


**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 Police Constable Jasmin Viridi 392QA
**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:

Food & Wine Convenience Store, 120 High Street, Wealdstone

Post town:

Harrow

Post code:
(if known)

HA3 7AL

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

Mrs Janani Sritharan

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

LN/000000895/2014/8 & 9

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 392QA Jasminder Viridi	
Telephone Number (if any):	
Email address: (optional)	

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 checked="" type="checkbox"/>

Please state the ground(s) for review: (please read guidance note 2)

The premises are owned and managed by the Licensee and Designated Premises Supervisor (DPS), Mrs Janani Sritharan, and her husband Mr Sinnathamby Sritharan. Mrs Janani Sritharan has been the DPS since the 24th April 2014. In the past six months there have been several calls made to police for incidents that have taken place in the premises that have undermined at least three of the four licensing objectives. Mrs Janani Sritharan and her husband have failed to put in any procedures or checks in place to prevent crime and disorder or safeguard public safety despite being given support and opportunities by the partner agencies. They have continually refused to substantiate any allegation of theft even though some of the suspects may have been juveniles. The licensing objectives that have been undermined are as follows:-

- The prevention of crime and disorder.
- Public safety
- The protection of children from harm.

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

21/10/2014.

CRIS no. 2012774/14 refers to an incident when Mr Sinnathamby Sritharan was arrested on suspicion of Handling/receiving stolen goods. On Wednesday 22/10/2014, Police officers had attended the venue for a routine licensing visit, when they were informed that on the previous day a suspect had stolen a packet of cigarettes from behind the counter. Police officers offered to view the CCTV footage with the hope that they may be able to identify the suspect, however another incident came to light. There was footage of a male entering the shop premises at 19:03 hours on Tuesday 21/10/2014 and go to the end of the counter. This male is holding a bag and is seen to discretely remove 8 large jars of coffee from it and place them on the shelf. The male then comes and stands in front of the counter. Mr Sritharan places the 6 large jars of Nescafe Original and 2 large jars of Nescafe Gold Blend on top of the counter. Mr Sritharan then takes out cash from the till and gives it to the male. When police officers asked Mr Sritharan to explain what had happened. Mr Sritharan stated that he just bought the 8 large jars of coffee for £18 and said that maybe the male with the coffee was a thief. The jars of coffee had by now been price-marked for a total value of £44. Based on what had transpired, Mr Sritharan was arrested on suspicion of handling/receiving stolen goods. Because Mr Sritharan was unable to download images from the store's CCTV system, the hard drive was seized in order to preserve the evidence. In a PACE interview Mr Sritharan denied that he knew the 8 jars of coffee had been stolen. Because police were unable to identify the rightful owner of the coffee, no further action was taken against Mr Sritharan. Throughout this incident there were members of a local gang hanging about and paying close attention to what was happening in the shop. These youths belong to gang known in the Wealdstone area as the Grey Set Gang. Mr Sritharan informed police that one of the ringleaders of this gang used to help him unload stock from his van into the shop. Apparently this youth did this sort of menial work without being paid for it.

21/10/2014.

CRIS no. 2012813/14 is for an allegation of theft of cigarettes that Mr Sritharan had referred to the previous paragraph. Apparently the suspect has taken a packet of cigarettes and left the shop without paying for them. Mr Sritharan informed police that the male had subsequently returned the next day and apologised to the victim for his actions, explaining that he was drunk and then paid for the cigarettes. Due to this development Mr Sritharan was not willing to take this matter any further or confirm that an offence had taken place. This male had not attended the shop whilst he police officers were there and also that Mr Sritharan spent a large portion of the day in police custody on 22/10/2014.

30/10/2014.

I attended the venue in the company of Customs and Excise officers at approximately 12:10 hours on Thursday 30/10/2014. Present in the shop was Mr Sinnathamby Sritharan. The Customs and Excise Officer, [REDACTED] has submitted an MG11 statement which states that he has seized tobacco products that he considered had no UK duty not paid on them as they either bore foreign health warnings or UK duty free labels. The amounts were as follows:-

1200 - Cigarettes.

700 grams - Hand Rolling Tobacco (HRT)

1.32 kg 0 Chewing Tobacco.

Mr Sinnathamby Sritharan further admitted that he had purchased alcohol without invoices and due to this admission the officer seized an equivalent of 29 cases of lager and 24 cases of wine and 2 bottles of tequila on the balance of probability that the relevant UK duty had not been paid. I produce this statement as my Exhibit JSV/1.

08/11/2014

CRIS no. 2013593/14 refers to an allegation of shoplifting whereby two suspects had taken 3 bottles of Bells whisky from the shelf and left the premises without paying for them. Mr Sinnathamby Sritharan did not wish to pursue the allegation. He simply wanted the suspects banned from the shop premises. The crime report was closed as the victim declines to support further police action to identify the offenders. I am not aware of any documented evidence of whether any banning notices were issued to these suspects.

27/12/2015

CRIS no. 2000118/15 refers to an allegation of shoplifting, which involved the theft of a bottle of brandy. The incident was initially reported by a third party. It was reported that Mr Sritharan was involved in a physical altercation with the suspect. Police attended and observed that Mr Sritharan did not have any injuries. No other offences were alleged on this visit. Then on 03/01/2015 at 21:00 hours officers from the Wealdstone Proactive Team observed youths from the Grey Set Gang loitering outside Convenience Food & Wine Store, also known as Wealdstone Food & Wine Store. These youths dispersed as the police officers approached the shop. When the officers went to discuss the behaviour of the youths with Mr Sritharan, it was only then that he mentioned the incident on 27/12/2014. He told officers that he had a physical altercation with a suspect near the till area, following which the suspect took a bottle of brandy from the shelf and left without paying. Mr Sritharan did not report the incident then because he did not want any trouble. Mr Sritharan was still adamant that he would not provide a statement to assist police in identifying and prosecuting the suspect. Despite explanations that without his co-operation police would not be able to prosecute the suspect. Mr Sritharan was still adamant that he would not provide any statement or attend court.

12/01/2015

On Monday 12/01/2014 Mrs Janani Sritharan and Mr Sinnathamby Sritharan attended Harrow Central Depot, Forward Drive for a meeting with Police Licensing Officer and officers from the Harrow Council Community Protection Unit. Mr and Mrs Sritharan

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signed up to Responsible Retailers Agreement. This was designed to help them run their shop as a viable and responsible enterprise that upheld all the four licensing objectives of the Licensing Act 2003. Two of the proposals were to ensure that at least one of them would become fully trained on how to operate and download images from the hard drive of the CCTV system, if such a requirement was made by police or an officer from Harrow Council Licensing authority. Secondly, they would report all crime and disorder that happened in the shop and in the vicinity to police. I present this agreement as my Exhibit JSV/2.

16/01/2015

CRIS no. 2000613/15 refers to an allegation of Actual Bodily Harm. During this incident a member of public was assaulted by two drunk suspects. The victim was pushed against the shelves in the shops and was also kicked by the suspects. Although Mr Sritharan initially made the phone call to police, he has subsequently refused to attend court and give evidence if required to do so. Neither he nor Mrs Sritharan were able to download images from the hard drive. Mr Sritharan arranged for a CCTV operator to burn images on to a CD, which the investigating officer realised was blank. The officer had to seize the hard drive and personally transport it to a specialised police forensic lab to safely retrieve the images from the hard drive. All this additional work caused unnecessary delay and costs to the investigation. It is fortunate that the CCTV footage was not lost or damaged. It is totally apparent that Mr Sritharan's behaviour has been a hindrance to this investigation. When the CCTV footage was viewed it showed youths present on the premises behaving in manner that suggested they were having a party in the shop whilst it was still open for business.

30/01/2015

The Harrow Police and Harrow Council Licensing officers attended the venue to conduct a routine licensing visit. It was observed that there were some licensing breaches. Neither Mr Sritharan nor Mrs Sritharan as yet had arranged to undertake the required training to learn how to download or record CCTV images on to a portable medium. They were issued with a warning letter on this occasion to rectify the licensing breaches as soon as practicable. I present this warning letter as my exhibit JSV/3.

28/01/2015

CRIS no. 2001359/15 refers to an incident whereby a suspect took three bottles of an alcoholic drink by the name Cherry B. The suspect starts to drink from the bottle in the shop and walks out of the shop with paying for them. Prior to that he informed the Mr Sritharan that he is not going to pay for it. He also warned Mr Sritharan not to call the police about it either. Mr Sritharan has told the police that he is not willing to go to court to give evidence. This suspect is known to police and is a juvenile of 17 years of age.

Conclusion.

It is very clear that Mrs Janani Sritharan who is the Licensee and the Designated Premises Supervisor, has no control over day to day running of the shop. The premises are effectively in the control of her husband Mr Sinnathamby Sritharan. He appears to extremely reluctant to take any positive measures to uphold the three Licensing Objectives of :-

- 1) Preventing Crime and Disorder.
- 2) Prevention of harm to children.
- 3) Public safety.

He does not wish to substantiate any crime allegations against criminals even though they happen to be juveniles. His inactions prevent juvenile shoplifters being brought into Restorative Justice procedures that may provide them with an opportunity to steer away from a life of criminality. He has repeatedly failed to maintain crime prevention measures and procedures, such as a fully operable CCTV system, that would assist police and other investigative authorities to identify and prosecute criminals. He is evading taxes by keeping and selling stock on which UK duty may not have been paid. By buying stock from non-bonfide suppliers he is certainly promoting acts of criminality in the surrounding business enterprises. He is failing to assist with investigations whereby members have been seriously assaulted by intoxicated suspects. He claims that he often does not report crimes where he is the victim because he is concerned about the welfare and safety of his family, however he does seem to share the same concern for the welfare of his customers or the surrounding community. He does not seem to be too concerned with members of criminal gangs loitering about in his shop, at the rear or in front of the shop.

Mrs Sritharan has failed to demonstrate that she has the capacity to take charge of the shop and operate it in manner that does not violate any legal and moral values. I believe that Mrs Sritharan has only been placed as DPS whilst Mr Sinnathamby Sritharan may still have an outstanding allegation of Greivous Bodily Harm pending for its final resolution. Mr and Mrs Sritharan have failed to use the opportunity provided by the Responible Retailer Agreement to demonstrate that they have serious intentions of running their shop within legal statutory guidelines. I strongly recommend to the licensing panel that Mrs Janani Sritharan is not a suitable person to run this premises, and that this licence should be revoked with immediate effect. If the panel chooses not to do so, then I suggest that it be suspended for a suitable period such as 6 months.

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

☐

(Please tick yes)

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Appendix C

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:

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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:

10/2/2015

Capacity:

HARROW POLICE LICENSING OFFICER

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):

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.

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN 88/LA

Statement of [REDACTED]

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation [REDACTED]

This statement (consisting of 2 page(s) 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 in it, anything which I know to be false, or do not believe to be true.

Signature [REDACTED]

Date: 19/11/14

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

On 30 October 2014 I was on duty with other officers in the vicinity of Wealdstone.

At 12.10 I entered the premises of Food and Wine Convenience Store, 120 High Street, Wealdstone, HA3 7AL under section 112 of CEMA 1979 to undertake an inspection visit with the assistance of other officers. I introduced myself to Mr Sritharan Sinnathamby, the owner, and explained the purpose of the visit. During the course of the inspection the following tobacco products were identified that I considered that UK duty had not been paid on as they had either foreign health warnings or UK duty free labels:

Quantity	Type
1200	Cigarettes
700 Grams	Hand Rolling Tobacco (HRT)
1.32 KG	Chewing Tobacco



Accordingly the above items were seized as I believed that UK duty had not been paid. Thereafter I sought purchase records in respect of the canned beers and wines in the shop.

Date: 19/11/14

Signature: [REDACTED]

(signature

Signature:

(signature witnessed by)

Continuation of Statement of: [REDACTED]

Mr Sinnathamby subsequently admitted that he had purchased the following alcohol without an invoice. Due to this admission the relevant stock was also seized as I considered on the balance of probabilities that that the relevant UK duty had not been paid.

Brand	Quantity in litres
Heineken	48
Guinness Original	24
Carlesberg	60
San Miguel	12
Holsten Pils	24
Kronenbourg	24
Stella Artois	12
Tyskie	48
Zywiec	12
Zubr	48
Debowe	12
Lech	12
Warka Black	12
Wine @12%	216

Also seized were two bottles of tequila with no UK duty stamp totalling 1.4 litres at 38%.

At the end of the visit, I issued a seizure information notice, a warning letter and a booklet re the appeal process to Mr Sinnathamby. I and other officers left the premises at 18.24 hours.

To date I am not aware of an appeal against this seizure.

Date: 19/Jul/12

Signature: [REDACTED]

(signature of witness)

Signature: [REDACTED]

(signature witnessed by)

RESPONSIBLE RETAILERS AGREEMENT



THIS AGREEMENT is made on 12th January 2015

BETWEEN London Borough of Harrow, the Metropolitan Police

AND Mrs Janani Sritharan & Mr Sinnathamby Sritharan of 138 Kenton Lane, Harrow HA3 8UG

AGREES the following in respect of future conduct of 120 Wealdstone High Street

1. Keep full records, including references obtained, for all staff employed at the premises, whether doing paid, unpaid or voluntary work.
2. Keep an up to date record of all the duties the employees are authorised to undertake.
3. Maintain an up to date record of training provided to all members of staff.
4. Ensure all stock in the premises is purchased from legitimate and verifiable suppliers with registered business premises in the UK by taking all reasonable steps to confirm that all goods are bought from the rightful owner.
5. Adopt a book-keeping system that can be audited by responsible authorities to verify that all the stock in the premises that is liable for excise duty has bought from bonafide suppliers registered to trade within the UK.
6. Ensure that there is at least person present on the premises who is trained to download images to an alternative portable medium upon police or Local Authority request.
7. Ensure that all crime and disorder in the vicinity of the premises is either reported directly to police using 999 or 101 numbers or anonymously via Crime stoppers through 0800 555 111
8. Actively engage with Police, Local authorities and other members of the local business and residential community to promote the local welfare and social issues.
9. Customers should not smoke in the doorway of the premises or stub cigarettes out in the paved area outside.
10. Customers are not to congregate or loiter in groups of more than 2 people on the paved area outside the premises.

To help with the above conditions and complete the Responsible Retailers Agreement successfully, the representatives of the various agencies and organizations agree to provide the help and support. If partner agencies are unable to provide the support listed, they will discuss as soon as possible to provide suitable alternatives.

1. The Licensing Enforcement Team will provide you with 'Smoke Free Guidelines'
2. Police and Officers from the Anti Social Behaviour Unit of Harrow Council will conduct patrols of the area and carry out spot checks.
3. The Council may be able to provide signs to be displayed within the premises to remind customers of the need to behave in such a way as not to cause a nuisance to local residents.





I have been made aware that although the agreement is voluntary, if I fail in my responsibilities for the concerns highlighted, The London Borough of Harrow and the Metropolitan Police Service may take steps against.

This action may include the following action:

- **Premises Closure Order:** The Council / Police may make an application to the court for a Premises Closure Order.
- **Licence Review:** The Council / Police may make an application to review your premises Licence.

This agreement will be in place for a period of 12 months. Should the terms of this agreement be breached, a "breach meeting" has been immediately called to discuss the matter with all the agencies involved.

I can confirm that I understand the meaning of this agreement and the consequences of a failure to comply have been explained to me.

Witnessed		
Signed _____ (Community)		
Date _____	12/1/15	
Signed _____ (Metropolitan Police)	Rc3 met	
Date _____	12 01/2015	
Signed _____		

JSU/3
Exhibit 1 P39200 JASMIN DRE U/201

Environment & Enterprise
Corporate Director – Caroline Brooks

Janani Sritharan
138 Kenton Lane
Harrow
Middlesex
HA3 8UG

Friday, 30 January 2015

Our ref: ce/css/pc/

Your ref:



Dear Sir,

Re. Breach of Conditions. Licensing Act 2003

On Friday 30 January 2015 at 14.30. Officers from this authority entered your premises. On checking the conditions of your licence you were found to be in Breach of Conditions in Annex 2..

1. CCTV is installed, maintained and operated in accordance with the recommendations of the Metropolitan Police/Crime Prevention officer. CCTV signage is displayed to indicate that it is operational.
2. A Till guard or similar to be installed to protect the cash register.
3. A time delay safe is to be installed.

These conditions were offered by you on your licence application in view of the breaches of the conditions and the fact that you have been previously spoken to about these same conditions we have decided to deal with this offence by way of an official warning.

If there are any further breaches of conditions of the licence by either yourself or any of the staff acting on your behalf this will not be dealt with by way of a warning. As the owner of the premises you are responsible for the behaviour of your staff, if Court proceedings are taken this could result in a fine of up to £2,500.

This letter will go on your file as an official warning.

Yours sincerely

Peter Coates
Licensing Team Leader,
Environment & Enterprise
Tel: [REDACTED]
Email: [REDACTED]