



# AGENDA

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## LICENSING COMMITTEE

**Date: MONDAY, 17 DECEMBER 2018 at 7.15 pm**

**Committee Room 3  
Civic Suite  
Catford Road  
London SE6 4RU**

**Enquiries to: Clare Weaser  
Telephone: 0208 314 7369 (direct line)  
Email: [clare.weaser@lewisham.gov.uk](mailto:clare.weaser@lewisham.gov.uk)**

### **MEMBERS**

This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

### **Councillors:**

Councillor Eva Stamirowski (Chair)  
Councillor Colin Elliott (Vice-Chair)  
Councillor Patrick Codd  
Councillor Alex Feis-Bryce  
Councillor Alan Hall  
Councillor Sue Hordijkenko  
Councillor Coral Howard  
Councillor Caroline Kalu  
Councillor Joan Millbank  
Councillor Susan Wise

**Members are summoned to attend this meeting**

**Janet Senior  
Acting Chief Executive  
Laurence House  
Catford  
London SE6 4RU  
Date: 6 December 2018**



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

## ORDER OF BUSINESS – PART 1 AGENDA

Item No		Page No.s
1.	Minutes	1
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3.	Payless 496-500 New Cross Road SE14 6TJ	6 - 49



INVESTOR IN PEOPLE

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# Agenda Item 1

LICENSING COMMITTEE			
<b>Report Title</b>	Minutes		
<b>Key Decision</b>			Item No. 1
<b>Ward</b>			
<b>Contributors</b>	Chief Executive		
<b>Class</b>	Part 1	Date: 17 December 2018	

## Recommendation

That the Minutes of the meetings of the Licensing Committee, held on 6 and 15 November 2018 be confirmed and signed.

# Agenda Item 2

LICENSING COMMITTEE		
Report Title	Declarations of Interest	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 17 December 2018

Members are asked to declare any personal interest they have in any item on the agenda.

## 1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

## 2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person\* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person\* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person\* is a

partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.

- (g) Beneficial interest in securities of a body where:-
- (a) that body to the member's knowledge has a place of business or land in the borough; and
  - (b) either
    - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
    - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person\* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

\*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

### **(3) Other registerable interests**

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

### **(4) Non registerable interests**

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

### **(5) Declaration and Impact of interest on members' participation**

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any

event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**

- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

## **(6) Sensitive information**

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

## **(7) Exempt categories**

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

# Agenda Item 3

LICENSING COMMITTEE		
<b>Report Title</b>	Payless 496-500 New Cross Road Licence No. New App	
<b>Key Decision</b>	No	Item No. 4
<b>Ward</b>	New Cross	
<b>Contributors</b>	Community Services – Licensing Authority Head of Law	
<b>Class</b>	Part 1	Date: 17 December 2018

**Proposal:**            **New application for a Premises Licence**

**Legislation:**        **Licensing Act 2003**

**Premises:**            **Payless 496-500 New Cross Road SE14**

**Applicants:**         **Shokat Ali**

## **This is an application for a new premises licence**

### **1. Current Licence Status**

The premises are currently licensed under licence number PL 0253. They are currently licensed for sale by retail of alcohol OFF the premises at the following times:

06:00 – 00:00 Sunday  
06:00 – 00:00 Monday  
06:00 – 00:00 Tuesday  
06:00 – 00:00 Wednesday  
06:00 – 00:00 Thursday  
06:00 – 01:00 Friday  
06:00 – 01:00 Saturday

- 1.2 The application for a new premises licence was sent to all the Responsible Authorities. There were 2 representations from the Metropolitan Police and the Crime Enforcement and Regulation Service. There were no representations received from residents within relative close proximity to the premises.
- 1.3. The representations received from interested parties, have been examined by officers and are considered not to be vexatious or frivolous. These representation was all received within the specified time.
- 1.4 The application for the new premises licence has been advertised in Accordance with regulation 39, displayed prominently a notice at the premises, and at The Councils

main offices for a period of 28 consecutive days. The last date for receiving representations was the 20<sup>th</sup> November 2018.

## **2. Outline of objections received**

The representations received are on the grounds of Prevention of Crime & Disorder.

## **3. Legal & Human Rights Implications**

- 3.1 The Licensing authority is a public authority under the Human Rights Act 1998. Therefore the licensing authority is required to act compatibly with the convention rights in the exercise of their functions. Article 6 (1) of the Convention provides that everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial hearing established by law.
- 3.2 A Premises Licence is a possession for the purpose of the Human Rights Act 1998. The right to hold a licence is a qualified rather than an absolute right. Therefore the right to hold a licence may be interfered with if it affects the interests of local residents or others. Such interference may be justified if it is necessary and proportionate to promote the licensing objectives.

## **4. Application for the New Premises Licence**

- 4.1 After having regard to all representations, Members must take such steps as they consider necessary for the promotion of the licensing objectives. The licensing committee may:
- 1.) Grant the new premises licence, or
  - 2.) Refuse the new premises licence

An appeal may be made against the decision to the Magistrates Court within 21 days.

### Background Papers

<u>Short Title of Document</u>	<u>Date</u>
Application	24/10/18
Evidence / documents	as served

Should you require any further information on this report please contact Lisa Spall at Licensing Services on 020 8314 8390.



\* required information

## Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

SHOKAT

\* Family name

ALI

\* E-mail

Main telephone number

Include country code.

Other telephone number

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

### Address

* Building number or name	<input type="text" value="113A"/>
* Street	<input type="text" value="NEW CROSS ROAD"/>
District	<input type="text"/>
* City or town	<input type="text" value="LONDON"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="SE14 5DJ"/>
* Country	<input type="text" value="United Kingdom"/>

### Agent Details

* First name	<input type="text" value="ROBERT"/>
* Family name	<input type="text" value="JORDAN"/>
* E-mail	<input type="text" value="robertjordan01@btinternet.com"/>
Main telephone number	<input type="text" value="01279 850753"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader  
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

### Agent Business

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number	<input type="text" value="5449933"/>
Business name	<input type="text" value="PR RETAIL CONSULTANTS"/>
VAT number	<input type="text" value="-"/> <input type="text" value="NONE"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="DIRECTOR"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Registered Address**

Address registered with Companies House.

Building number or name	PUMP HOUSE
Street	OLD MEAD ROAD
District	HENHAM
City or town	BISHOP'S STORTFORD
County or administrative area	HERTS
Postcode	CM22 6JG
Country	United Kingdom

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	PAYLESS, 496-500
Street	NEW CROSS ROAD
District	
City or town	LONDON
County or administrative area	
Postcode	SE14 6TJ
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	40,000

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21**

**INDIVIDUAL APPLICANT DETAILS**

**Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

Building number or name	<input type="text" value="113A"/>
Street	<input type="text" value="NEW CROSS ROAD"/>
District	<input type="text"/>
City or town	<input type="text" value="LONDON"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="SE14 5DJ"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="19"/> / <input type="text" value="12"/> / <input type="text" value="1960"/> dd mm yyyy
* Nationality	<input type="text" value="BRITISH"/> <a href="#">Documents that demonstrate entitlement to work in the UK</a>

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

Continued from previous page...

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes  No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /   
dd      mm      yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>

WEDNESDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>

THURSDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>

FRIDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>

SATURDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>

SUNDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

THE PREMISES ALREADY HAVE A PREMISES LICENCE  
THIS NEW LICENCE WOULD ALLOW ADDITIONAL HOURS OF TRADING  
WE DO NOT THINK THE PREMISES WILL AD TO ANY CUMULATIVE IMPACT AS HAS BEEN TRADING PREVIOUSLY

Staff training shall be recorded and updated every 6 months Training shall cover the requirements for ID as part of age verification, how to detect proxy sales, the consequences of underage sales (fines and punishment) , drunks , and other relevant matters as regards the licensing act, and the responsibilities of staff

The licence holder shall ensure that a refusals register is kept on the premises and that this shall be immediately available upon request of an authorised officer. The register shall record any refused sale of alcohol.. The refusal register shall be inspected on a regular basis by the DPS and signed by the DPS that they have checked the register

At least 12 months of refusal register details shall be retained and made available upon request by an authorised officer

The premises licence holder shall ensure that a 'challenge 25' policy is adopted on the premises at all times. Signage of the 'challenge 25' policy shall be prominently displayed on the premises.

Acceptable identification accepted shall be a passport, photo driving licence or PASS accredited identity card

Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly

Signage shall be prominently displayed warning customers of the legal penalties for purchasing alcohol for any person under the age of 18 years

b) The prevention of crime and disorder

There must be a suitable colour digital CCTV RECORDING system installed at the premises The system must be capable of providing 31 days recording. The images recorded are to be retained for 31 days and made available to the Police or other enforcement agencies upon reasonable request. AND IN LINE WITH DATA PROTECTION LEGISLATION DVD/USB copies of relevant footage to be provided to the Police or other enforcement agencies at no cost.

The CCTV system shall be checked REGULARLY to ensure it is working in line with the requirements of the license. Any failure to be rectified within a two week period

c) Public safety

Adhere to legislation and covered in a) above

d) The prevention of public nuisance

Staff training shall be recorded and updated every 6 months Training shall cover the requirements for ID as part of age verification, how to detect proxy sales, the consequences of underage sales (fines and punishment) , drunks and street drinkers, licensing objectives and other relevant matters as regards the licensing act, and the responsibilities of staff  
LITTER PATROLS ON A REGULAR BASIS

e) The protection of children from harm

The premises licence holder shall ensure that a 'challenge 25' policy is adopted on the premises at all times. Signage of the 'challenge 25' policy shall be prominently displayed on the premises.

Acceptable identification accepted by the premises licence holder, DPS, or other staff members shall be a passport, photo driving licence or PASS accredited identity card

Staff training in i.d procedure will be carried out on a regular basis.

The licence holder shall ensure that a refusals register is kept on the premises and that this shall be immediately available upon request of an authorised officer. The register shall record any refused sale of alcohol.. The refusal register shall be

*Continued from previous page...*

inspected on a regular basis by the DPS and signed by the DPS that they have checked the register  
At least 12 months of refusal register details shall be retained and made available upon request by an authorised officer

## Section 19 of 21

### NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

#### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

#### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

*Continued from previous page...*

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

## Section 20 of 21

### NOTES ON REGULATED ENTERTAINMENT

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 21 of 21

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Please click on link for fees <http://www.lewisham.gov.uk/Business/LicencesAndStreetTrading/AlcoholAndEntertainmentLicences/FeesList.htm>

\* Fee amount (£)

315.00

### DECLARATION

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT. IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

R JORDAN PR RETAIL CONSULTANTS

\* Capacity

AGENTS

\* Date

23 / 10 / 2018  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/lewisham/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

Licensing Department  
Crime, Enforcement & Regulation  
Service (Licensing)  
9 Holbeach Road  
Catford  
London  
SE6 4TW

**Lewisham Police Licensing**  
9 Holbeach Road  
Catford  
London  
SE6 4TW  
Telephone: 0208 314 7445  
Mobile: 07795 801039  
Email: Nicholas.gerry@met.pnn.police.uk

Our ref: Payless PL0253  
19/11/2018

Dear licensing

Please accept representations from the Metropolitan Police against the New Application for **PL0253 Payless, 496-500 New Cross Road, London SE146TJ.**

Mr Shokat ALI who is the current Premises license holder for the above premises has applied for a new premises license to extend his current hours for the sale of alcohol from Sunday to Thursday 06:00 to 00:00, Friday 06:00 to 01:00 and Saturday 06:00 to 01:00hrs to Sunday to Saturday 06:00 to 02:00hrs.

As we had received a new application, we decided to complete a Licensing inspection at the above premises as part of the application process. I completed the visit with Daniel Power from Lewisham council CER service at 17:50 hrs on the 25<sup>th</sup> October 2018.

When we conducted the visit, we met the current premises license holder and applicant for the new premises License Mr Shokat Ali and we found a number of breaches of annex two conditions. We also found that the current premises license was not displayed which is an offence under section 57(4) of the licensing act 2003, Failure to secure premises license or a certified copy at the premises or to prominently display a summary license.

The breaches are as follows:

- 1, CCTV system to be installed with a 31-day retention of recordings. The system must be capable of recording images of persons entering the premises of at least head and shoulders. The cameras will cover the alcohol display areas and point of sale. It should be made available upon request to Police and Local Authority officers. One member of staff on duty at the premises must be capable of operating at all times.

This condition was breached as the cameras did not cover the alcohol displays at all and nobody within the store could operate the CCTV system.

- 2, Maintain training of all staff every 4 months with regards to the Licensing Act. Keep all records pertaining to the training for production on request by local authority or police officers.

This condition was in breach as the only staff training that was logged was on the day before the visit, 24<sup>th</sup> October 2018 and no previous training dates could be produced.

- 3, Refusal register to be maintained and kept on the premises, and made available on request to an authorised Local Authority or Police Officer. The DPS shall check the register on a weekly basis and sign to confirm this has been done. Registers shall be kept for 12 months

I believe that the refusals register has not been complete as the last entry was on the 4<sup>th</sup> January 2018.

- 4, An incident register to be maintained and kept on the premises, and made available on request to an authorised Local Authority or Police Officer.

I also believe that the incident register is also not being completed as the last entry was on the 16<sup>th</sup> March 2016.

I have serious concerns allowing this premises to apply for a new premises license to extend the current hours of the sales of alcohol, as they appear to be unable to abide by their current license. I am also aware that this is not the first time there has been an issue with this premises, which Daniel Power has detailed in his report.

Daniel Power had also given the Mr Ali the opportunity to discuss the findings of our visit by arranging an appointment on the 8<sup>th</sup> November 2018 with a view to developing an action plan. Mr Ali failed to turn up at this meeting.

I believe that allowing this application to be granted would jeopardise the licensing objectives.

Regards

Nick Gerry

Licensing Officer Lewisham Police.



Lisa Hooper  
Crime, Enforcement & Regulation  
Service (Licensing)  
9 Holbeach Road  
Catford  
London  
SE6 4TW

Dan Power  
Crime, Enforcement & Regulation  
Officer  
9 Holbeach Road  
Catford  
London  
SE6 4TW

Direct Line 02083146326  
[Dan.power@lewisham.gov.uk](mailto:Dan.power@lewisham.gov.uk)

Date: 30<sup>th</sup> October 2018

Dear Lisa,

**New Premises Licence Application – Payless Food & Wine, 496-500 New Cross Road, London, SE14 6TJ**

Please be aware that on behalf of The Crime, Enforcement and Regulation Service I provide notice of my objection to the new premises licence application in relation to the above mentioned premise.

It has been necessary to object to the new premises licence application as it is in the opinion of The Crime, Enforcement & Regulation Service, likely that the intended sale of alcohol past the existing hours being Sunday to Thursday 06:00 and 00:00 and Friday/Saturday 06:00 to 01:00am, will undermine the key licensing objectives, most notably in this instance the prevention of crime and disorder.

I provide exhibits demonstrating previous interaction with the Premises Licence Holder, Mr Shokat Ali, these are available via **DP/1** to **DP/5**, detailing previous efforts to ensure compliance between June 2016 and January 2017.

Furthermore, **DP/6** provides details of a further visit to the premise on Thursday 25<sup>th</sup> October 2018 in which further concerns were raised with regard to the Premises Licence Holder's ability to uphold conditions as specified within the existing premises licence.

I now intend to meet with Mr Ali on Thursday 9<sup>th</sup> November 2018 as a means of discussing my continued concerns with regard to ongoing compliance of the existing premises licence.

Yours Sincerely

Daniel Power  
Crime, Enforcement and Regulation Officer





DP/1

Mr Shokat Ali  
Payless Food & Wine  
496-500 New Cross Road  
Lewisham  
London  
SE14 6TJ

Daniel Power  
Crime, Enforcement & Regulation  
Officer  
23 Mercia Grove  
Lewisham  
London  
SE13 6BJ

direct line 020 8314 6326  
[Daniel.Power@lewisham.gov.uk](mailto:Daniel.Power@lewisham.gov.uk)

Date: 6<sup>th</sup> April 2016

Dear Mr Ali,

**Licensing Compliance Visit , Payless Food & Wine – 1<sup>st</sup> April 2016**

Please note that I write to you as the Premises Licence Holder for the above stated premises. I thought it necessary to detail the visit my colleague Mark Adu Brobbey and I made to the premises via s179 of the Licensing Act 2003 at approximately 22:15 on Friday 1<sup>st</sup> April 2016.

It was considered necessary to undertake a compliance visit to the premises as the Crime, Enforcement and Regulation Service have received a number of complaints regarding street drinkers consuming alcohol within the locality of the parade of shops between 496 -508 New Cross Road, SE14 6TJ. Furthermore, complaints received included but are not limited to street drinkers congregating outside of the above stated premises whilst continuing to purchase alcohol throughout the day from your premises.

On entering the premises officers asked Mr Nazibat Ali and Mr Mohammed whether they were able to locate a summary of the premises licence, officers noted that the premises licence was found under the till, please note that s57 of the Licensing Act 2003 requires that a copy of the premises licence is displayed prominently within the premises.

Furthermore, I asked whether either yourself or Mr Mohammed were currently in receipt of a personal licence, as you will note Annex 3 states as follows;

- **A Personal Licence holder to be on the premises at all times alcohol is sold**

Nonetheless, despite claiming to be a personal licence holder Mr Ali was unable to produce this at the time of our visit as also required via s135 of the Licensing Act 2003.

My colleague Mark Adu Brobbey and I asked whether the premises were able to provide training copies for all members of staff as required within Annex 2, Condition 2 detailing training as provided every four months. Additionally, Mr Mohammed was asked whether he was able to provide details of an up to date refusal register. Concerns were raised as to whether an active age verification policy has been implemented as officers noted that according to the register the premises have not challenged a potential customer in relation to under age sales of alcohol since September 2015. Once more failure to exhibit an effective age verification policy undermines Annex 2, Condition 5 of the premises licence;

**The premises will operate a Challenge 25 age verification scheme and will only accept current passport, photo driving licence or PASS approved identification.**

At this point I informed staff that the Crime, Enforcement and Regulation Service are concerned that continuing to allow street drinkers to congregate directly outside of the premises, whilst continuing to enable the individuals to purchase and subsequently consume alcohol, suggests that the premises is in fact trading as if it had an on sales licence.

Nonetheless, Mr Mohammed stated that the premises have faced difficulty in asking customers to disperse away from the premises and have cited concerns regarding safety of staff, this includes suggestions of verbal abuse nonetheless, you are obliged via Annex 2, Condition 4 of the premises licence to maintain an active incident register, nonetheless at no stage has any member of staff logged concerns as a consequence of attempting to move customers away from the premises.

With this in mind officers requested CCTV footage for between 23:00 -01:00am on Friday 11<sup>th</sup> March 2016, taking into account officers were notified of a complaint regarding alcohol related anti social behaviour related to street drinking for the above stated time. However I was advised that despite one member of staff on duty being required via Annex 2, condition 1 as being capable of operating CCTV footage at all times, I was advised that Mr Mohammed and Mr Ali were unable to provide the following recording and would require the support of an engineer to operate CCTV. Additionally, Mr Mohammed stated that CCTV provided has failed to record for over two weeks.

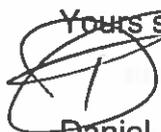
Whilst concluding our visit officers made you aware of the observed breaches witnessed during our visit, I have copied details of the breaches within this letter, *Licensing Inspection/Visit Proforma*.

Nevertheless, officers decided to visit once more on the night of the 1<sup>st</sup> April 2016 at approximately 00:35am as whilst visiting a neighbouring licensed premises officers observed six individuals congregated directly outside of your premises consuming alcohol, please note that we subsequently reiterated our concerns to Mr Mohammed, who had been in the premises during our initial visit that night.

Please note that officers intend to undertake a follow up licensing compliance visit within the coming weeks due to the number of breaches observed.

Please do not hesitate to contact me on the above stated number should you wish to discuss the content of this letter.

Yours sincerely



Daniel Power  
Crime, Enforcement and Regulation Officer

# Licensing Inspection/Visit Proforma



Officer(s): Daniel Power Mark Adu-Brobbey	Date of Inspection: 01.04.2016	Time of Inspection: 22:15 & 00:35	FOR ADMIN USE:  WK1201626/69
Premises Name and Address:	Payless Food & Wine – 496-500 New Cross Road, Lewisham, SE14 6TJ		

Premises Type:	Licensing Act 2003: <input checked="" type="checkbox"/>	Gambling Act 2005: <input type="checkbox"/>	Other (specify): <input type="checkbox"/>	<input checked="" type="checkbox"/> as applicable.
Visit Type:	Routine: <input type="checkbox"/>	Complaint: <input type="checkbox"/>	Other (specify): <input type="checkbox"/>	

## Reason for Inspection/Visit:

Licensing Compliance Visit (s.179 Licensing Act 2003)

## Remarks:

Daniel Power & Mark Adu Brobbey visited the premises at approximately 22:15 & 00:35

### Breaches observed

- **Annex 2, Condition 1** - CCTV system to be installed with a 31 day retention of recordings. The system must be capable of recording images of persons entering the premises of at least head and shoulders. The cameras will cover the alcohol display areas and point of sale. It should be made available upon request to Police and Local Authority officers. One member of staff on duty at the premises must be capable of operating at all times.
- **Annex 2, Condition 2** - Maintain training of all staff every 4 months with regards to the Licensing Act. Keep all records pertaining to the training for production on request by local authority or police officers.
- **Annex 2, Condition 3**- Refusal register to be maintained and kept on the premises, and made available on request to an authorised Local Authority or Police Officer. The DPS shall check the register on a weekly basis and sign to confirm this has been done. Registers shall be kept for 12 months
- **Annex 2, Condition 4** - An incident register to be maintained and kept on the premises, and made available on request to an authorised Local Authority or Police Officer.

# Licensing Inspection/Visit Proforma

- **Annex 2, Condition 5** -The premises will operate a Challenge 25 age verification scheme and will only accept current passport, photo driving licence or PASS approved identification.
- **Annex 2, Condition 1**- A Personal Licence holder to be on the premises at all times alcohol is sold.
- **S135 of the Licensing Act 2003** - Licence holder's duty to produce licence

## Concerns Noted

- Customers consuming alcohol directly outside of the premises, the premises makes little if any attempt to attempt to disperse street drinkers away from the premises, the premises continues to allow such individuals congregating outside of the premises to purchase additional alcohol. This suggests that the premises is operating as if it had an 'on sales' licence whilst only being permitted for 'off sales'.
- Those identified as street drinking are continually reported as being intoxicated – Concerns raised that the premises may be selling alcohol to a person who is drunk, an offence via s141 of the Licensing Act 2003. Furthermore, the premises has failed to log any refusals of sales with regard to under age sales or intoxicated sales since September 2015, this suggests that it is more than likely that the premises is selling alcohol to persons who are drunk.

## Actions

Undertake a follow up compliance visit over the coming weeks to assess whether efforts have been made to rectify the observed breaches of the premises licence as attached above.

## Overall Inspection Rating

✓as applicable.

Satisfactory:		Unsatisfactory:	✓	Other (Specify):	
---------------	--	-----------------	---	---------------------	--

D/P/2



Mr Shokat Ali  
Payless Food & Wine  
496-500 New Cross Road  
Lewisham  
London  
SE14 6TJ

Daniel Power  
Crime, Enforcement & Regulation  
Officer  
23 Mercia Grove  
Lewisham  
London  
SE13 6BJ

direct line 020 8314 6326  
[Daniel.Power@lewisham.gov.uk](mailto:Daniel.Power@lewisham.gov.uk)

Date: 21<sup>st</sup> June 2016

Dear Mr Ali,

**Licensing Compliance Visit, Payless Food & Wine – 17<sup>th</sup> June 2016**

Please note that I write to you as the Premises Licence Holder for the above stated premises.

In addition to my earlier correspondence dated Wednesday 6<sup>th</sup> April 2016 detailing a licensing compliance visit undertaken on Friday 1<sup>st</sup> April 2016, I thought it necessary to detail the visit my colleague Mark Adu Brobbey and I made to the premises via s179 of the Licensing Act 2003 at approximately 22:00 on Friday 17<sup>th</sup> June 2016.

It was considered necessary to undertake a compliance visit to the premises as the Crime, Enforcement and Regulation Service raised the following concerns as a consequence of the visit undertaken to the premises on Friday 1<sup>st</sup> April 2016, concerns included;

- Customers consuming alcohol directly outside of the premises, the premises makes little if any attempt to attempt to disperse street drinkers away from the premises, the premises continues to allow such individuals congregating outside of the premises to purchase additional alcohol. This suggests that the premises is operating as if it had an 'on sales' licence whilst only being permitted for 'off sales'.
- Those identified as street drinking are continually reported as being intoxicated – Concerns raised that the premises may be selling alcohol to a person who is drunk, an offence via s141 of the Licensing Act 2003. Furthermore, the premises has failed to log any refusals of sales with regard to under age sales or intoxicated sales since September 2015, this suggests that it is more than likely that the premises is selling alcohol to persons who are drunk.

In addition to the above mentioned concerns officer's noted the following;

**Breaches observed**

- **Annex 2, Condition 1** - CCTV system to be installed with a 31 day retention of recordings. The system must be capable of recording images of persons entering the premises of at least head and shoulders. The cameras will cover the alcohol display areas and point of sale. It should be made available upon request to Police and Local Authority officers. One member of staff on duty at the premises must be capable of operating at all times.

- **Annex 2, Condition 2** - Maintain training of all staff every 4 months with regards to the Licensing Act. Keep all records pertaining to the training for production on request by local authority or police officers.
- **Annex 2, Condition 3**- Refusal register to be maintained and kept on the premises, and made available on request to an authorised Local Authority or Police Officer. The DPS shall check the register on a weekly basis and sign to confirm this has been done. Registers shall be kept for 12 months
- **Annex 2, Condition 4** - An incident register to be maintained and kept on the premises, and made available on request to an authorised Local Authority or Police Officer.
- **Annex 2, Condition 5** -The premises will operate a Challenge 25 age verification scheme and will only accept current passport, photo driving licence or PASS approved identification.
- **Annex 2, Condition 1**- A Personal Licence holder to be on the premises at all times alcohol is sold.
- **S135 of the Licensing Act 2003** - Licence holder's duty to produce licence

#### **Friday 17<sup>th</sup> June 2016**

On entering the premises at approximately 22:00 officers noted five individuals located directly outside the premises consuming alcohol, such an issue was raised on our initial visit as facilitating customers within close proximity to the store and continuing to serve such customers throughout the night without attempting to move customers on suggests that the premises is trading as if it has an 'on sales' licence.

Nonetheless, officers raised the issue initially with the duty manager Mr Mohammed. Whilst assessing compliance in relation to conditions as imposed on the premises licence officers raised concerns with regard to the premises' age verification policy, as officers had witnessed no attempt's on the part of staff to exercise the 'Challenge 25' policy, despite undertaking three separate sales where those witnessed buying alcohol were considered particularly young.

This was raised with the member of staff involved in such sales who was the nominated personal licence holder as required via Annex 3, Condition 1 at the time of our visit. On questioning the appropriate personal licence holder, Mr Ali, stated that those purchasing alcohol were 'over the age of eighteen, but possibly not 25'. This suggests that the current Designated Premises Supervisor, Mr Shah, is failing to adequately ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. Section 10.50 of the revised guidance issued under s182 of the Licensing Act 2003 states that;

***The DPS has personal responsibility for ensuring that staff are not only aware of, but are also applying, the age verification policy.***

Additionally, my colleague Mark Adu-Brobbey and I requested training records of all staff documenting training in relation to the Licensing Act 2003, as is specified via Annex 2, Condition 2 which states that the premises shall;

***Maintain training of all staff every 4 months with regards to the Licensing Act. Keep all records pertaining to the training for production on request by local authority or police officers.***

Please note that evidence documenting training given to all members of staff was not provided on the night of our visit as was the case previously.

Officers also observed the premises' incident register and whilst initially being encouraged by an increase in reports in relation to incidents and age restricted sales checks, officers noted that there have been no further logs reported or challenges in relation to age verification since 03/05/2016.

On leaving the premises, my colleague Mr Adu- Brobbey and I noted that approximately twenty individuals had congregated directly outside the entrance to the premises, many of which were continuing to consume alcohol recently purchased from Payless Food & Wine, 496-500 New Cross Road, SE14 6TJ.

As a consequence of the above the Crime, Enforcement and Regulation Service are keen to meet with you in addition to the Designated Premises Supervisor, Mr Imran Shah, to assess the current lack of training of staff, concerns in relation to age verification and the premises' continued failure to move customers on from the premises who subsequently re-enter the premises to purchase alcohol and consume directly outside the store.

Please contact me at your earliest convenience to arrange a meeting with the Crime, Enforcement & Regulation Service.

Yours sincerely



**Daniel Power**  
**Crime, Enforcement and Regulation Officer**





DP/3

Mr Shokat Ali  
Payless Food & Wine  
496-500 New Cross Road  
Lewisham  
London  
SE14 6TJ

Daniel Power  
Crime, Enforcement & Regulation  
Officer  
23 Mercia Grove  
Lewisham  
London  
SE13 6BJ

direct line 020 8314 6326  
[Daniel.Power@lewisham.gov.uk](mailto:Daniel.Power@lewisham.gov.uk)

Date: 28<sup>th</sup> July 2016

Dear Mr Ali,

**Proposed Meeting: 9 Holbeach Road, Catford, SE6 4TW**

Please note that I write to you as the Premises Licence Holder for the above stated premises.

In addition to my earlier correspondence dated Wednesday 6<sup>th</sup> April 2016 & Tuesday 21<sup>st</sup> June 2016 detailing several licensing compliance visits undertaken to the premises, I feel it necessary to reiterate my intentions of meeting with yourself and the appropriate Designated Premises Supervisor Mr Shah.

It is necessary to meet with you to discuss breaches of the existing premises licence as observed by officers during licensing compliance visits undertaken this year and to discuss measures to ensure best practice.

I have once more attached details of the compliance visits previously carried out;

**Friday 1<sup>st</sup> April 2016**

- Customers consuming alcohol directly outside of the premises, the premises makes little if any attempt to attempt to disperse street drinkers away from the premises, the premises continues to allow such individuals congregating outside of the premises to purchase additional alcohol. This suggests that the premises is operating as if it had an 'on sales' licence whilst only being permitted for 'off sales'.
- Those identified as street drinking are continually reported as being intoxicated – Concerns raised that the premises may be selling alcohol to a person who is drunk, an offence via s141 of the Licensing Act 2003. Furthermore, the premises has failed to log any refusals of sales with regard to under age sales or intoxicated sales since September 2015, this suggests that it is more than likely that the premises is selling alcohol to persons who are drunk.

In addition to the above mentioned concerns officer's noted the following;

**Breaches observed**

- **Annex 2, Condition 1** - CCTV system to be installed with a 31 day retention of recordings. The system must be capable of recording images of persons entering the

premises of at least head and shoulders. The cameras will cover the alcohol display areas and point of sale. It should be made available upon request to Police and Local Authority officers. One member of staff on duty at the premises must be capable of operating at all times.

- **Annex 2, Condition 2** - Maintain training of all staff every 4 months with regards to the Licensing Act. Keep all records pertaining to the training for production on request by local authority or police officers.
- **Annex 2, Condition 3**- Refusal register to be maintained and kept on the premises, and made available on request to an authorised Local Authority or Police Officer. The DPS shall check the register on a weekly basis and sign to confirm this has been done. Registers shall be kept for 12 months
- **Annex 2, Condition 4** - An incident register to be maintained and kept on the premises, and made available on request to an authorised Local Authority or Police Officer.
- **Annex 2, Condition 5** -The premises will operate a Challenge 25 age verification scheme and will only accept current passport, photo driving licence or PASS approved identification.
- **Annex 2, Condition 1**- A Personal Licence holder to be on the premises at all times alcohol is sold.
- **S135 of the Licensing Act 2003** - Licence holder's duty to produce licence

#### **Friday 17<sup>th</sup> June 2016**

On entering the premises at approximately 22:00 officers noted five individuals located directly outside the premises consuming alcohol, such an issue was raised on our initial visit as facilitating customers within close proximity to the store and continuing to serve such customers throughout the night without attempting to move customers on suggests that the premises is trading as if it has an 'on sales' licence.

Nonetheless, officers raised the issue initially with the duty manager Mr Mohammed. Whilst assessing compliance in relation to conditions as imposed on the premises licence officers raised concerns with regard to the premises' age verification policy, as officers had witnessed no attempt's on the part of staff to exercise the 'Challenge 25' policy, despite undertaking three separate sales where those witnessed buying alcohol were considered particularly young.

This was raised with the member of staff involved in such sales who was the nominated personal licence holder as required via Annex 3, Condition 1 at the time of our visit. On questioning the appropriate personal licence holder, Mr Ali, stated that those purchasing alcohol were 'over the age of eighteen, but possibly not 25'. This suggests that the current Designated Premises Supervisor, Mr Shah, is failing to adequately ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. Section 10.50 of the revised guidance issued under s182 of the Licensing Act 2003 states that;

***The DPS has personal responsibility for ensuring that staff are not only aware of, but are also applying, the age verification policy.***

Additionally, my colleague Mark Adu-Brobbe and I requested training records of all staff documenting training in relation to the Licensing Act 2003, as is specified via Annex 2, Condition 2 which states that the premises shall;

**Maintain training of all staff every 4 months with regards to the Licensing Act. Keep all records pertaining to the training for production on request by local authority or police officers.**

Please note that evidence documenting training given to all members of staff was not provided on the night of our visit as was the case previously.

Officers also observed the premises' incident register and whilst initially being encouraged by an increase in reports in relation to incidents and age restricted sales checks, officers noted that there have been no further logs reported or challenges in relation to age verification since 03/05/2016.

On leaving the premises, my colleague Mr Adu- Brobbey and I noted that approximately twenty individuals had congregated directly outside the entrance to the premises, many of which were continuing to consume alcohol recently purchased from Payless Food & Wine, 496-500 New Cross Road, SE14 6TJ.

Please contact me at your earliest convenience to arrange a meeting with the Crime, Enforcement & Regulation Service.

Yours sincerely



Daniel Power  
Crime, Enforcement and Regulation Officer



DP/4

**Action Plan -- Payless Food & Wine, 496-500 New Cross Road, SE14 6TJ**

As discussed during our meeting held at 9 Holbeach Road, Catford, SE6 4TW on Monday 26<sup>th</sup> September 2016, the Crime, Enforcement & Regulation Service in addition to the premises as stated above have agreed on the following actions as a means of safeguarding key licensing objectives most notably the prevention of crime and disorder is upheld.

Please be mindful that the actions jointly agreed are not conditions enforceable by the local authority, nevertheless, it is hoped that by adhering to the agreed actions will ensure a stronger and more robust management structure that is encouraged to work alongside the licensing authority to mitigate the likelihood of further complaints. It is worth noting that the actions provided below have been agreed in addition to your current conditions as stated on your premises licence.

As discussed the action plan is intended to last for three months from the date of service (~~Monday 26<sup>th</sup> September 2016~~)

Friday 9<sup>th</sup> December 2016

- A member of staff will undertake a general sweep of the immediate area outside the premises on multiple occasions throughout the night to discourage consumption of alcohol outside the premises as a means of complying with Lewisham Borough's Designated Public Place Order. All interactions will be documented in the incident registers.
  - The DPS will provide and submit the relevant incident register to the Crime, Enforcement and Regulation via email on a bi-weekly basis (Every second Monday)
  - The DPS will provide and submit the relevant refusal register indicating where a member of staff has prompted a customer for ID on an age restricted item to the CER Team via email on a bi-weekly basis (Every second Monday)
  - The premises will provide signage to discourage patrons congregating and consuming alcohol in the immediate vicinity of the premises.
- I agree to the following measures which will be adhered to in addition to the premises' existing conditions as found within the premises licence.

Signed (Premises Licence Holder) S. Ali ..... Date 9/12/..... 2016  
Print Name Shokat Ali

Signed (Designated Premises Supervisor) [Signature] ..... Date 9/12/..... 2016  
Print Name Mohammed Dinyal

Signed (Crime, Enforcement & Regulation Service) [Signature] ..... Date 9/12..... 2016  
Print Name Daniel Porer



DP/5.



Mr Mohammed Dinyal  
4 Holden House  
Deptford Church Street  
Lewisham  
London  
SE8 4SQ

Daniel Power  
Crime, Enforcement & Regulation  
Officer  
23 Mercia Grove  
Lewisham  
London  
SE13 6BJ

direct line 020 8314 6326  
[Daniel.Power@lewisham.gov.uk](mailto:Daniel.Power@lewisham.gov.uk)

Date: 29<sup>th</sup> December 2016

Dear Mr Dinyal,

**Confirmation of Action Plan – Payless Food & Wine, 496-500 New Cross Road, SE14 6TJ**

I write to you as the Designated Premises Supervisor for the above stated premises.

Please note that I have attached the signed action plan for the above stated premises, as you will recall the formation of the action plan is in line with recommendations put forward within the Home Office's guidance in relation to problem premises, in this particular instance it is hoped that the enclosed action plan will assist the licensee in upholding obligations as imposed via the Premises Licence in addition to mitigating the presence of street drinking within the immediate locality of the premises.

Furthermore, it is hoped that the action plan will be clearly visible within the premises at all times during the duration of the action plan. Additionally, I have provided you signage as a means of making customers aware of the borough's existing Designated Public Place Order, it is hoped that members of staff refer to such signage whilst reminding customers not to congregate within the immediate locality of the premises.

Please note that I look forward to receiving the relevant incident register as well as the appropriate refusal book on a bi weekly basis from the date of this letter.

Please contact me at your earliest convenience to confirm your intention to meet with the Crime, Enforcement & Regulation Service on the above stated date.

Yours sincerely

Daniel Power  
Crime, Enforcement and Regulation Officer

- Encl. 1) Payless Action Plan  
2) DPPO Signage



DP/6



Shokat Ali  
Payless Food and Wine  
496-500 New Cross Road  
London  
SE14 6TJ

Dan Power  
Crime, Enforcement & Regulation  
Officer  
9 Holbeach Road  
Catford  
London  
SE6 4TW

Direct Line 02083146326  
[Daniel.power@lewisham.gov.uk](mailto:Daniel.power@lewisham.gov.uk)

Date 29<sup>th</sup> October 2018

Dear Mr Ali,

**Inspection of licensed premise – Payless Food and Wine, 496-500 New Cross Road, London, SE14 6TJ – Thursday 25<sup>th</sup> October 2018**

Please note that I write to you as the Premises Licence Holder for the above stated premise. I thought it necessary to detail the visit my colleague Denis Savin and I made to the premises in partnership with PC Gerry at approximately 17:50 hours on Thursday 25<sup>th</sup> October 2018.

It was considered necessary to undertake a compliance visit to the premises as a means of inspecting current licensable activity and the ongoing compliance with regard to current conditions specified within the premises licence.

On entering the premises officers asked Mr Arshad Ali and Shafait Ali as well as yourself whether you were able to locate a summary of the premises licence, officers noted that the premises licence summary was located neighbouring the till area, please note that s57 of the Licensing Act 2003 requires that a summary of the premises licence is displayed prominently within the premises.

At this point, I advised you as well as the above mentioned staff members of my intention to carry out an inspection with regard to compliance of your existing licensing conditions. An initial request was made to view the maintenance of training manuals as well as the relevant refusals register in addition to the relevant incident register.

With regard to the above requests, the officers present confirmed an absence of any logged training having taken place between my visit on Sunday 28<sup>th</sup> August 2016 and Wednesday 24<sup>th</sup> October 2018, the day prior to our visit. The failure to provide training prior to this amounts to a breach of Annex 2, Condition 2 which states that the premise must;

***Maintain training of all staff every 4 months with regards to the Licensing Act. Keep all records pertaining to the training for production on request by local authority or police officers.***

Additionally, officers noted an absence of reports with regard to the available Incident Register, despite staff members indicating concerns with regard to known street drinkers continuing to congregate outside the shop. Furthermore, officers noted that the last report logged is dated as follows, Wednesday 16<sup>th</sup> March 2016. I note this fails to satisfy the following; Annex 2, Condition 4 which reads;

***An incident register to be maintained and kept on the premises, and made available on request to an authorised Local Authority or Police Officer.***

A subsequent search of the available refusals book also raised concerns with regard to an absence of any age related verification prompts for a period of approximately eight months; Thursday 4<sup>th</sup> January 2018 and Monday 27<sup>th</sup> September 2018. Therefore, concerns remain with regard to compliance of the following condition;

Annex 2, Condition 3 states that;

***Refusal register to be maintained and kept on the premises, and made available on request to an authorised Local Authority or Police Officer. The DPS shall check the register on a weekly basis and sign to confirm this has been done. Registers shall be kept for 12 months***

Additionally, as a means of assessing the appropriate refusal logs, I enquired with Mr Arshad Ali as to whether I were able to view CCTV footage of an age verification prompt logged on Wednesday 24<sup>th</sup> October 2018 at 21:36 in relation to the purchase of an alcoholic product. This was considered necessary as a means of also assessing requirements outlined via the following condition. Moreover, Annex 2, Condition 1 states that;

***CCTV system to be installed with a 31 day retention of recordings. The system must be capable of recording images of persons entering the premises of at least head and shoulders. The cameras will cover the alcohol display areas and point of sale. It should be made available upon request to Police and Local Authority officers. One member of staff on duty at the premises must be capable of operating at all times.***

Furthermore, I was advised that at the time of my visit persons present were unable to operate the CCTV, whilst the screen available specifying points of coverage failed to indicate coverage of alcohol displays, point of sale and adequate coverage of entry points as requested, this amounts to a breach of the aforementioned condition.

Please note that I am concerned by the lack of regard in relation to compliance of existing conditions, additionally, as you may recall such concerns were initially identified as a consequence of prior work with the premise between June 2016 and January 2017 which included the introduction of an action plan as a consequence of repeated breaches in relation to the existing premises licence.

In line with Lewisham Councils Enforcement Policy in relation to Regulatory Services, I have considered it necessary to have you meet with me to discuss my concerns with you in person and to furnish you with guidance as a means of ensuring compliance in the near future.

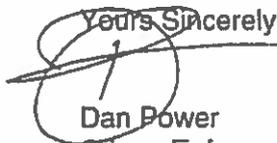
**You are requested to attend The Crime, Enforcement and Regulation Service Office, 9 Holbeach Road, Catford, SE6 4TW on Thursday 8<sup>th</sup> November 2018 at 11:00 hours as a means of discussing the findings of our visit. Please indicate whether you intend to attend the above detailed meeting by no later than Monday 5<sup>th</sup> November 2018.**

I must also take this opportunity to reiterate my intention to view CCTV footage with regard to a previous age verification prompt which occurred on Wednesday 24<sup>th</sup> October 2018 at 21:36, with this in mind I wish to view footage of the following;

- **Recordings available indicating sales between 21:00 and 22:00 on Wednesday 24<sup>th</sup> October 2018**

Please do not hesitate to contact me on the above stated number should you wish to discuss the content of this letter.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'Dan Power', is written over a horizontal line. The signature is somewhat stylized and overlaps the line.

Dan Power

Crime, Enforcement and Regulation Officer



**Notification of alleged offences under the Licensing Act 2003**



Venue name: Payless

Address: 496-500 New Cross Road, SE14 6TJ

Date of visit: 25/10/18 Time of visit: 17:50 am/pm

Person in charge at time of visit: Mr Shekhat Ali

DPS  Premise Licence Holder  Personal License Holder  Other \_\_\_\_\_

**Identified alleged offences**

- Section 57(4) Failure to secure premise licence or a certified copy at the premises or to prominently display a summary of the Licence. *\* H, shahid Ali*
- Section 57(7) Failure to produce a premises licence or a certified copy.
- Section 109(4) Failure to secure that a copy of a Temporary Events Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an of an appropriate person.
- Section 109(8) Failure to produce a TEN to a Council Official.
- Section 135(4) Failure to produce a personal licence to a Council Official.
- Section 136(1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on.
- Section 137(1) Exposing alcohol for retail without an authorisation.
- Section 138(1) Keeping alcohol on a premise for an unauthorised sale.
- Section 140(1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141(1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144(1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on the premises.
- Section 145(1) Allowing an unaccompanied child on a premises (used primarily or exclusively for sale of alcohol)
- Section 146(1) Selling alcohol to an individual aged under 18.
- Section 147(1) Knowingly allowing sales of alcohol to an individual under 18.
- Section 153(1) Knowingly allowing an individual under 18 to make an unsupervised sale of alcohol.
- Section 179(4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

**Alleged offences or breaches of the licensing conditions / Action plan**

*557 - Failure to display in a prominent place*  
*Breach of conditions*  
*\* Annex 2 (condition 1 - CCTV (coverage/operation) CD incident book*  
*\* Annex 2 (condition 2 - Training records) (last reviewed 36 months ago)*  
*\* Annex 2 (condition 3 - DPS checks of registers)*

Issuing officer (Print) Dan Powell Issuing officer (Sign) [Signature]

*Nick [Signature] R2PL - Licensing officer met police [Signature]*

179 Rights of entry to investigate licensable activities - Licensing Act 2003

(1) Where a constable or an authorised person has reason to believe that any premises are being, or are about to be, used for a licensable activity, he may enter the premises with a view to seeing whether the activity is being, or is to be, carried on under and in accordance with an authorisation.

(2) An authorised person exercising the power conferred by this section must, if so requested, produce evidence of his authority to exercise the power.

(3) A person exercising the power conferred by this section may, if necessary, use reasonable force.

(4) A person commits an offence if he intentionally obstructs an authorised person exercising a power conferred by this section.

(5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(6) In this section—

• “authorisation” means—

(a)

a premises licence,

(b)

a club premises certificate, or

(c)

a temporary event notice in respect of which the conditions of section 98(2) to (4) are satisfied; and

• “authorised person” means an authorised person within the meaning of Part 3 or 4 or an authorised officer within the meaning of section 108(5).

(7) Nothing in this section applies in relation to premises in respect of which there is a club premises certificate but no other authorisation.

Closure notices - Anti-social Behaviour, Crime and Policing Act 2014

76 Power to issue closure notices

(1) A police officer of at least the rank of inspector, or the local authority, may issue a closure notice if satisfied on reasonable grounds—

(a) that the use of particular premises has resulted, or (if the notice is not issued) is likely soon to result, in nuisance to members of the public, or

(b) that there has been, or (if the notice is not issued) is likely soon to be, disorder near those premises associated with the use of those premises,

and that the notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring.

(2) A closure notice is a notice prohibiting access to the premises for a period specified in the notice.

For the maximum period, see section 77.

(3) A closure notice may prohibit access—

(a) by all persons except those specified, or by all persons except those of a specified description;

(b) at all times, or at all times except those specified;

(c) in all circumstances, or in all circumstances except those specified.

(4) A closure notice may not prohibit access by—

(a) people who habitually live on the premises, or

(b) the owner of the premises,

and accordingly they must be specified under subsection (3)(a).

77 Duration of closure notices

(1) The maximum period that may be specified in a closure notice is 24 hours unless subsection (2) applies.

(2) The maximum period is 48 hours—

(a) if, in the case of a notice issued by a police officer, the officer is of at least the rank of superintendent, or

(b) if, in the case of a notice issued by a local authority, the notice is signed by the chief executive officer of the authority or a person designated by him or her for the purposes of this subsection.

(3) In calculating when the period of 48 hours ends, Christmas Day is to be disregarded.

(4) The period specified in a closure notice to which subsection (2) does not apply may be extended by up to 24 hours—

(a) if, in the case of a notice issued by a police officer, an extension notice is issued by an officer of at least the rank of superintendent, or

(b) if, in the case of a notice issued by a local authority, the authority issues an extension notice signed by the chief executive officer of the authority or a person designated by the chief executive officer for the purposes of this subsection.

(5) An extension notice is a notice which—

(a) identifies the closure notice to which it relates, and

(b) specifies the period of the extension.

(6) In this section “chief executive officer”, in relation to a local authority, means the head of the paid service of the authority designated under section 4 of the Local Government and Housing Act 1989.