



City of Westminster

Licensing Sub-Committee Report

Item No:

Licensing Ref No:

15/01135/LIREVP

Date:

14 May 2015

Classification:

For General Release

Title of Report:

**Norris News
115 Lupus Street
London
SW1V 3EN**

Report of:

Director of Public Protection and Licensing

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

**Mr Nick Nelson
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 3431
E-mail: nnelson@westminster.gov.uk**

APPLICATION DETAILS

Application Type:	An application to review of the premises licence under the Licensing Act 2003.		
Applicant:	Licensing Inspectorate	Date Application Received:	17 February 2015
Premises Name and Address:	Norris News 115 Lupus Street London SW1V 3EN		
Ward Name:	Churchill	Stress Area:	No
Description of Premises:	The premises operates predominantly as an off licence and comprises of a ground floor unit only.		

1. SUMMARY OF APPLICATION

- 1.1 An application submitted by the Licensing Inspectorate for a review of the premises licence for Norris News, 115 Lupus Street, London, SW1V 3EN, was received on 17 February 2015 on the grounds of the prevention of crime and disorder and the protection of children from harm (see **Annex A1**).
- 1.2 Guidance issued under section 182 of the Licensing Act 2003 (para 11.2) states that at any stage following the grant of a premises licence, a responsible authority, such as the Police or the Environmental Health Service, or any other person who can seek a review, may ask the Licensing Authority to review the premises licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 1.3 As such, in accordance with section 52(2) of the above-mentioned Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations.
- 1.4 The premises currently benefits from a premises licence (13/05276/LIPVM, attached at **Annex A2**) that permits:
- Sale by retail of alcohol (off sales)**
Monday to Saturday: 08:00 to 23:00
Sunday: 10:00 to 22:30
- 1.5 These review proceedings are brought under the licensing objectives on the grounds of the prevention of crime and disorder and the protection of children from harm. A history of visits, observations and complaints has been provided by the applicant (see **Appendix 4 to Annex A1**).
- 1.6 On 13 November 2014, Customs and Excise seized 886.56 litres of beer and 36 litres of wine from the premises on the basis that no excise duty had been paid on the goods. This is an offence under s170 Customs and Excise Management Act 1979 and s144 Licensing Act 2003. This incident, in conjunction with other recent historical breaches, leads the applicant to believe that the premises are unable to promote the licensing objectives (see **Annex A1**).
- 1.7 The named owner of the business at the time of the visit by Customs and Excise on 13 November 2014 was Mr Shusilkumar Bhavsar (see **Annex A1**). However, the holder of the Premises Licence and Designated Premises Supervisor is Mr Prashant Patel (see **Annex A2**).

1.8 On 8 December 2014, a letter from Mr Gareth Cleary of the Licensing Inspectorate was sent to Mr Shusilkumar Bhavsar regarding the Customs and Excise visit and inviting Mr Bhavsar to an interview under caution or to submit a response in writing. On 20 January 2015, similar letters were sent to Mr Prashant Patel. In subsequent emails dated 2 January 2015 and 5 February 2015, Mr Bhavsar accepts liability for the incident (see **Appendix 2** to **Annex A1**). No response has been provided to the letters of Mr Cleary from Mr Patel.

2. REPRESENTATIONS:

2.1 The Environmental Health Service, as a responsible authority, supports the review application on the grounds of the prevention of crime and disorder and the protection of children from harm (see **Annex B**).

3. OPTIONS:

3.1 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps are:

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence;

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

3.2 In accordance with section 52(6) of the 2003 Act, if the authority takes measures to modify conditions or exclude licensable activities from the licence, it may stipulate that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

3.3 The licensing authority's determination of this application does not have effect until the 21 day appeal period has expired or if the decision is appealed the date the appeal is determined and / or disposed of.

4. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

4.1 Any applications under the Licensing Act 2003 are set out in Appendix C.

4.2 The chronology relating to appeals and applications is set out in Appendix C.

List of Appendices:	Annex A1 – Application for Review Annex A2 – Current Premises Licence (13/05276/LIPVM) Annex B – Environmental Health Service representation in support of review Annex C – Licence and Appeal History Annex D – Conditions on the current licence Annex E – Residential Map and list of premises in the vicinity Annex F – Photograph of premises
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Background Documents – Local Government (Access to Information) Act 1972

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (Oct 2014)

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 Andrew Ralph

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 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 Norris News 115 Lupus Street	
Post town London	Post code (if known) SW1V 3EN
Name of premises licence holder or club holding club premises certificate (if known) Mr Prashant Patel	
Number of premises licence or club premises certificate (if known) 11/10856/LIPN	

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)

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 ✓ yes

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)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Licensing Inspectorate Westminster City Council City Hall, 4 TH Floor North 64 Victoria Street London SW1E 6QP
Telephone number (if any) 0207 641 3385
E-mail address (optional) aralph@westminster.gov.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

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

On the 13th November 2014, during an operation involving Customs and Excise, substantial quantities of alcohol were seized from the premises when it became apparent that no 'Excise duty' had been paid on the goods. These are offences under S.170 Customs and Excise Management Act 1979 and S. 144 Licensing Act 2003. The named owner of the business at the time of visit by Customs and Excise was given as a Mr Shusilkumar Bhavsar.

The incident taken together with recent historical breaches indicate that the premises are unable to promote the Licensing Objective of:-

- 1/ Crime and Disorder
- 2/ The protection of children from harm

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

The premise operates predominantly as an off licence and is currently licensed for Sale by retail of alcohol (Monday to Saturday 0800-2300hrs and Sunday 1000-2230hrs). Mr Prashant Patel is both the Designated Premises Supervisor and the holder of the premises licence and has held these positions since 30th January 2012.

(See Appendix 1 for a copy of the current Premises Licence and photographs of the premises)

On 13th November 2014, a visit was carried out by Officers of HMRC to the premise under the authority of section 112 of the Customs & Excise Management Act. The owner of the shop, Mr Shusilkumar Bhavsar, who was present throughout the visit was asked to provide purchase records in respect of the canned beers and wine in the shop to demonstrate that the UK duty had been paid. Mr Bhavsar admitted that some of the wine and most of the canned beers on the premises had been purchased without an invoice. This admission led Customs & Excise Officers to believe, on the balance of probabilities that UK duty had not been paid on the alcohol in question. As a result of this admission the decision was taken to seize the alcohol detailed below, pursuant to section 139 of the Customs & Excise Management Act 1979 as it was liable to forfeiture on the basis that, on the balance of probabilities, the UK excise duty had not been paid. In total the following quantities were seized;

886.56 litres of beer

36 litres of wine

The duty figures of the seized stock amounted to £1224.55, including VAT.

Mr Bhavsar was issued with a seizure information notice, a warning letter and a booklet explaining his right to appeal the seizure. To date, Customs & Excise are not aware of any appeal against the seizure. The relevant overarching criminal offence is one of being knowingly concerned in the fraudulent evasion of excise duty contrary to section 170 of the Customs & Excise Management Act. In addition it is also an offence contrary to S. 144 of the Licensing Act 2003 for the Designated Premises Supervisor and/or holder of a Premises Licence to 'knowingly keep on licensed premises any goods without payment of duty'.

To date, there is no evidence that a transfer of the Designated Premises Supervisor or the holder of the premises licence has been applied for or been submitted to Westminster City Council therefore legal letters were sent both to Mr Shusilkumar Bhavsar who stated that he was the owner at the time of offence and also Mr Prashant Patel who is the current holder and Designated Premises Supervisor of the premises licence.

Legal letters have been sent to both Mr Bhavsar and Mr Patel with regards to the seizure of alcohol by Customs & Excise. To date, only Mr Bhavsar has replied by email and phone however Mr Patel has failed to respond to the letter.

(See Appendix 2 for legal letters to Mr Bhavsar and Mr Patel and subsequent email response from Mr Bhavsar)

(See Appendix 3 for statements completed by Customs & Excise)

(See Appendix 4 for 'History of visits, Observations and Complaints' and Appendix 5 for supporting 'historical' correspondence)

In the statutory "Guidance issued under section 182 of the Licensing Act 2003" (under the heading of "Reviews arising in connection with crime") it states:

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- For the sale of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police and other 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.

Since the premises licence was issued to the business back in February 2012, there have been a history of breaches relating to Licensing Act 2003 and non-compliance of premises licence conditions and specifically the sale of alcohol to two under 18 year olds (contrary to S146 of the Licensing Act 2003).

Please tick ✓ yes

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

If yes please state the date of that application

Day	Month	Year
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆

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

None

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 (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

Date

17th Feb 2015

Capacity **Service Manager**

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.

Appendix 1 – Copy of Licence and Photos



Schedule 12
Part A

WARD: Churchill
UPRN: 100023342304

City of Westminster
64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

11/10856/LIPN

Original Reference:

11/10856/LIPN

Part 1 – Premises details

Postal address of premises:

Norris News
115 Lupus Street
London
SW1V 3EN

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Sale by Retail of Alcohol

Monday to Saturday:

08:00 to 23:00

Sunday:

10:00 to 22:30

The opening hours of the premises:

Monday to Saturday:

06:00 to 23:00

Sunday:

06:00 to 22:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption off the Premises.

Part 2

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

Prashant Patel

Please Note: The address of the licence holder has not been displayed, please ask the Licensing Authority if required.

Mobile Phone Number : 07707 365904

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 the supply of alcohol:

Name: Prashant Patel

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

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

Licence Number: LBH-PER-T-0151
Licensing Authority: London Borough Of Haringey

Date: 30 January 2012

This licence has been authorised by Mr Ola Owojori on behalf of the Operational Director - Premises Management.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The premises licence holder 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.

Annex 2 – Conditions consistent with the operating Schedule

None

Annex 3 – Conditions attached after a hearing by the licensing authority

5. The premises shall install and maintain a CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available with the absolute minimum of delay upon the request of Police or authorised officer throughout the preceding 31 day period. ✓
6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested ✓
7. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff ✓
8. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises ✓

9. No more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol ✓
10. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale ✓
11. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport and PASS accredited Proof of Age cards ✓
12. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open ✓
13. Staff training will be given to ensure that in the case of any doubt whether a purchaser is over the age of 18 to refuse the sale of alcohol unless valid ID is produced ✓
14. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises. ✓
15. There shall be no self service of spirits on the premises except for spirit mixers below 5.5% Alcohol by Volume. ✓
16. A notice shall be prominently displayed at the exit requesting patrons to respect the needs of local residents and leave the area quietly. ✓
17. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence. ✓

rec'd ✓

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: Churchill
UPRN: 100023342304

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence
summary

Regulation 33, 34

Premises licence number:

11/10856/LIPN

Part 1 – Premises details

Postal address of premises:

Norris News
115 Lupus Street
London
SW1V 3EN

~~Telephone Number: Not Supplied~~

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Sale by Retail of Alcohol

Monday to Saturday:

08:00 to 23:00

Sunday:

10:00 to 22:30

The opening hours of the premises:

Monday to Saturday:

06:00 to 23:00

Sunday:

06:00 to 22:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption off the Premises.

Name and (registered) address of holder of premises licence:

Prashant Patel

Please Note: The address of the licence holder has not been displayed, please ask the Licensing Authority if required

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

N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

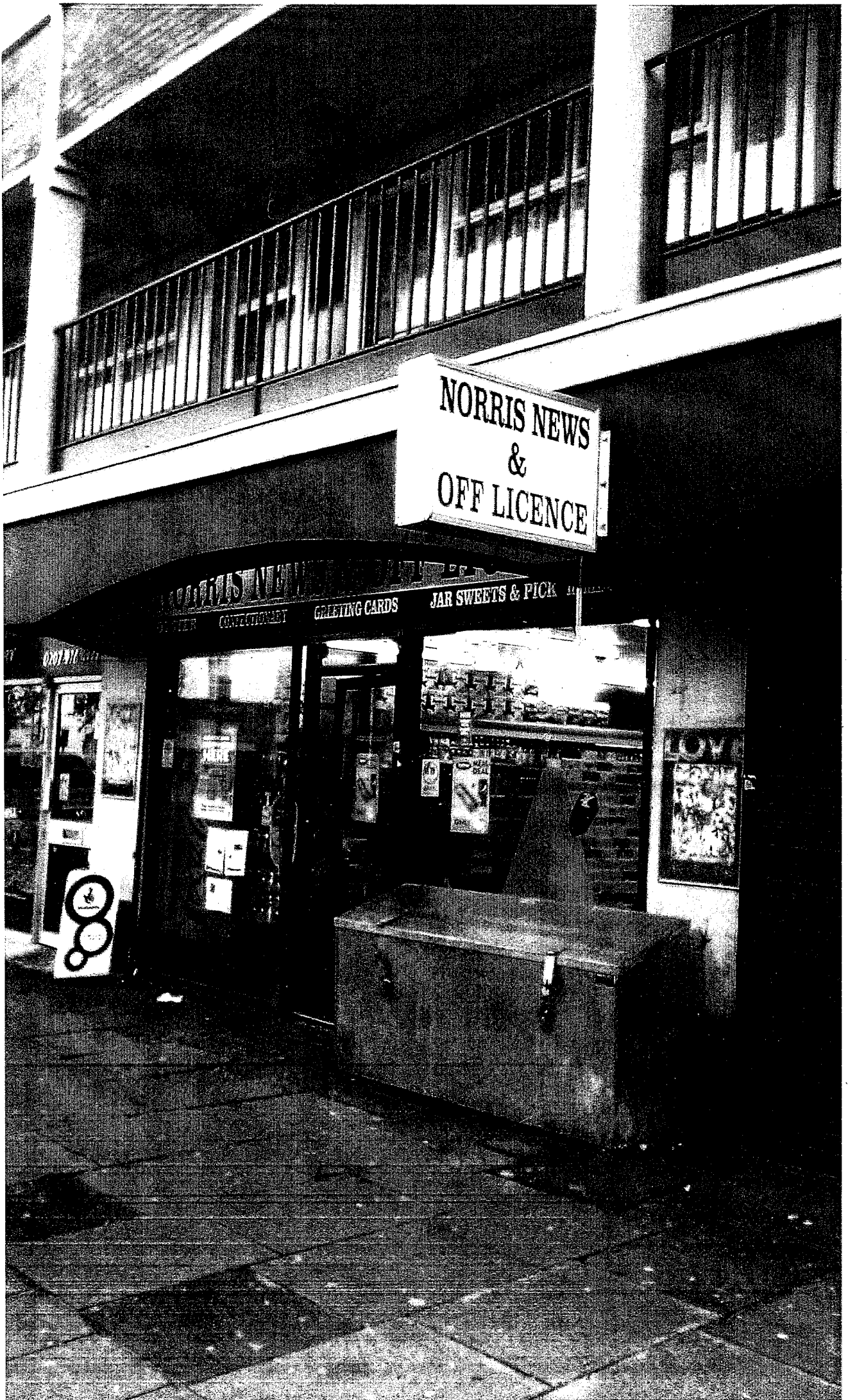
Name: Prashant Patel

State whether access to the premises by children is restricted or prohibited:

Not applicable

Date: 30 January 2012

This licence has been authorised by Mr Ola Owojori on behalf of the Operational Director - Premises Management.



NORRIS NEWS
&
OFF LICENCE

NORRIS NEWS
CONFECTIONERY GREETING CARDS JAR SWEETS & PICK

LOVE





Price tags at the top of the display case, including "CURE C RES BERRY" and "2.29.75".

Price tags above the second shelf, including "CURE C RES BERRY" and "2.29.75".

Price tags above the fourth shelf, including "IMBELL 1.75.75", "IMBELL 2.17", and "IMBELL 2.17".

Price tags above the fifth shelf, including "IMBELL 1.75.75" and "IMBELL 2.17".

Price tags above the sixth shelf, including "IMBELL 1.75.75" and "IMBELL 2.17".



11 12
10
9
8
7 6



TREBOR

HALLS

HALLS

HALLS

HALLS

Red Bull

LOCKETTS
LOCKETTS
LOCKETTS
Snoozers
HALLS
CHERRY
CHERRY
CHERRY

Appendix 2 – Copies of legal letters



City of Westminster

Mr Gareth Cleary
Licensing Inspector
Tel: 0207 641 7076
Fax: 020 7 641 3436
gcleary@westminster.gov.uk
Your Ref:-.....
My Ref: - 14/41646/ELSELF

8th December 2014

Mr. Shusilkumar Bhavsar
C/O Norris News,
115 Lupus Street,
London,
SW1V 3EN

Dear Mr Bhavsar,

Re: Premises Licence – Norris News, 115 Lupus Street, SW1V 3EN

I write with reference to a visit by Customs and Excise to your premise on 13th November 2014.

As you are aware during the visit a substantial amount of alcohol stored in your premise was identified as having no UK excise duty paid. As a result 886.56 litres of beer and 36 litres of wine were seized by Customs and Excise. The outstanding duty owed on the stock was estimated by them as amounting to £1224.55. As the person being present at the time, and your position as the owner of the business, you were subsequently issued with a warning letter and a booklet explaining your right to appeal against this seizure.

I am writing to inform you that it is an offence contrary to S.144 Licensing Act 2004 for any person to knowingly keep on licensed premises any goods without payment of duty or which have otherwise been unlawfully imported. For your reference the following is an extract from the Licensing Act 2003

Section 144

(1)A person to whom subsection (2) applies commits an offence if he knowingly keeps or allows to be kept, on any relevant premises, any goods which have been imported without payment of duty or which have otherwise been unlawfully imported.

(2)This subsection applies—



(a) to any person who works at the premises in a capacity, whether paid or unpaid, which gives him authority to prevent the keeping of the goods on the premises,

(b) in the case of licensed premises, to—

(i) the holder of a premises licence in respect of the premises, and

(ii) the designated premises supervisor (if any) under such a licence,

(c) in the case of premises in respect of which a club premises certificate has effect, to any member or officer of the club which holds the certificate who is present on the premises at any time when the goods are kept on the premises in a capacity which enables him to prevent them being so kept, and

(d) in the case of premises which may be used for a permitted temporary activity by virtue of Part 5, to the premises user in relation to the temporary event notice in question.

(3) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(4) The court by which a person is convicted of an offence under this section may order the goods in question, and any container for them, to be forfeited and either destroyed or dealt with in such other manner as the court may order.

This is a serious matter for which you may be prosecuted. However, before the matter is submitted to the City Council's Director of Legal Services for consideration as to whether prosecution action should be considered, I would like you to have an opportunity to provide a response at an interview under caution.

If you are willing to attend an interview, I would ask that you telephone me on the number at the top of this page, within 14 days of the date of this letter, so that a mutually convenient appointment can be arranged. I would remind you that you are entitled to seek legal advice before the interview takes place and/or to have legal representation during the course of the interview.

As an alternative, you may prefer to let me have your response to these issues in writing. This is acceptable, so long as you understand that **you do not have to say anything in response to the allegation. But it may harm your defence if you do not mention now, in response to the allegation, something which you later rely on in court. Anything you do say may be given in evidence.**



City of Westminster

Your written response must be signed and dated by you and forwarded to the address recorded at the foot of this letter, within 14 days of the above date, marked for my attention. Following receipt of your response, careful consideration will be given to all of the facts before a decision is made as to the most appropriate course of action for the City Council to take.

Lastly the Licensing Act 2003 requires licensing authorities to carry out all their functions with a view to promoting the licensing objectives, which are:

- (a) **The prevention of crime and disorder;**
- (b) Public Safety;
- (c) The prevention of public nuisance; and
- (d) The protection of children from harm.

Where one or more of the above licensing objectives are not being promoted the Licensing Authority may call for a 'Review' of your premises licence. In light of this crime related incident Reviews proceeding are now being considered.

Yours sincerely

Mr. Gareth Cleary
Licensing Inspector



City of Westminster

Mr Gareth Cleary
Licensing Inspector
Tel: 0207 641 7076
Fax: 020 7 641 3436
gcleary@westminster.gov.uk
Your Ref:-.....
My Ref: - 14/41646/ELSELF(2)

20th January 2015

Mr. Prashant Patel
C/O Norris News,
115 Lupus Street,
London,
SW1V 3EN

Dear Mr. Patel,

Re: Premises Licence – Norris News, 115 Lupus Street, SW1V 3EN

I write with reference to a visit by Customs and Excise to your premise on 13th November 2014, in a follow up letter to my original letter to Mr. Shusilkumar Bhavsar dated 8th December 2014.

I have noted from the internal record systems database at Westminster City Council that a transfer of either the premises licence holder or the Designated Premises Supervisor has not been applied for. Therefore you are currently the person responsible at the business for both the premises licence and specifically the sale and supply of alcohol.

As you may be aware during the visit a substantial amount of alcohol stored in your premise was identified as having no UK excise duty paid. As a result 886.56 litres of beer and 36 litres of wine were seized by Customs and Excise. The outstanding duty owed on the stock was estimated by them as amounting to £1224.55. As Mr. Bhavsar was present at the time, and stating that he is the owner of the business, he was subsequently issued with a warning letter and a booklet explaining his right to appeal against this seizure.

I am writing to inform you that it is an offence contrary to S.144 Licensing Act 2004 for any person to knowingly keep on licensed premises any goods without payment of duty or which have otherwise been unlawfully imported. For your reference the following is an extract from the Licensing Act 2003



Section 144

(1) A person to whom subsection (2) applies commits an offence if he knowingly keeps or allows to be kept, on any relevant premises, any goods which have been imported without payment of duty or which have otherwise been unlawfully imported.

(2) This subsection applies—

(a) to any person who works at the premises in a capacity, whether paid or unpaid, which gives him authority to prevent the keeping of the goods on the premises,

(b) in the case of licensed premises, to—

(i) the holder of a premises licence in respect of the premises, and

(ii) the designated premises supervisor (if any) under such a licence,

(c) in the case of premises in respect of which a club premises certificate has effect, to any member or officer of the club which holds the certificate who is present on the premises at any time when the goods are kept on the premises in a capacity which enables him to prevent them being so kept, and

(d) in the case of premises which may be used for a permitted temporary activity by virtue of Part 5, to the premises user in relation to the temporary event notice in question.

(3) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(4) The court by which a person is convicted of an offence under this section may order the goods in question, and any container for them, to be forfeited and either destroyed or dealt with in such other manner as the court may order.

This is a serious matter for which you may be prosecuted. However, before the matter is submitted to the City Council's Director of Legal Services for consideration as to whether prosecution action should be considered, I would like you to have an opportunity to provide a response at an interview under caution.



City of Westminster

If you are willing to attend an interview, I would ask that you telephone me on the number at the top of this page, within 14 days of the date of this letter, so that a mutually convenient appointment can be arranged. I would remind you that you are entitled to seek legal advice before the interview takes place and/or to have legal representation during the course of the interview.

As an alternative, you may prefer to let me have your response to these issues in writing. This is acceptable, so long as you understand that **you do not have to say anything in response to the allegation. But it may harm your defence if you do not mention now, in response to the allegation, something which you later rely on in court. Anything you do say may be given in evidence.**

Your written response must be signed and dated by you and forwarded to the address recorded at the foot of this letter, within 14 days of the above date, marked for my attention. Following receipt of your response, careful consideration will be given to all of the facts before a decision is made as to the most appropriate course of action for the City Council to take.

Lastly the Licensing Act 2003 requires licensing authorities to carry out all their functions with a view to promoting the licensing objectives, which are:

- (a) **The prevention of crime and disorder;**
- (b) Public Safety;
- (c) The prevention of public nuisance; and
- (d) The protection of children from harm.

Where one or more of the above licensing objectives are not being promoted the Licensing Authority may call for a 'Review' of your premises licence. In light of this crime related incident Reviews proceeding are now being considered.

Yours sincerely

Mr. Gareth Cleary
Licensing Inspector



City of Westminster

Mr Gareth Cleary
Licensing Inspector
Tel: 0207 641 7076
Fax: 020 7 641 3436
gcleary@westminster.gov.uk
Your Ref: -.....
My Ref: - 14/41646/ELSELF(3)

20th January 2015

Mr. Prashant Patel
C/O Norris News,
264 Stanford Hill
London
N16 6TU

Dear Mr. Patel,

Re: Premises Licence – Norris News, 115 Lupus Street, SW1V 3EN

I write with reference to a visit by Customs and Excise to your premise on 13th November 2014, in a follow up letter to my original letter to Mr. Shusilkumar Bhavsar dated 8th December 2014.

I have noted from the internal record systems database at Westminster City Council that a transfer of either the premises licence holder or the Designated Premises Supervisor has not been applied for. Therefore you are currently the person responsible at the business for both the premises licence and specifically the sale and supply of alcohol.

As you may be aware during the visit a substantial amount of alcohol stored in your premise was identified as having no UK excise duty paid. As a result 886.56 litres of beer and 36 litres of wine were seized by Customs and Excise. The outstanding duty owed on the stock was estimated by them as amounting to £1224.55. As Mr. Bhavsar was present at the time, and stating that he is the owner of the business, he was subsequently issued with a warning letter and a booklet explaining his right to appeal against this seizure.

I am writing to inform you that it is an offence contrary to S.144 Licensing Act 2004 for any person to knowingly keep on licensed premises any goods without payment of duty or which have otherwise been unlawfully imported. For your reference the following is an extract from the Licensing Act 2003



Section 144

(1) A person to whom subsection (2) applies commits an offence if he knowingly keeps or allows to be kept, on any relevant premises, any goods which have been imported without payment of duty or which have otherwise been unlawfully imported.

(2) This subsection applies—

(a) to any person who works at the premises in a capacity, whether paid or unpaid, which gives him authority to prevent the keeping of the goods on the premises,

(b) in the case of licensed premises, to—

(i) the holder of a premises licence in respect of the premises, and

(ii) the designated premises supervisor (if any) under such a licence,

(c) in the case of premises in respect of which a club premises certificate has effect, to any member or officer of the club which holds the certificate who is present on the premises at any time when the goods are kept on the premises in a capacity which enables him to prevent them being so kept, and

(d) in the case of premises which may be used for a permitted temporary activity by virtue of Part 5, to the premises user in relation to the temporary event notice in question.

(3) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(4) The court by which a person is convicted of an offence under this section may order the goods in question, and any container for them, to be forfeited and either destroyed or dealt with in such other manner as the court may order.

This is a serious matter for which you may be prosecuted. However, before the matter is submitted to the City Council's Director of Legal Services for consideration as to whether prosecution action should be considered, I would like you to have an opportunity to provide a response at an interview under caution.



City of Westminster

If you are willing to attend an interview, I would ask that you telephone me on the number at the top of this page, within 14 days of the date of this letter, so that a mutually convenient appointment can be arranged. I would remind you that you are entitled to seek legal advice before the interview takes place and/or to have legal representation during the course of the interview.

As an alternative, you may prefer to let me have your response to these issues in writing. This is acceptable, so long as you understand that **you do not have to say anything in response to the allegation. But it may harm your defence if you do not mention now, in response to the allegation, something which you later rely on in court. Anything you do say may be given in evidence.**

Your written response must be signed and dated by you and forwarded to the address recorded at the foot of this letter, within 14 days of the above date, marked for my attention. Following receipt of your response, careful consideration will be given to all of the facts before a decision is made as to the most appropriate course of action for the City Council to take.

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- (a) **The prevention of crime and disorder;**
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- (c) The prevention of public nuisance; and
- (d) The protection of children from harm.

Where one or more of the above licensing objectives are not being promoted the Licensing Authority may call for a 'Review' of your premises licence. In light of this crime related incident Reviews proceeding are now being considered.

Yours sincerely

Mr. Gareth Cleary
Licensing Inspector

Cleary, Gareth

From: Cleary, Gareth
Sent: 05 February 2015 13:26
To: 'Shusil bhavsar'
Subject: RE: 14/41646/ELSELF

Dear Mr Bhavsar,

Thank you for your reply to my previous letter regarding the alcohol seized by Customs and Excise at your premise namely Norris News, 115 Lupus Street, London SW1V 3EN. If you are content to submit this as your written response as an alternative to attending an interview, I am in turn content to accept this as your written response and I will submit your written response as part of the review papers for the premise in question.

As the current Designated Premises Supervisor and Licence Holder, Mr Prashant Patel, has failed to respond formally in writing to my letter regarding the seizure of the alcohol, I will be submitting the Review papers as of tomorrow with the view of reviewing and potentially revoking the premises licence in light of the findings by Customs and Excise.

Once again, thank you for your assistance in this matter,

Yours sincerely

Mr Gareth Cleary
0207 641 7076

From: Shusil bhavsar [<mailto:norrisnewsuk@outlook.com>]
Sent: 05 February 2015 12:07
To: Cleary, Gareth
Subject: Ref: 14/41646/ELSELF

Dear Mr Cleary

With regards to the letter we received from Westminster Council I would like to inform you sir, that it is very difficult for me to come in person to present myself due to the fact of the opening hours of the business so if its possible I can send something in writing rather than come in person to present my version of the clarification.

I am new to this business and this is first of its kind of experience I have faced and I am still in learning process and we try and do our best to comply any regulation so given a benefit of doubt for this first incident please I would request you and the panel to consider as giving me this first and final warning and in return from me I would assure you that we will follow the rules and comply the regulation set up by the council in future.

I am in process of applying the personal licence for myself and I would like you to consider on the above ground and in return I will agree all the rules and regulation in future.

I know the mistake has been made but this is happen while the business was in process of transferring on my name.

I would request you and the panel of councilor before considering the decision kindly please consider this is first and final mistake from our end and this would not happen in future.

Looking forward to your favourable reply

Yours Sincerely

Shusil Bhavsar
NORRIS NEWS AGENT

This message (including any attachments) is confidential and may be privileged. If you have received it by mistake please notify the sender by return e-mail and delete this message from your system. Any unauthorised use or dissemination of this message in whole or in part is strictly prohibited. Please note that e-mails are susceptible to change. **Norris News** shall not be liable for the improper or incomplete transmission of the information contained in this communication nor for any delay in its receipt or damage to your system. **Norris News** does not guarantee that the integrity of this communication has been maintained nor that this communication is free of viruses, interceptions or interference.

From: norrisnewsuk@outlook.com
Subject: Fwd: Ref: 14/41646/ELSELF
Date: Wed, 7 Jan 2015 21:52:25 +0000
To: gcleary@westminster.gov.uk

Dear Mr Cleary

I have been trying contacting you regarding the meeting and left few messages on your answer phone, kindly please advice me for the below.

Many thanks

Shusil Bhavsar
Sent from my iPhone

Begin forwarded message:

From: Shusil bhavsar <norrisnewsuk@outlook.com>
Date: 2 January 2015 16:14:55 GMT
To: "gcleary@westminster.gov.uk" <gcleary@westminster.gov.uk>
Subject: Ref: 14/41646/ELSELF

Dear Mr Cleary

I am accepting the liability with reference to the above and I would like to come in for the interview in regards to off licence.

Kindly please let me know the interview date as I am represnting only myself.

Kind Regards

Shusilkumar Bhavsar

Norris News
115 Lupus Street
London
SW1V 3EN
Phone: 0207 834 5120

Mobile: 07900 693905

This message (including any attachments) is confidential and may be privileged. If you have received it by mistake please notify the sender by return e-mail and delete this message from your system. Any unauthorised use or dissemination of this message in whole or in part is strictly prohibited. Please note that e-mails are susceptible to change. **Norris News** shall not be liable for the improper or incomplete transmission of the information contained in this communication nor for any delay in its receipt or damage to your system. **Norris News** does not guarantee that the integrity of this communication has been maintained nor that this communication is free of viruses, interceptions or interference.

Appendix 3 – Statements

WITNESS STATEMENT OF NICHOLAS PARKER

Visit to Norris Newsagent, 115 Lupus Street, 13th November 2014.

I, Nicholas Parker, Officer of Her Majesty's Revenue & Customs, (HMRC) based at Custom House, 20 Lower Thames Street, London EC3R 6EE WILL SAY as follows:

1. On 13th November 2014, accompanied by Officer Stapleton of HMRC, I attended Norris Newsagent at 115 Lupus Street, London SW1V 3EN under the authority of section 112 of the Customs & Excise Management Act. I entered the premises at 16:10 hours.
2. The owner of a shop, Mr Shusilkumar Bhavsar, who was present throughout the visit was asked to provide purchase records in respect of the canned beers and wine in the shop to demonstrate that the UK duty had been paid. Mr Bhavsar admitted that some of the wine and most of the canned beers on the premises had been purchased without an invoice. This admission led me to believe, on the balance of probabilities that UK duty had not been paid on the alcohol in question.
3. As a result of this admission I made the decision to seize the alcohol detailed below, pursuant to section 139 of the Customs & Excise Management Act 1979 as it was liable to forfeiture on the basis that, on the balance of probabilities, the UK excise duty had not been paid.
4. In total the following quantities were seized:

866.56 litres of beer
36 litres of wine
5. The duty figures of the seized stock amounted to £1224.55, including VAT.

6. Mr Bhavsar was issued with a seizure information notice, a warning letter and a booklet explaining his right to appeal the seizure at 16:55 hours. To date, I am not aware of any appeal against the seizure.

Statement of Truth

I believe that the facts contained in this witness statement are true.

Signed:



NICHOLAS PARKER

Dated 16th February 2015

Appendix 4 – History of visits, observations and complaints

<u>Date</u>	<u>Details</u>	<u>Outcome</u>
11.10.12	Visit by Licensing Inspector (Ref: 12/39900/ELREAC)	Meeting held between Licensing Inspectors and Mrs Patel (elderly mother of owner) Concerns raised with regards to CCTV, Blinds, Licence part B not displayed, Alcohol kept in shop over 5.5% namely Desperados 5.9% Zywiec 5.6%.
03.11.12	Test Purchase by Trading Standards (Ref: 12/39900/ELREAC)	Underage alcohol sales to Police cadet test purchases on 3 rd November 2012. Trading Standards Department subsequently raise concerns re underage cigarette signage/sales. Previous non-compliance noted with licence conditions, CCTV etc. Meeting held with owner, Mr Patel, to discuss the results of the test purchases and overall concerns about staff awareness and training on age restricted products.
07.12.12	Warning Letter sent to Licence Holders (Ref: 12/39900/ELREAC)	Warning letter sent to Mr Patel
13.11.14	Visit made by Customs & Excise (14/41646/ELSELF)	See Review Report
08.12.14	Letters sent to Mr Bhavsar (14/41646/ELSELF)	See Review Report
20.01.15	Letters sent to Licence Holder and Designated Premises Supervisor (14/41646/ELSELF)	See Review Report

Appendix 5 – Historical letters



City of Westminster

Mrs Sandra Robbie
Senior Licensing Inspector
Tel direct: 0207 641 1847
Tel general: 0207 641 3385
srobbie@westminster.gov.uk

Your Ref:-.....
My Ref: - 11/10856/LIPN

Mr P. Patel
264 Stanford Hill
London
N16 6TU

16th November 2012

Dear Mr Patel,

Norris's News, 115 Lupus Street, London, SW1V 3EN

We are writing to you as the Premises Licence holder and Designated Premises Supervisor.

Following the recent breaches in regards to underage alcohol sales, previous concerns about underage cigarette signage and non compliance with your premises licence conditions in your shop at 115 Lupus Street, we would request that you contact us to make an appointment to come in for a meeting regarding all of the above no later than 30 November 2012.

Yours sincerely

Mrs Sandra Robbie
Senior Licensing Inspector
Premises Management

c.c. Mr P. Patel, Norris's News, 115 Lupus St, SW1
B. Eaton, Westminster Warden, Lupus St.
F. King, Westminster Trading Standards



City of Westminster

Mrs Sandra Robbie
Senior Licensing Inspector
Tel direct: 0207 641 1847
Tel general: 0207 641 3385
srobbie@westminster.gov.uk

Your Ref:.....
My Ref: - 11/10856/LIPN

Mr P. Patel
264 Stanford Hill
London
N16 6TU

7th December 2012

Dear Mr Patel,

Norris's News, 115 Lupus Street, London, SW1V 3EN

We are writing to you as the Premises Licence holder and Designated Premises Supervisor.

Thank you for attending the meeting here at City Hall today with Sandra Robbie and Brian Eaton.

The reason for this meeting is as followings;

Sales of alcohol to two fifteen year old Police Cadets on Saturday 3rd November 2012 at 14.40 hours.

Concerns about staff awareness and training on age restricted products.

Non compliance with your premises licence conditions i.e. CCTV.

Please note following this meeting if any of the above are brought to the attention of Westminster Council or the Police we will take enforcement action.

Yours sincerely

Mrs Sandra Robbie
Senior Licensing Inspector
Premises Management

c.c. Mr P. Patel, Norris's News, 115 Lupus St, SW1
B. Eaton, Westminster Warden, Lupus St.
F. King, Westminster Trading Standards

**METROPOLITAN POLICE SERVICE
PENALTY NOTICE
PENALTY AMOUNT £80**

PART 4 CTO COPY PN No. 01/ A74820079

TITLE MRS SURNAME PATEL

FORENAMES

KALPNA

DATE OF BIRTH (ddmm/yyyy) 14011957 ADDRESS 264 STAMF

ORD HILL

POST CODE N16 6TU

OFFENCE TIME 1430 HRS. OFFENCE DATE 03112012

AT (LOCATION) NORRIS NEWSAGENTS

LUPUS STREET SW1

OFFENCE CODE RA16

YOU (offence particulars) SOLD ALCOHOL TO

UNDER 18 YEAR OLD

CONTRARY TO (Act containing offence) SLES LICENSING ACT 2003

PLACE OF ISSUE: Street Custody

I acknowledge receipt of this Penalty Notice

Signature [Signature]

ISSUED BY: Surname CHAMBERLAIN Signature CHAMBERLAIN

Warrant/Pay No. 225246 Division CW

Rank PC DATE OF ISSUE 03112012

MUST BE COMPLETED

ADDITIONAL DETAILS OF RECIPIENT

Gender: M F IC Code 4 SD Code 04

Occupation MANAGER

CRIS No.

Local Authority Code

A/S No.

Custody (Pic) No.



**METROPOLITAN POLICE SERVICE
PENALTY NOTICE
PENALTY AMOUNT £80**

PART 6B Continued PN No. 01/ A74820079

STATEMENT OF WITNESS

(C.J. Act 1967, S. 9; M.C. Act 1980, ss.5A(3)(a) & 5B; M.C. Rules 1981, r. 70)

NOTES CONTINUED

At 1430 hours on Saturday 3rd November 2012 I was on duty in full uniform with PC BARDOCK and PC UZUN. I was in company with two female police cadets both aged 15 years. At this time we were engaged on Operation Autumn night. We visited a number of off licenced premises as part of a test purchase exercise. At this time we entered ~~REDACTED~~ NORRIS NEWSAGENTS' LUPUS STREET, SW1. Once there I saw a female I know as KALPNA PATEL, 14.01.1957 of 264 STAMFORD HILL, N16 6TU. She was the manager when 2x alcohol had been sold to two female cadets. This was witnessed by PC UZUN. I cautioned her to which she made no reply. I then issued an PPN which she signed. The alcohol was booked into the property store at Charing Cross Police station. I then resumed my duties. [Signature] PC 40022

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of Ceyhun Uzun URN:

--	--	--	--

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: POLICE OFFICER

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: Date:03/11/2012.....

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

On SATURDAY 3RD OCTOBER 2012 I was on duty engaged on a test purchase operation targeting off licences on Westminster Borough for under age sales of alcohol. I was in plain clothes with SPECIAL PC Michael Kokonis. I was working with PS Peter Chamberlain and PC Neil Baldock who were both in full uniforms. At 11:00 hrs we were briefed by PS Chamberlain also present two Female volunteer police cadets who were both under age of 18 years known as Cadets 4 and 5 respectively regarding their deployment and the method to be adopted. They were in casual plain clothes. Following this briefing digital photographs of each of the cadets and a photocopy of their birth certificates were taken. These are produced as exhibits in a separate statement. At about 14:30 hrs we drove to LUPUS STREET SW1 in a marked police vehicle. We parked at the next junction intending to conduct a test purchase at NORRIS convenience store LUPUS STREET SW1. Cadet 4 and 5 were verbally briefed and handed a £10 note each. I then walked a short distance and entered NORRIS convenience store at LUPUS STREET SW1. I went to the front of the shop. Approximately 1 minute later I saw Cadet 4 & 5 enter store. I was looking at Birthday cards on display. I had cadet 4 & 5 in full view at all times. I saw them select two bottles of WKD VODKA alcohol drinks in purple bottle 275ml from a chiller cabinet. After a short time they then went to the counter to pay. I stood to the side of birthday card display watching cadets. There were few other customers in the store at that time. At no time did I speak with the Cadets or give the impression I was with them. The Cadets placed the two bottles of WKD VODKA drink on the counter. They were then served by an Asian male aged about 20 years wearing a grey hooded top and blue denim trousers, who I now know to be Mr Ankit PATEL. Mr PATEL looked at the Cadets and had not said anything. He rang the item into the cash till and placed the bottles of WKD drinks into a black carrier bag and handed it to Cadet 5 "How much is that?" Cadet 5 said "£2.58 Two pounds Fifty Eight pence". Cadet 5 handed over the £10 note. PATEL gave her change. At no point whilst the Cadets were in the shop or during the transaction did PATEL ask them their age or ask for ID. Cadet 5 took the bottle and left the shop with Cadet 4. I did not purchase anything from the shop after them. I followed both back to the Van with Special PC Kokonis and informed Sergeant Chamberlain and we discussed

Signature: Signature witnessed by:

Continuation of Statement of

what had taken place. Cadet 5 handed me two bottle of WKD - I then placed this into Evidence bag and sealed it referencē D43474115 as Exhibit CU/1. Myself PS Chamberlain and Pc Baldock then returned to the shop. On entering I saw PATEL stood behind the counter with a lady shop owner who I now know to be Mrs Kalpna PATEL. I identified myself by showing my warrant card and introduced myself. I then said "A few minutes ago a young girls came in and bought two bottles of WKD alcohol. These girls are police cadets and work for me their photographs shown by PS Chamberlain, You served them and I was stood behind witnessing whilst you did this. They are both under age of eighteen. At no point did you ask them their age or ask for ID. It is an offence to sell alcohol to anyone under the age of 18". PATEL appeared very nervous and said "I thought they were older". I reiterated what I had witnessed. We then made enquiries as to his position in the store. He had stated that he was family member helping out Mrs KALPNA PATEL the owner. Sergeant Chamberlain verified KALPNA Patel's details who took full responsibility of the transaction and had apologised for this matter explaining it would not happen again and issued her with a PND fixed penalty notice for the offence of supplying alcohol to persons under 18. The PND was fully explained. I informed PATEL that the Licensing Officer and Trading Standards would be informed of the incident.

Myself PC Baldock and PS Chamberlain left the store.

Signature: Signature witnessed by:

RESTRICTED – FOR POLICE AND PROSECUTION ONLY
(when completed)

Home address:

Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Height: Ethnicity Code:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6. What can be done to ensure attendance?
- b) Does the witness require 'special measures' as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- c) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- c) I consent to police having access to my medical records in relation to this matter: Yes No N/A
- d) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- e) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings (if applicable) Yes No N/A
- f) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness:

Statement taken by (print name):

Station:

Time and place statement taken:

Signature of witness:



Schedule 12
Part A

WARD: Churchill
UPRN: 100023342304

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

13/05276/LIPVM

Original Reference:

11/10856/LIPN

Part 1 – Premises details

Postal address of premises:

Norris News
115 Lupus Street
London
SW1V 3EN

Telephone Number: 0207 834 5120

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Sale by Retail of Alcohol

Monday to Saturday: 08:00 to 23:00

Sunday: 10:00 to 22:30

The opening hours of the premises:

Monday to Saturday: 06:00 to 23:00

Sunday: 06:00 to 22:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption off the Premises.

Part 2

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

Prashant Patel

The address of the licence holder has not been displayed, please ask the Licensing Authority if required.

Mobile Phone Number : 07707 365904

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 the supply of alcohol:

Name: Prashant Patel

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

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

Licence Number: LBH-PER-T-0151

Licensing Authority: London Borough Of Haringey

Date: 30 July 2013

This licence has been authorised by Mr Ola Owojori on behalf of the Operational Director - Premises Management.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The premises licence holder 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.

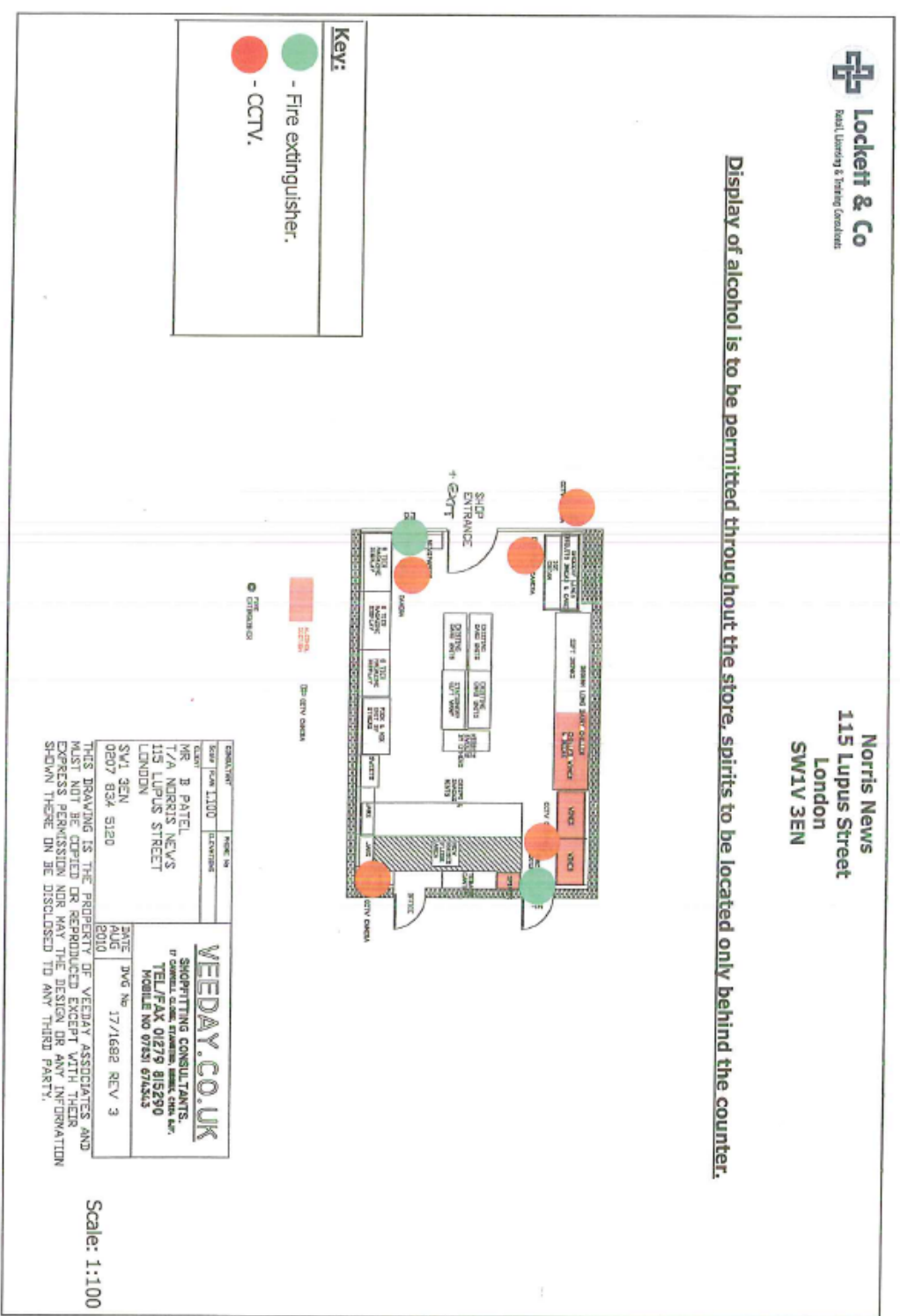
Annex 2 – Conditions consistent with the operating Schedule

5. The spirits which are displayed in the cigarette gantry will be removed from display outside of the hours for the sale of alcohol and will be securely stored on the premises.
6. A Personal Licence holder will be at the premises at all times when it is open for business.
7. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by both staff and customers. It will be the responsibility of the Designated Premises Supervisor or a Personal Licence holder employed by the site to ensure that the grills, locked screens or locked cabinet doors are secured outside of the sale of alcohol hours.

Annex 3 – Conditions attached after a hearing by the licensing authority

8. The premises shall install and maintain a CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available with the absolute minimum of delay upon the request of Police or authorised officer throughout the preceding 31 day period.
9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested
10. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises
11. No more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol
12. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale
13. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport and PASS accredited Proof of Age cards
14. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open
15. Staff training will be given to ensure that in the case of any doubt whether a purchaser is over the age of 18 to refuse the sale of alcohol unless valid ID is produced
16. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
17. There shall be no self service of spirits on the premises except for spirit mixers below 5.5% Alcohol by Volume.
18. A notice shall be prominently displayed at the exit requesting patrons to respect the needs of local residents and leave the area quietly.

Annex 4 – Plans



CITY OF WESTMINSTER

MEMORANDUM

TO
REFERENCE

Taruna Adnath
15/01135/LIREVP

FROM
EH Reference
BEING DEALT WITH BY
TELEPHONE
DATE

EH Consultation Team
14/030518/EHCT
Rebecca St. Rose
020 7641 2291
10th March 2015

The Licensing Act 2003

Norris News, 115 Lupus Street, London, SW1V 3EN

I refer to the application for review of the Premises Licence.

Environmental Health, as a responsible authority, **supports** this review under Crime and disorder and the protection of children from harm, Licensing Objectives.

Should you wish to discuss the matter further please do not hesitate to contact me.

Rebecca St. rose
Environmental Health Officer
Environmental Health Consultation Team

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
New Premises Licence 11/10856/LIPN	Application for a New Premises Licence to permit the Sale of Alcohol off the premises	17.01.2012	Granted by Licensing Sub-Committee
Minor Variation Application 13/05276/LIPVM	<p>Application to add conditions to the licence:</p> <ol style="list-style-type: none"> <li data-bbox="427 573 959 725">5. The spirits which are displayed in the cigarette gantry will be removed from display outside of the hours for the sale of alcohol and will be securely stored on the premises. <li data-bbox="427 757 959 846">6. A Personal Licence holder will be at the premises at all times when it is open for business. <li data-bbox="427 878 959 1308">7. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by both staff and customers. It will be the responsibility of the Designated Premises Supervisor or a Personal Licence holder employed by the site to ensure that the grills, locked screens or locked cabinet doors are secured outside of the sale of alcohol hours. 	30.07.2013	Granted under delegated authority

There is no appeal history for this premises.

There have been no TENs at this premises.

Current conditions on the existing licence: 13/05276/LIPVM

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The premises licence holder 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.

Annex 2 – Conditions consistent with the operating Schedule

5. The spirits which are displayed in the cigarette gantry will be removed from display outside of the hours for the sale of alcohol and will be securely stored on the premises.
6. A Personal Licence holder will be at the premises at all times when it is open for business.
7. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by both staff and customers. It will be the responsibility of the Designated Premises Supervisor or a Personal Licence holder employed by the site to ensure that the grills, locked screens or locked cabinet doors are secured outside of the sale of alcohol hours.

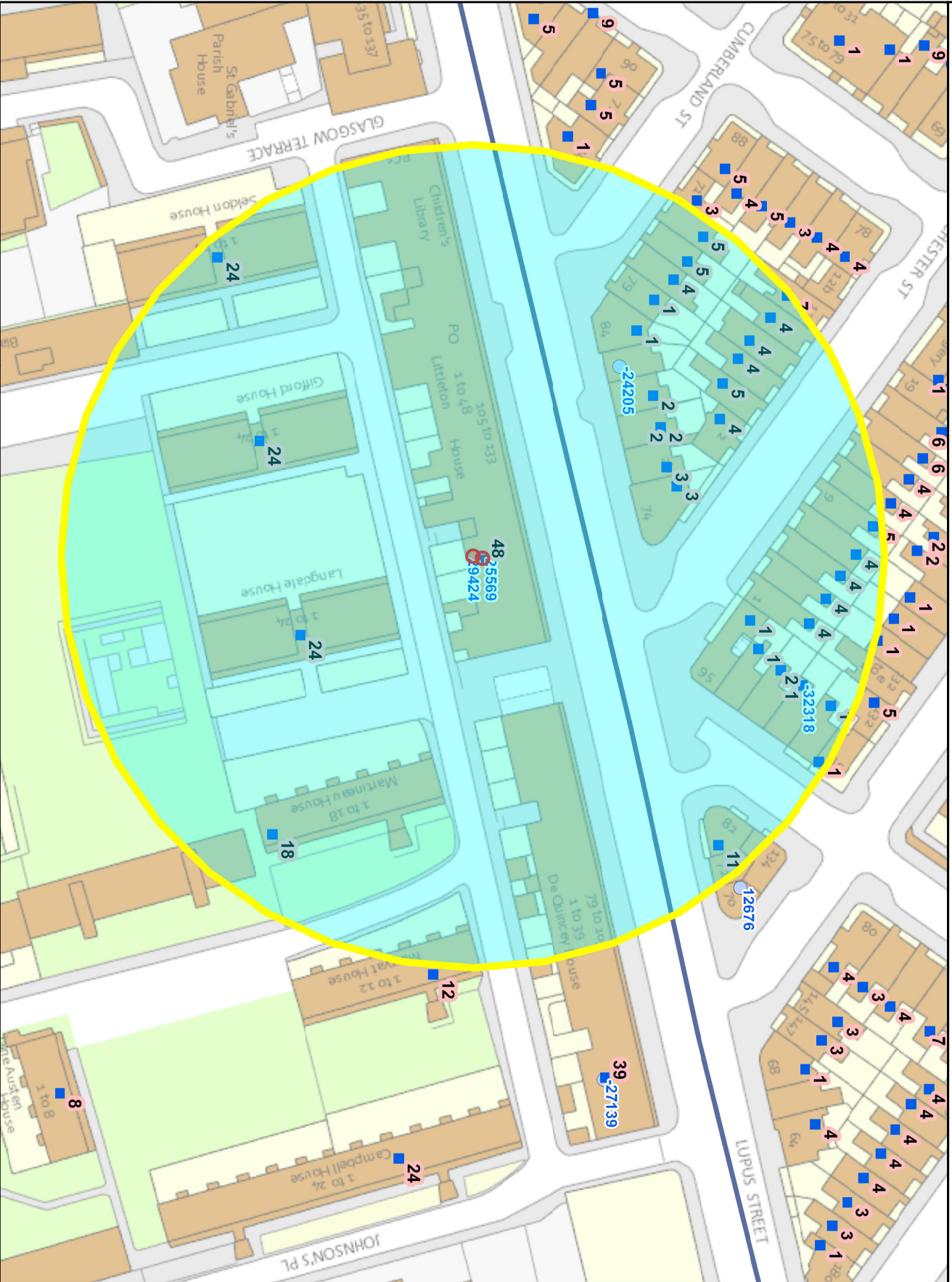
Annex 3 – Conditions attached after a hearing by the licensing authority

8. The premises shall install and maintain a CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available with the absolute minimum of delay upon the request of Police or authorised officer throughout the preceding 31 day period.
9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested
10. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises

11. No more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol
12. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale
13. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport and PASS accredited Proof of Age cards
14. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open
15. Staff training will be given to ensure that in the case of any doubt whether a purchaser is over the age of 18 to refuse the sale of alcohol unless valid ID is produced
16. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
17. There shall be no self service of spirits on the premises except for spirit mixers below 5.5% Alcohol by Volume.
18. A notice shall be prominently displayed at the exit requesting patrons to respect the needs of local residents and leave the area quietly.



Norris News, 115 Lupus Street



ANNEX E

Residential / Proposed Residential	233
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

Data Source: Uniform Database
 Date: 28/04/2015

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