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Harrow Council, Licensing Section, P O Box 18, Station Road, Harrow.

Making a Representation against an Application (New or variation) for 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 Sergeant Carl Davis, make this representation under

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 club premises, or if none, ordnance survey map reference or description | |
| South Harrow Food & Wine , 234-236 Northolt Road , South Harrow | |
| Post town Harrow | Post code HA2 8DU |

| |
|--|
| Name of premises licence holder or club holding club premises certificate (if known) |
| Number of premises licence or club premises certificate (if known) |

Part 2 - Applicant details

I am

- | | Please tick ✓ yes |
|---|--------------------------|
| 1) an interested party (please complete (A) or (B) below) | <input type="checkbox"/> |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

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)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current address

Post Town

Post Code

Daytime contact telephone number

Email address

(optional)

(B) DETAILS OF OTHER APPLICANT

| |
|---------------------------|
| Name and address |
| Telephone number (if any) |
| E-mail (optional) |

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|---|
| Name and address Metropolitan Police South Harrow Police Station 74 Northolt Road South Harrow HA2 ODN |
| Telephone number (if any) 0208 733 3415 |
| E-mail (optional) |

This representation 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 checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note1)

The grounds for this application to review whether within the proposed operating schedule submitted by the applicant they have outlined suitable steps to prevent crime and disorder , maintain public safety , prevent public nuisance and protect children from harm .

This premises is in a high street , however a high street with terminal hours at all premises mostly no later than 2300 hrs and rarely 2400 hrs. There are residential premises (flats) above the shops on both sides of the road. There is no designated parking outside the premises. Should the premises be open beyond 2300hrs then greater disturbance to residents is likely , notwithstanding the likelihood of it drawing custom from those vacating the many local on-licensed premises who will themselves have consumed a large amount of intoxicating liquor.

The applicant states he already has in place some measures to prevent or reduce crime – i.e. CCTV , alarm , panic alarm and the history of incidents at the premises prove these must meet police standards and be set as conditions.

On 24/06/2001 police were called to South Harrow L/T Station to deal with a disturbance. On arrival two Asian males approached police who were both working at South Harrow Food and Wine, opposite the L/T station. One of the males had an open wound above his right ear, the other had a break to the skin on his lower back.

They informed police that they had been working in the food and wine store when a Somali male had attempted to steal a bottle of champagne from the store by concealing it in his coat. The two staff members challenged him outside the store and they retrieved the bottle of champagne.

However, as they were attempting to detain the Somali male, a second Somali male approached and attacked both the Asian males. The Somali male is alleged to have stabbed one of the shopkeepers in the head either with a knife or a screwdriver and also kicked the second Asian male in the back, causing injury.

The members of staff informed police that these Somali males had made their way to the bus stop outside Sainsbury's after the attack.

Police made their way to the bus station where a group of five Somali males were located and two were positively identified as the males involved in the theft/assault and arrested at 1453hrs.

Following a negative ID parade result – the CPS later dropt the case.

On 12/12/2002 Police were called to a disturbance at SOUTH HARROW FOOD AND WINE 236 NORTHOLT ROAD HARROW MIDDLESEX. A female on the premises was drunk.

On police arrival the female was spoken too. She became very abusive and aggressive towards police and other persons inside the store and was arrested at 0935 hours for being Drunk and Disorderly in a public place. CN/5272/02/QA.

While being searched at Police Station became very aggressive and abusive she spat at one officer and tried hit another officer. At 1012 hours she was further arrested for Common Assault. She was charged with Drunk and Disorderly and Common Assault.

On 19/02/2003 at 2045hrs in South Harrow Food and Wine Store a male was arrested for shoplifting - theft of shampoo from the store. The shopkeeper said he had lost 80 bottles recently. . The male was charged with the offence. Cris 2003010/03B and CN/786/03/QA relate.

At 0210hrs on 06/07/2005 a group of 8 or 9 juveniles were seen sitting on the display stands outside South Harrow Food and wine, Northolt Road. There were bushels of 'curry leaves' on the floor, which had been taken from an unlocked storeroom at the rear. The group were then seen to walk down the side of the shop and disappear round the back. They then ran back to Northolt Road with the shop alarm sounding and continued into Roxeth Park, one of them using a set of crutches. 6 of them were found hiding in bushes in the park, one with crutches. Bottles of alcohol from the venue were also found with them. The rear door into the store had been forced and CCTV was seized from the shop The key holder had trouble working the CCTV system. Following interviews and being bailed, the victim of the crime refused to substantiate allegation (withdrawal statement taken) and all were N.F.A'd. CN/2834/05/QA CN/2835/05/QA, CN/4055/05/QD CN/4053/05/QD CN/4055/05/QD CN/405605/QD refer.

On Tuesday 19/07/2005 at 1530 hours police attended SOUTH HARROW FOOD AND WINE 234-236 NORTHOLT ROAD HARROW where a male had been detained for stealing seven bottles of Radox shower gel costing £13.93.

The informant - Mr Paramasivan MATHIVANAN - did not want to substantiate the allegation and was happy for a banning letter to be issued. The suspect was fully aware that if he returned and committed a theft he would be arrested for burglary. CRIS 2012568/05 refers.

On the 10/10/2005 patrolling PCSO's met Mr Vishnu PATEL acting manager of FOOD AND WINE 234 NORTHOLT ROAD HARROW He made a complaint of youths aged around 14-16 years that gather around the back of the store mainly after school who cause graffiti, spitting and possibly smoking drugs.

On Saturday 25/03/2006 at 1150 hours police officers executed three S.26 Theft Act Warrants, one of these was at HARROW FOOD WINE 234 NORTHOLT ROAD.

Officers in plain clothes entered and identified themselves. On entering the store staff were of course shocked and one member placed his hand on one of several knives that are kept behind the raised counter. He was dissuaded from following this course of behaviour and Officers then

brought all persons together in one of the isles.

All persons were searched on entry. All those searched either work in the shop or are joint owners.

Officers then conducted a thorough search of the premises . No stolen items were found. All persons were co-operative throughout the search and apart from the issue surrounding the knives at the beginning there were no issues.

Warrant and book 101 completed and handed to the owner. Officers then left the premises at 1236 hours.

On 02/04/2006 just before 2248hrs police were called to persons behaving violently inside the premises of South Harrow Food and Wine store in Northolt Road. Police found three brothers fighting with a Mr SHANMUGARAJAH who said he was the nephew of the shop owner. The brothers alleged that Mr SHANMUGARAJAH had attacked them with an iron bar. All 4 were arrested for affray. CN/1205/06/QA - AFFRAY CRIS 2005591/06 All four were issued with Fixed Penalty Notices for S.5 (1) (b) Public Order Act 1986 (Threatening Abusive Words and Behaviour) and released .

On Sunday 22/10/2006 police had cause to speak to a male at 2155 hrs outside South Harrow Food and Wine he had just had an altercation with males from a blue Mercedes A class. He stated that the males were aggressive towards him and chased him into the shop. He was concerned for his safety but did not wish to make any allegation to police. The males in the car were all Sri Lankan.

With the above evidence in mind and I object to the variation application as it stands.

I do not believe that the applicant is taking any additional steps to promote the licensing objectives but merely wishes to increase his trading hours.

I also request that the licensing panel impose necessary conditions should the variation be granted in any form.

I request that it form part of the conditions of the conversion of the License (if granted) that the Designated Premises Supervisor be employed at the premises. This is to ensure that all sales can be supervised first hand.

I request that a condition be made that should the D.P.S. not be present on the premises that at least one other member of staff on the premises be a License holder (having passed the necessary qualification). This is to prevent offences during licensed hours.

I request a condition that the premises operate a 'challenge under 21' policy in that no sales of intoxicating liquor be made to persons over 18 or under 21 unless that age has been challenged by staff and their correct age ascertained. This is to protect children.

I request a condition that the applicant agree to any recommendations made by our crime reduction officers who will conduct a survey of the premises. This is to prevent crime and maintain public safety.

I have listed below those measures which have been sent to all Licensees operating premises in this borough and request it be made a condition that these basic measures be adopted:

Crime Reductions Measures

Closed Circuit Television (CCTV) is required because it improves the perception of safety and allows monitoring of the whole premises. It must achieve the following:

Visually confirm the nature of the crime committed.
Identify the suspected criminal(s) visually for purposes of evidence and connect them with the crime.
Provide evidence-supporting detail relating to the circumstances.
Provide a linked record of the date, time and place of any image.
Provide good quality colour images.
Capture full frame shots of the heads and shoulders of all people exiting the premises from both entry and exit routes. This should ensure that images of criminals are captured whilst leaving the premises and discarding any facemasks, etc.
Have the capability to record a full-length view of a person 1.92m tall, to occupy at least 60% of the image height, in at least one of the captured images.
Be positioned externally above the rear door to cover any courtyard/garden area.
Operate under existing light levels within the premises.
Have the recording device located in a secure area or locked cabinet.
Have a monitor to review images and recorded picture quality.
Record images as near to real time as possible and where practical, personal attack buttons should be connected via the CCTV system, to change any time-lapse recording to real time.
Be regularly maintained to ensure continuous quality of image capture and retention.
Must comply with the Data Protection Act (DPA) and any applicable British Security Industry Association (BSIA) codes of practice.
Have signage displayed in the customer area to advise that CCTV is in operation (DPA).
Be operated by the correct procedures, to ensure an evidence trail is recorded and can be retrieved for evidential purposes.
If the system is analogue, a library of 31 video tapes will be required for storage and rotation.

A monitored central station alarm is required and must be installed by either a NACOSS or SSAIB affiliated installer and must achieve the following:

The monitored security system must be equipped with a signal terminating at a recognised Alarm Receiving Centre (ARC) and must comply with the current version of the EN 50131-1 standard and be eligible for a police response as defined by the ACPO Policy on Police Response to Security Systems, Level 1 status.

This should incorporate fixed personal panic attack buttons for the use of staff behind the counter remoter panic buttons for staff when they are away from the counter area.

A safe controlled by a time delay method is required and must achieve the following:

Restrict access for at least three minutes, to deter criminals from accessing the surplus or reserve value during any robbery.

Have a drop facility with anti-fish mechanism.

Include the safe being either bolted to a solid wall and/or solid floor or buried in a solid wall and/or solid floor.

Tills must be regularly skimmed off, to reduce the impact should a robbery occur.

Signage must be displayed in the customer area, highlighting that access to cash and valuable items is controlled by time delay. Alternatively, where staff do not have access to the safe, a sign must state this fact. It is recommended that a time delay, visual countdown display is used, so that a robber/burglar can see that a time delay is in operation.

Robbery awareness training is required for staff and must achieve the following:

(This is only applicable to Off Licenses and Betting Shops)

The Crime Prevention Officers will provide a leaflet about crime reduction for retailers, which incorporates robbery awareness. This must be shown to all members of staff on an annual basis and a record kept that this has been done, as part of your training procedure.

Training is not the responsibility of the Metropolitan Police Service.

Indelible note staining and smoke system is required and must achieve the following:
(This is only applicable to Off Licenses and Betting Shops)

Comply with specification PAS 40 2002 Class II, issued by the British Standards Institute. Stolen notes will be dyed, rendering them worthless to the extent that there is no gain to the criminal.

A covert note-spoiling device must be placed in each counter till.

The device must look as authentic as possible to ensure that it is taken by or handed to the criminal instinctively.

The system must be automatically activated to ensure the safety of staff.

The dye pack must be programmed to activate once the criminal has left the premises. A time delay of at least 6 seconds is recommended.

It is recommended that the dye used is traceable to either a specific incident, the retailer or a manufacturer.

All notes that are used in construction of a dye pack must be recorded separately and the details kept, in order to assist with any subsequent investigation.

The system used must produce sufficient smoke to attract attention to the criminal.

Other security requirements:

A till guard is required to prevent easy access to cash in the till.

If a letterbox is fitted, it must be fireproof.

If the rear door is a designated fire escape route, it should be manufactured from steel and designed without visible external ironmongery. The push bar must operate shoot bolts to the top and bottom of the frame and be supported by a 5-lever mortice lock to be used outside opening hours.

A 180-degree door viewer fitted to this door will enable you to see who is at the back door without having to open it first.

Where external storage areas are required for outside furniture, beer kegs, waste storage, wheelie bins, etc. they should be detached from the main building, so that they cannot be used as climbing aids.

Since further recommendations may be necessary it is expected the applicant will invite an officer from the Crime Reduction unit to the premises to do an on-site survey.

I believe the opening and sale of alcohol hours requested are excessive and will cause public nuisance and crime and disorder.

Should all recommendations be completed then I have no objection should the premises wish to trade until Midnight on a Friday or Saturday night and close at 2330 hrs Sunday to Thursday.

I have no objection to the premises opening and supplying alcohol from 0700 hrs each day.

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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [AMOUNT], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 3)

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

Signature

.....

Date 18th November 2006

.....

CapacityPolice Licensing Officer

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| | |
|--|------------------|
| Contact name (where not previously given) and 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 email address your e mail address (optional) | |

Notes for Guidance

1. The ground(s) for representation 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 representation 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 representation.

Relevant Representations means;

- a) are about the likely effect of the grant of the premises licence or club premises certificate on the promotion of the licensing objectives,
- b) that the representation were made by an interested party or responsible authority within the period prescribed, 28 days from the application was advertised.
- c) in the case of representations made by an interested party (who is not also a responsible authority) that they are not, in the opinion of the relevant Licensing Authority, frivolous or vexatious.

Further restrictions apply relating to Police Representations on DPS’s and representations on provisional statements. Please check with the Licensing Section.