

CLOSURE NOTICE

Section 19, Criminal Justice and Police Act 2001 as amended by paragraphs 126 and 127 of Schedule 6 of Licensing Act 2003

COMPLETE IN BLACK INK AND CAPITALS

PREMISES NAME: MR SUSHI, 152 STATION ROAD, HARROW
HA1 2RH

Full address and postcode:

I, an authorised officer of Harrow Council, am satisfied in accordance with section 19(2) of the 2001 Act that the above premises are being used, or have within the previous 24 hours been used, for the unauthorized sale of alcohol on or in the vicinity of the premises *and* there is a reasonable likelihood that the premises will be used again in the future.

My reasons for being so satisfied are that:

- alcohol has been sold by or attempted to be sold by retail otherwise than under an authorisation contrary to section 136 of the Licensing Act 2003 as described in the box below
- alcohol has been sold or attempted to be sold by retail in breach of a condition of an authorisation contrary to section 136 of the Licensing Act 2003 as described in the box below

mandatory licensing condition:
4(iii) sell wine in a glass 125ml (b) measures displayed, listed or printed (c) customer awareness of measures available
Annex 2: City maintained a trading inspection with 100% compliance period of 31 days (images) (2) Staff training + records (1) challenge 2

NOTICE IS GIVEN that Harrow Council may apply to a magistrates' court for a closure order during the period starting 7 days after the date of this notice and ending six months after the date of this notice unless the use of the premises has ceased *and* there is no reasonable likelihood of it reoccurring in the future. The steps that should be taken are suggested in the box below:

cease unauthorised 'off-sales' of alcohol immediately comply with the above listed mandatory condition and more conditions listed with annex (s) of licence W/4548/2014/5

Name of person on whom notice served	LI HUATIAN / Mr Long Tian		
Address of person on whom notice served	LI HUATIAN		
Names of other persons on whom notice was served	Mr Long Tian Restaurant manager		
Authorised officer's name	CHAYONG EWE		
Signature	Date	Time	Telephone number
	19/12/2019	15:23	0208 736 6252

Enquiries about this notice may be addressed to Licensing, Community & Public Protection,
Civic Centre, Station Road, Harrow HA1 2UT

licensing@harrow.gov.uk

General notes

1. An authorized officer from Harrow Council has decided to issue this closure notice under section 19 of the Criminal Justice and Police Act 2001. The notice alleges that the premises have been operating illegally without the authorizations to sell alcohol in compliance with the Licensing Act 2003 ('the Act'), being a licensable activity within the meaning of the Licensing Act. The notice also mentions the actions which may be taken by the owner or manager of the premises to end the unauthorised sale of alcohol, or to prevent it from re-occurring.
2. Copies of this notice will be served on any person occupying another part of the premises; and may be served on any person with control or responsibility for the activities on the premises; or any person with an interest in the premises (such as a landlord or freeholder).

Section 20 of the 2001 Act – Closure Orders

3. The licensing authority may apply to a magistrate's court for a closure order if the unauthorized sale of alcohol is continuing or there is a reasonable likelihood that it will be in the future. An application for closure order may not be made earlier than seven days, or later than six months after, the date of this closure notice.
4. A magistrate's court may issue a summons for anyone who has been served a closure notice to appear before the court for a hearing. The court will consider at the hearing whether to make a closure order.
5. You may appear at the hearing and make representations to the court before a closure order is made.
6. A closure order may require:
 - (a) the premises to be closed to the public immediately and until the licensing authority certifies it may re-open;
 - (b) the use of the premises for the unauthorised sale of alcohol for consumption on, or in the vicinity of, the premises to be discontinued immediately;
 - (c) the payment in court of a sum of money that will be released until all other requirements of the order are met;
 - (d) such conditions as the court considers appropriate relating to the admission of people to the premises (including access to any other part of the building of which the premises forms part)

Appeals – Section 24 of the 2001 Act

7. An appeal against a decision by the Magistrates' Court to grant a closure order, or a decision to refuse an application for a closure order, can be made by an affected person to the crown court within 21 days.

Enforcement Powers and Offences – Section 25 of the 2001 Act

8. It is an **offence** for a person, without reasonable excuse, to permit premises to be open in contravention of a closure order made by the magistrates' court. Any person found guilty of such an offence will be liable to a fine, or to imprisonment for a term not exceeding three months, or both.
9. It is also an **offence** for a person who, without reasonable excuse, fails to comply with any other terms of a closure order made by the court, or does an act which contravenes those other terms. Any person convicted of this offence is liable to a fine not exceeding level 5 on the standard scale (£5000), or to three months imprisonment, or both.
10. Police Officers and authorised licensing authority officers have the power to enter the said premises at any reasonable time, and do anything reasonably necessary to secure compliance with the closure order (for example, to board up the premises). A constable or licensing authority officer must produce evidence of their authority to enter and also their identity before entering the premises, if asked to do so by the owner (or the occupier or person in charge of the premises).
11. It is an **offence** for a person to intentionally obstruct Police Officers or authorised licensing authority officers from exercising these powers. Any person convicted of obstructing an authorised Local Authority Officer is liable to a fine not exceeding level 5 on the standard scale (£5000).