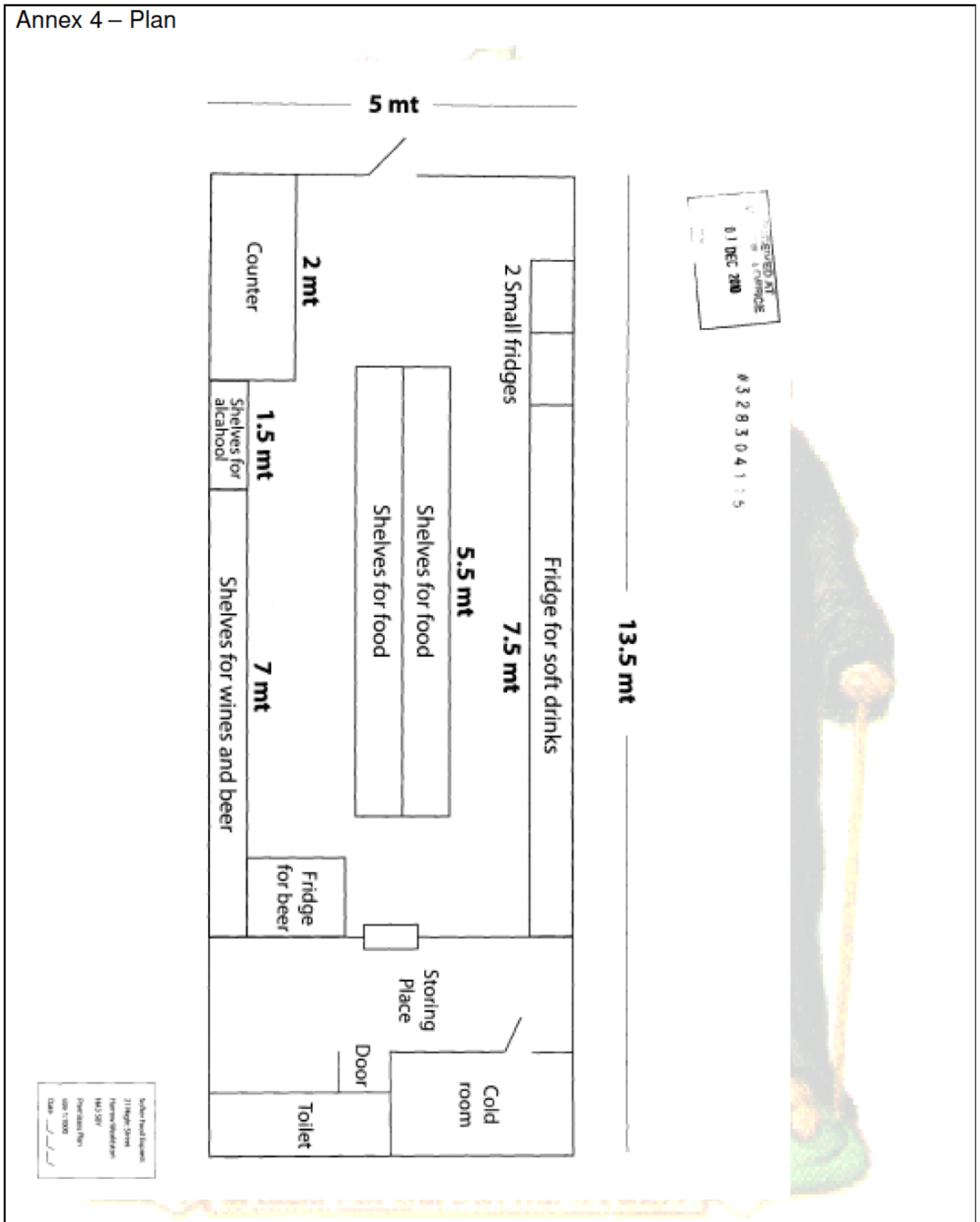
[REDACTED] notices are to be displayed, requesting that customers leave the premises quietly.

5. A 'Challenge 21' policy will be operated at the premises, whereby any person attempting to purchase alcohol (or other age restricted products) and who appears to be under the age of 21 years, will be asked to provide proof (i.e. passport, driver's licence or some other such accredited form of photo identification) that they over the age of 18 years. Notices will be displayed advising customers that the scheme is in operation. A record of age related refusals of sale will be kept and will be made available to officers of the police or local authority upon request

Annex 3 - Conditions attached after a hearing by the licensing authority.

None

Annex 4 – Plan



Date of original grant: 30/12/2010	Reason for issue: Transfer and Variation Of DPS
Date of issue: 8th February 2013	Issue Number: 2&3

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Simon UNDERWOOD URN: [] [] [] []

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Police Officer 203747

This statement (consisting of: 3..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Redacted] Date: 08th April 2019

Tick if witness evidence is visually recorded (supply witness details on rear)

My name is Simon UNDERWOOD and I am a Police Officer currently attached to Marlborough Ward, Safer Neighbourhood Team my shoulder number is 3176NW, my beat includes WEALDSTONE HIGH STREET HA3.

I have been a police officer since June 2001 and have under taken a number of roles including supervisory roles and been an acting police sergeant in recent years. I have worked in areas of business including emergency response policing, specialised roles including acting as an independent expert witness for the courts and I have worked on and set up problem solving, community and youth engagement projects.

I have also in recent years worked extensively and in a full time role in youth engagement including working with young offenders, including with those affiliated to gangs. I have also been officially commended for my work in these areas.

This statement is what is commonly termed as an 'Impact Statement' and although at times I may express opinion, this is simply to give a person reviewing its contents an overview in support of other factual and evidenced matters.

In this statement I will be describing the WEALDSTONE HIGH STREET area and the issues that have historically and in some cases still blight the area.

Wealdstone High Road is diverse and busy part of Harrow, akin to a small town centre, there are transport hubs, licensed premises and various businesses and community facilities. Sadly in recent years the area particularly between LOCKET ROAD and main RAILWAY STATION has seen significant issues and offences in relation to alcohol enabled crime and serious youth violence.

Myself and my colleague PC MILLAR 3719NW volunteered to move to the Marlborough Ward to tackle these issues in the latter part of 2018 we moved and started work tackling the issues.

Signature: [Redacted] re witnessed by: [Redacted]

Continuation of Statement of **Simon UNDERWOOD**.....

Whilst it appears there has been significant improvement in recent months, the area is still frequented and used as meeting point for persons who 'STREET DRINK' often to excess.

This leads to Antisocial Behaviour, by way of huge amounts of empty cans and bottles often being discarded in flower beds, shop doorways and just left in the street. Rowdy and inappropriately loud behaviour had become normal in previous months. People urinating in the street and vomiting, had, had a very real and significant increase in residents and business owners feeling unsafe.

There were a significant number of individuals that were repeatedly coming to notice in recent months and these interactions led to numerous and repeated requirements to those involved to surrender their alcohol. This work continued in the main between the Junction of LOCKET ROAD and The main RAILWAY STATION.

There was at this time a group of persistent and regular 'Street Drinkers' in the area, congregating in the main outside the WEALDSTONE CENTRE, the SQUARE HEADSTONE DRIVE and the front of LADBROKES bookmakers. As time has moved on these groups have actively started avoiding us and starting moving to the areas behind ASDA, the bench on GORDON ROAD junction with WEALDSTONE HIGH STREET and the top of CANNING ROAD.

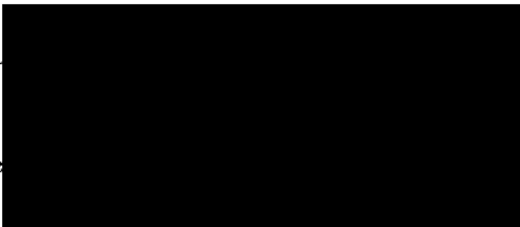
All have been spoken to on a number of occasions and nearly all issued with COMMUNITY PROTECTION WARNING NOTICES under the ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014.

There are a number of premises that alcohol can be purchased from. All these premises have liquor licences issued through the local authority. I am aware the Local Police Licensing Team have been conducting checks and test purchase operations in and around the HIGH SREET.

I am aware that during a licensing check at EXPRESS FOOD AND WINE , 21 HIGH STREET, WEALDSTONE, HARROW, HA3 5BY on the 19/12/ 2019, during this visit I know that a colleague arrested the member of staff present for immigration matters, there were also a number of cigarette cartons found not to be UK Duty paid. These were seized by Trading Standards. Although I have not had reason to speak to the staff in EXPRESS FOOD & WINE, I was concerned to find out that the member of Staff present was working illegally and the owner had failed to complete the required checks to then employ him.

However what led me to further concern was when the Police Licensing Team carried out a second visit to the premises and the same member of staff was found to be working there. I believe he stated he was only helping out and not being paid, which I find hard to believe after the first arrest. This was I believe the 01/02/2019 only some 8 or so weeks later. It is also my understanding the police have been attempting to view CCTV captured at the premises in relation to an unrelated matter but to date have been unsuccessful in gaining access, which I believe is a breach of licensing conditions in itself.

Signature



Signature witnessed by:

2003(1)

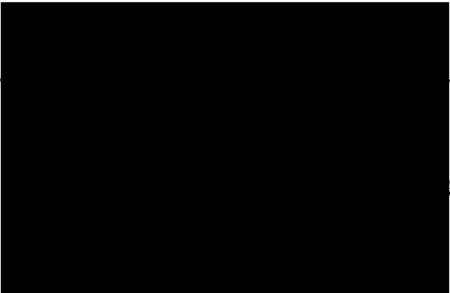
Continuation of Statement of **Simon UNDERWOOD**

In regards to the area particularly outside the WEALDSTONE CENTRE, which EXPRESS FOOD & WINE is directly opposite, this appears to be focal point of where 'STREET DRINKERS' meet. It is also true to say that on many occasions upon encountering the more persistent; Street Drinkers' they have not been in possession of alcohol, stating they 'drink before they meet' because we keep taking their alcohol. However it appears they are still able to purchase alcohol locally to consume, and it is often very apparent they are intoxicated at this time, only to find them in further possession of alcohol later in the shift, .

As mentioned it should be noted I cannot state I have had any reason to speak to EXPRESS FOOD & WINE, nor can I attribute any of the historic or recent issues with street drinkers to the premises.

However as the local Ward Officer I know myself and colleagues are working hard to disrupt and engage with those bringing the area down through what I would describe as quality of life crime where residents and businesses quality of life is affected and diminished through such matters as street drinking.

It is my opinion and significant experience in such matters, that where owners / landlords that do not take responsibility and adhere to the rules and break the law, including in matters as important as licensing it is indeed indicative of their wider approach to most matters. This can only serve to attract and encourage those committing crime and anti-social behaviour to remain in the area, and this of course can only be to the detriment of the wider populous for the aforementioned reasons.



Signature:

Signature witnessed by:

2003(1)

Ash Waghela

From: Francesca.Downes [REDACTED]
Sent: 26 April 2019 09:18
To: Ash Waghela; license
Subject: Premises Licence Review Application - Express Food & Wine, 21 High Street, Wealdstone, HA3 5BY

Good Morning,

Please see below the representation from Trading Standards relating to Express Food & Wine, 21 High Street, HA3 5BY.

Kind Regards

PC Frankie Downes 1529NW
Licensing Officer
Partnership and Prevention Hub
South Harrow Police Station
[REDACTED]

From: Abdullahi, Samuel [REDACTED]
Sent: 25 April 2019 23:57
To: Downes Frankie R - NW-CU <Francesca.Downes [REDACTED]>; Beresford Kirby C - NW-CU <Kirby.Beresford2 [REDACTED]>
Subject: RE: Premises Licence Review Application - Express Food & Wine, 21 High Street, Wealdstone, HA3 5BY

Dear PC Downes

Please accept this as my representation in support of your proposed Premises Licence Review application for Express Food & wine, 21 High Street, Wealdstone, HA3 5BY.

I am employed by the London Boroughs of Brent and Harrow Trading Standards Service as a Regulatory Team Leader. I am authorised to enforce various statutes including the Tobacco and Related Products Regulations 2016 and the Standardised Packaging of Tobacco Products Regulations 2015.

On Friday 1 February 2019, as part of a multi-agency day of action focusing on retailers selling alcohol and tobacco within the Wealdstone area of Harrow. I was working alongside Officers from the Metropolitan Police Harrow Licensing Team, PC DOWNES, PC BERESFORD and PC WILCOCK. One of the premises visited on the day was Express Food and Wine situated at 21 High Street, Wealdstone, HA3 5BY. During this visit I seized 4 x packs of 20s Marlboro Gold and 2 RMD Guthka as they failed to comply with the labelling requirements laid down in the Tobacco and Related Products Regulations 2016 in that they failed to display the UK health warnings specified by these Regulations. The cigarettes warnings were in Polish and the warnings on the RMD Guthka were not as prescribed within the Regulations.

Based on my experience, duty on such products has not been paid therefore, causing a loss in tax revenue, allowing the business to sell these at a cheaper price making it easier for children to afford to buy cigarettes and other tobacco products which encourages underage smoking it also undermines and damages legitimate local businesses as they are being undercut by businesses who chose to operate illegally by selling cheap illegal tobacco products that have no place in the British market.

Kind regards

Samuel Abdullahi
Regulatory Team Leader
Regeneration and Environmental Services
Brent Council



www.brent.gov.uk
@Brent_Council

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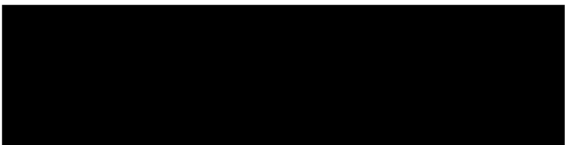
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Appendix 5

APPENDIX 1

Licence review guidelines

	Aggravating factors	Mitigating factors
Prevention of crime and disorder	<ul style="list-style-type: none"> • Failure to heed police or licensing authority advice • Encouraging or inciting criminal behaviour associated with licensed premises • Serious injury results from poor management • Previous track record • Deliberate or direct involvement in criminality 	<ul style="list-style-type: none"> • Minor breach of condition not justifying a prosecution • Confidence in management ability to rectify defects • Previous track record • Voluntary proposal/acceptance of additional conditions
Prevention of public nuisance	<ul style="list-style-type: none"> • Noise late at night in breach of condition or statutory abatement notice • Previous warnings ignored • Long and prolonged disturbances • Excessive noise during unsocial hours (relating to locality and activity concerned) 	<ul style="list-style-type: none"> • Noise limiting device installed • Licence-holder apologised to those disturbed by nuisance • Hotline complaints telephone available • Undertaking/commitment not to repeat activity leading to disturbance • Willingness to attend mediation • Voluntary proposal/acceptance of additional conditions
Public safety	<ul style="list-style-type: none"> • Death or serious injury occurred • Substantial risk in view of a responsible authority to public safety involved • Previous warnings ignored • Review arose out of wilful/deliberate disregard of licence conditions 	<ul style="list-style-type: none"> • Minor or technical breach of licence condition • Confidence in management to rectify defects • Confidence in management to avoid repetition of incident • Voluntary acceptance/proposal of additional condition
Protection of children from harm	<ul style="list-style-type: none"> • Age of children • Previous warnings ignored • Children exposed to physical harm/danger as opposed to other threats • Activity arose during normal school hours • Deliberate or wilful exploitation of children • Large number of children affected/involved • Children not allowed on premises as part of operating schedule/conditions 	<ul style="list-style-type: none"> • Conduct occurred with lawful consent of persons with parental responsibility for child • Short duration of event • No physical harm • Short-term disturbance • Undertaking/commitment not to repeat activity • Children permitted on the premises as part of operating schedule • Not involving under-age exposure to alcohol

	Aggravating factors	Mitigating factors
Application for review after other enforcement action taken by responsible authorities	<ul style="list-style-type: none"> • Penalty imposed by court • Previous warnings ignored • Previous review hearing held resulting in any corrective action • Premises licence holder previously convicted or cautioned for same or similar offences/contraventions • Offences over prolonged period of time • Offences resulted in significant danger or nuisance • Offences as a result of deliberate actions or reckless disregard for licensing requirements • Offence likely to be repeated 	<ul style="list-style-type: none"> • Compensation paid by offender or agreement towards mediation • Voluntary acceptance/proposal of additional conditions • Offence disposed of by way of simple caution or fixed penalty notice • First offence or warning • First review hearing • Single offence/breach • No danger to the public or nuisance • Offences merely administrative in nature • Offence unlikely to be repeated
Range of likely responses available to the Licensing Panel	<ul style="list-style-type: none"> • To take no action • To issue a written warning • To remove the designated premises supervisor (or require a designated premises supervisor in community premises without one) • Modify the conditions of a premises licence or club premises certificate, including adding new conditions or deleting old conditions • To exclude a licensable activity or qualifying club activity from the scope of the premises licence or club premises certificate • To suspend the licence for a period not exceeding three months • To revoke the premises licence or withdraw the club premises certificate 	