

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.

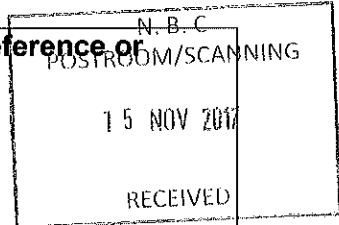
I PS 1031 Martin O'Connell on behalf of the Chief Officer of Police

(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 Nene Valley Stores 66 St Andrews Road	
Post town Northampton	Post code (if known) NN1 2PD



Name of premises licence holder or club holding club premises certificate (if known) Kandarpa SARMA 65 St Andrews Rd Northampton NN1 2PD

Number of premises licence or club premises certificate (if known) PL1069

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

- 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

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 PS 1031 O'Connell, Police Licensing 1 st Floor The Guildhall St Giles Square Northampton, NN1 3EL
Telephone number (if any) 03000 111 222 EXT 345164
E-mail address (optional) martin.oconnell@northants.pnn.police.uk

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

Please tick one or more boxes

- | | |
|-----------------------------------------|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

On behalf of the Chief Officer of Police Mr Simon Edens, I call for review of the Premises Licence for off-licence premises Nene Valley Stores on the grounds of preventing crime and disorder and public safety. This follows an incident at the store on the evening of 19th October 2017 involving a male working in the shop who was not the PLH or DPS, and a male member of the public and his associate which led to the member of the public being struck over the head with a length of wood by the shop worker.

At around 18.25hrs on 19th October the male victim and his associate went to Nene Valley Stores and at the service counter got into an altercation with the shopworker who appeared to be the only person working there. The male customer and his associate were ushered out of the shop by the shopworker and the shopworker followed them to the door and then outside where an altercation appears to continue. The shop worker then went back into the store and reached behind the counter and pulled out a hammer before returning outside where he is seen on CCTV to have a verbal exchange with the male customer and his associate across the street. The shop worker then returned to the store where he went behind counter and exchanged the hammer for a wooden baton. By this time the customer and his associate have come back across the road towards the shop doorway and there is a further exchange at the door with the shopworker who is then seen to strike out with the wooden baton hitting the male customer on the head causing a laceration to the males head.

With this the shopworker returned to the shop and called his boss and began to mop up the blood left by the victim from his head wound. The manager came to the store and offered to take the two males to hospital for treatment to the head injury . A local

resident heard all the commotion and went out to investigate and before the shop manager arrived started to tend to the wound of the male and called the police. On arrival of the police they were able to locate the victim who had been dropped off at the Super Sausage car park further along the road by the shop manager and took him to hospital. Police also attended the store where the wooden baton, hammer and mop were seized and the shop worker was arrested.

The shop worker initially identified himself as MANOKARAN SUBRAMANIM but was later identified as CHANDRAKASAN CHANDRASEGARAN, a male known to the Immigration Services and with no right to work in this country. Currently this male is still under investigation by the police and immigration services and is residing in London.

This incident raises three clear issues of concern:

1. There appears to be no reason why, after what looks like a refused sale to two customers by the shop worker, potentially for good reason, that they were followed out of the store by the shopworker causing the altercation with them to escalate. This then resulted in the use of weapons causing a head injury to one of the males. This is a clear case of excessive force being used and potentially of the shopworker taking the law into his own hands. Although not the direct actions of the store manager or premises licence holder it begs the question as to what training and vetting of staff has taken place before they are left unsupervised to work there?
2. Why were such implements, a hammer and a wooden baton, being kept close to hand behind the counter of the store? They were very close to hand having been left just behind the counter within reach of the counter access from the shop floor.
3. It appears that the shop worker had been left in sole charge of the shop premises indicating he was employed in some capacity there. Why was this when he had no right to work in the UK and what checks had been done by the store management in that respect?

For this reason Northamptonshire Police do not believe the the Premise Licence Holder and DPS Kandarpa SARMA has upheld the Prevention of Crime & Disorder licensing objective nor that of public safety in terms the untrained and unvetted member of staff left in charge of his premises and the weapons that were to hand behind the service counter used during this incident. Also there were failures to carry out checks on the shop worker in terms of his right to work. Northamptonshire Police therefore ask that Northampton Borough Council Licensing Committee review the premises licence and consider all options terms of revocation, suspension or added conditions. Removal of the DPS is not a viable option given that the premises licence holder and DPS are one and the same.

Conditory
If they see fit to add new conditions to the licence the following would be acceptable to Northamptonshire Police as relevant, proportionate and necessary to the circumstances of this review and the licensing objectives:

1. All staff involved in the retail of alcohol will be trained in relation to the law regarding its sale. This training must be completed prior to them being authorised to sell alcohol and refreshed every 12 months as a minimum. A record of this training must be kept and maintained with a copy of the syllabus attached. The recipient of the training must sign to state that they have received and understood the training and this should be dated. Training records must be kept on the premises at all times and made available to an officer from a responsible authority upon reasonable request.
2. Records, including copies of all relevant documentation, pertaining to any and all

employees identification and right to work in the shop must be retained by the premises for the duration of their employment and for at least 6 months after termination of that employment. Employment includes any person who performs any work linked to the general running of the store for payment or otherwise.

3. No implements such as hammers, knives, wooden sticks or bats or anything else that could be easily used as a weapon are to be kept behind the counter, on the shop floor or in the storage areas at the back of the shop whilst the premises is open to the public. Where tools need to be used for any repair in these areas they will be removed once the repairs are complete.

3. After 6pm and up closing time there must be more than one person working in the store at any one time.

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

Please tick yes

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

If yes please state the date of that application

Day Month Year

1	3	1	1	2	0	1	7
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If you have made representations before relating to this premises please state what they were and when you made them

No

Please tick yes

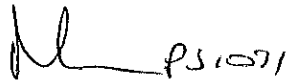
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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 3)

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

Signature



Date 13.11.2017

Capacity Northamptonshire Police Licensing Sergeant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.