

Appendix C

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 **Jasminder Viridi PC 392QA**

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Classy Junction, 59 High Street, Edgware, Harrow. HA8 7DD	
Post town Edgware	Post code (if known) HA8 7DD
Name of premises licence holder or club holding club premises certificate (if known) Laxmi Developments Limited 2A Tavistock Road Edgware Middlesex HA8 6DA.	
Number of premises licence or club premises certificate (if known) LN/000007237/2014/1	

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please 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

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- 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

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)

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(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Metropolitan Police Service Unit 1 Harrow Central Depot Forward Drive Harrow HA3 8NT.
Telephone number (if any) [REDACTED]

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 checked="" 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 1)

Laxmi Developments Ltd, partly or wholly owned by Mr Vijay Madhaparia, became the licence holder for the above mentioned premises on 18th April 2014.

Mr Rajinder Kumar Singh was appointed as the Designated Premises Supervisor on the 29th of April 2014.

On the 22nd of November 2014 when I attended the venue at approximately 22:55 hours, the person in charge of premises was a [REDACTED]. He described his title as the manager of the venue. I asked him if they had a working CCTV system installed at the venue. I was informed that the system that was stolen on the 07/11/2014, had still not been replaced. I informed [REDACTED] that without a fully operational CCTV system, which is required as a condition of the premises licence, they could not continue to sell alcohol and I served him with a closure notice under Section 19 of Criminal Justice and Police Act 2001.

Further to this, there have been at least three allegations of serious assaults that have occurred the outside and directly involved customers who have just been drinking at the venue. The investigation of at least two of these allegations have been hampered because the management of Classy Junction have failed to assist police with requests for CCTV footage.

CRIS No. 2012908/14 refers to an allegation of Grievous Bodily Harm that started off outside the venue of Classy Junction.

On 25/10/ 2014 between the times of 02:30 to 02:37 hours there was an assault outside the venue. The victims had been drinking at Classy Junction. Their condition was described of being extremely drunk. The two victims were a part of group of ten. All the witnesses could barely stand straight. The manager remembers the group being at the venue, however did not witness the incident. The injuries suffered by the victim amounted to an allegation of Grievous Bodily Harm. These include a broken

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wrist and nose by one victim and a broken nose by the second victim. The manager told police that he could not operate the system but the images were held on the system for at least 8 days. On the 25/10/2014 at 19:45 hours Police recorded an entry on the crime report that the venue was called and the phone was answered by the owner. He stated that there is one camera on the outside and six internal cameras. The owner told police that he did not know how to burn the images but they remain on the system for at least a week. Previously the manager of the venue told police that there are images on the system that show fight occurring outside and progress towards the direction of Masons Arms Public House on Whitchurch lane. Until the 06/11/2014 the investigating officers called the venue on several occasions with no response and they also attended the venue to find it closed. The establishment was unable to provide CCTV footage from their venue upon on the request of police and therefore breaching Condition 2 of Annex of their current Licence.

CRIS No. 2013287/14 refers to an allegation of Grievous Bodily Harm allegation that occurred outside the venue of Classy Junction on Sunday 02/11/2014 at approximately 02:49 hours.

The victims had been drinking at the venue. They were apparently from Latvia. A group of Romanian males allegedly made a comment about it being their turf. A fight ensued. The bar man and the duty manager were asked to review the CCTV footage. They stated that they could not access the footage and would have to be contacted the following day. Between the hours of 08:30 and 08:45 hours on the morning of 02/11/2014 the investigating officers tried to contact the bar staff and the manager without success. Messages were left regarding preparation of CCTV footage to police to effectively progress the investigation but there was no response. Later on in the day police called the venue again and the phone was answered by Mr Vijay Madhaparia. He stated that there a lot of glass lying about and that he was unable to view the CCTV footage as he had only just got in. When the situation was explained, Vijay stated that he viewed the CCTV footage and the incident was not captured by CCTV cameras. He stated that he did not know how to burn images. He was asked to download images from 0200 - 03:30. He stated that request would be ready by next day. By the 06/11/2014 the CCTV footage had still not been downloaded. Messages left for staff and manager to comply with the request for the CCTV footage by police in order to progress the investigation promptly. Again this is a breach of Condition 2 of Annex 2 of the current premises licence regarding CCTV. CRIS no. 2013543/14 refers to allegation of Non-dwelling aggravated burglary on Friday 07/11/2014 at approximately 16:20 hours.

The victims who are staff at the venue and were preparing to open for the night's business when three males entered the venue. They were told the place was not open yet. One of them produced a knife and spoke with a eastern European accent and stated "CCTV, CCTV Camera". Victims got scared and ran off to the toilet to hide and called police. The suspects were described being Eastern European or Russian. There are obvious links between these suspects to of those from the above mentioned incidents. The only thing taken was the CCTV hard drive. Now due to the inability of the members of staff, Designated Premises Supervisor (DPS) or the Licensee to competently operate the CCTV system, the CCTV evidence is lost and may result in damaging on-going investigations.

When I visited this premises on Saturday 22nd November 2014 at approximately 22:55 hours, the person in charge of the premises, [REDACTED] was unable to show police CCTV system that was operational in recording mode. [REDACTED] told police that the stolen system had been replaced and that between the 07/11/2014 and 22/11/2014, the venue had continued to operate on the Fridays, Saturdays and Sundays but remained closed from Mondays to Thursdays. This is a blatant breach of the above mentioned condition, in addition to the breaches when they failed to provide CCTV footage to police when requested on numerous occasions between the 25/10/2014 and 07/11/2014.

In addition CRIS No. 2010958/14 refers to an allegation of Grievous Bodily Harm

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that occurred at 02:30 hours on Saturday 13th September 2014.

Both the suspect and victim had been drinking at Classy Junction prior to the incident. They became involved in an argument which resulted in the victim assaulted with a beer bottle causing head injuries. According to the crime report the suspect is well known locally and is barred from most of the local licensed premises and yet the staff at Classy Junction have allowed him remain at their premise and drink. On this night he has ended assaulting another member of public. The victim himself admits to drinking at least 6 pints of lager and a shot of Jack Daniels.

The Licensee, Mr Vijay Madhaparia, and the Designated Premises Supervisor (DPS), Mr Rajinder Singh were invited to attend Unit 1 Harrow Central Depot, Forward Drive, Harrow. HA3 8NT for a recorded PACE interview on the 26/11/2014 Mr Vijay Madhaparia admitted that the premises the remained open on the weekends between the 07/11/2014 and 22/11/2014 without having a fully functional CCTV system installed at the venue. He also said that since the new system had been installed at the venue, he was able to use the operating manual to download images from the system which was not the case on earlier occasions.

I would also like to reserve the right to provide additional evidence during this review process.

Conclusion

As can be seen above, Mr Vijay Madhaparia (as the Premises Licence Holder) and Mr Rajinder Kumar Singh (as the DPS) are making no effort to run the premises as a reputable establishment. Customers are being allowed to remain on the premises despite being in a condition that has been described as being extremely drunk, whereby they have become at risk for own health and safety and that of ordinary members of public. They show no urgency in assisting responsible authorities to maintain law and order. The Licensee and the DPS are allowing this premises to be operated in a manner that totally undermines the Licensing objectives of:-

1. Preventing crime and disorder.
2. Public safety

In closing I would recommend that this licence be revoked. Should the panel disagree, then I would suggest that the closing time for this venue to be set for 22:00 hours on a daily basis.

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

As above, however I would to retain the right to provide additional evidence during this review process.

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Please tick yes

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

If yes please state the date of that application

Day Month Year

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

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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 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature  PC392BA

Date 10/12/2014

Capacity Harrow Police Licensing Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
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)	

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.