This is an application for a review of the Premises Licence following visits in November 2018 where a member of staff was employed without the right to work in the UK. Breaches of the premises licence conditions were also observed.
Consultation Information:

<table>
<thead>
<tr>
<th>Department(s) or Organisation(s)</th>
<th>Consulted (Y/N)</th>
<th>Date Response Received</th>
<th>Comments summarized in report (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health &amp; Safety Section</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Noise Service</td>
<td>N</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>Social Services</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Licensing Service</td>
<td>Y</td>
<td>19.12.18</td>
<td>Y</td>
</tr>
<tr>
<td>Planning</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trading Standards</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>External</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Authority</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police Licensing Unit</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health Authority</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Policy implications:

*Licensing Objectives (chapters 5 to 9, pages 12 to 20 of the policy)*

The Licensing Objective(s) engaged by this application are;

- Prevention of Crime and Disorder
- Protection of Children from Harm
- Prevention of Public Nuisance
- Public Safety

*Complaints, Representations and Licensing Reviews (chapter 19, pages 26 to 28 and 29 of the policy)*

19.2 Proceedings under the Licensing Act 2003 for reviewing a premises licence are provided as a key protection for the community where problems associated with crime and disorder, public safety, public nuisance or the protection of children from harm are occurring.

19.8 The licensing committee, in determining a review, may exercise the range of powers given to them to promote the licensing objectives.

19.10 The Authority will seek to establish the cause or causes of the concern and remedial action will be targeted at such causes. Any action will be proportionate to the problems involved.

19.14 Offences under the Licensing Act 2003 include the serving of alcohol to unaccompanied persons under 18. The consumption of alcohol by minors impacts on the health, educational attainment, employment prospects and propensity for crime of young people. The Authority will treat representations that these offences have occurred seriously when they arise in connection with the granting or review of a premises licence. It will also have regard to other criminal activities which may take place in some types of licensed premises such as; employment of those who do not have the right to work in the UK.
1. Application

1.1 On 5th December 2018 Lambeth Public Protection submitted an application to review the Premises Licence in respect of Premier Food and Wine, 139 South Lambeth Road, London SW8 1XB. This was following visits made in November 2018 whereby an arrest was made by UKBA of one staff member with no right to work in the UK. A number of breaches of licence conditions were found, including single can sales and no current refusal register entries. Within this application Public Protection are proposing that Members consider revocation of this premises licence.

1.2 Members consider revocation of this premises licence.

A copy of the Review Application Form is attached as Annex A.

2. Representations:

2.1 Three representations in support of the review have been received from the Licensing Authority, Metropolitan Police and a ward councillor. Their representations are based on all four of the licensing objectives.

2.2 The Authority and the Police have referenced breaches of the conditions attached to the premises licence, and warnings given. The Councillor has given details of complaints received. A copy of the representations are attached as Annex B.

2.3 A representative of the Premises Licence Holder has submitted an 83 page supporting statement in response to this review application. This document is attached as Annex C.

3. Current Licence:

3.1 The licence was first granted on 24th November 2005. The licence holder Mr Mohammad Najib has held the licence since 09th May 2012. Mr Mohammad Najib has been the Designated Premises Supervisor since 27th September 2013. The licence authorises the following licensable activities;

\[\text{Sale of Alcohol} \]

\[\text{Monday - Sunday 00:00 - 00:00 (24hrs)}\]

A copy of the current premises licence is attached as Annex D.

4. Background History:

4.1 This premises was previously reviewed by Trading Standards. This review was heard by the Licensing Sub Committee on 26th November 2013. The decision was to include an additional 8 conditions. The minutes which include the decision the members took is attached as Annex E.

A further review was made by Trading Standards. This was heard by the Licensing Sub Committee on 26th August 2014. The decision resulted in no further action being undertaken. The minutes which include the decision the members took is attached as Annex F.

On 4th August 2015 Licensing Officers invited Mr Mohammad Najib to Council Offices to discuss allegations of anti-social behaviour in the vicinity of the premises. The letter has been attached as Annex G. This invite was rescheduled as the licence holder was
abroad. This meeting did not take place.

On 7th July 2016 the Licensing Service team led an intervention meeting with Mr Najib, following an underage sale to a minor. After the meeting a warning letter was issued and a copy has been attached to the Licensing representation and can be seen in Annex C. The licence holder representative sent a response regarding the underage sale dated 1st June 2016. This was provided at the intervention meeting by the premises licence holder. This has been attached as Annex H.

A resident submitted a complaint via the online contact form on 24th June 2018. This alleges single can sales and public nuisance and has been attached as Annex I.

4.2 The premises is located in the middle of the A203 South Lambeth Road. This road has good access to public transport, including number of 24/7 bus routes. The premises is located in the middle of both Vauxhall and Stockwell stations.

5. Observations:

5.1 The parts of the Statutory Guidance (March 2015) which are particularly relevant to this application and the representations received are Chapters:
   2 – The Licensing Objectives;
   3 – Licensable Activities;
   9 – Determining Applications;
   10 – Conditions Attached to Premises Licenses and Club Premises Certificates;
   11 – Reviews

5.2 The parts of the Statement of Licensing Policy that are particularly relevant to this application and the representations are Sections:
   1. Introduction
   5. The Licensing Objectives
   6. The Prevention of Crime and Disorder
   7. Public Safety
   8. Prevention of Public Nuisance
   10. Conduct of Licence Holders and DPS
   11. Compliance with other Legislation
   19. Complaints, Representations and Reviews

6. Conclusion:

6.1 Members are required to consider the application in light of all the relevant information. The Licensing Sub-Committee may take such steps as are appropriate for the promotion of the licensing objectives.

The options available to Members of the Licensing Sub Committee are:

1 - To modify the conditions of the licence
2 - To remove a licensable activity from the scope of the premises licence
3 - To remove the designated premises supervisor from the licence
4 - To suspend the premises license for a period of 3 months
5 - To revoke the premises licence
6 - To take no action
6.2 Where the authority modifies a condition of the licence or removes a licensable activity it may provide that this takes effect for such period as it may specify (but not exceeding three months).

Appendices:

Annex A – Application for Licensing Review
Annex B – Representations made in support of the application
Annex C – Premises Licence Holder supporting statement
Annex D – The current premises licence
Annex E – Minutes - Decision 26th November 2013
Annex F – Minutes - Decision 26th August 2014
Annex G – Licensing Officer complaint warning letter 4th August 2015
Annex I – Resident complaint 24th June 2018

Reference Documents:

| Local Government Act 1972 – Access to information documents used in the preparation of this report | 1 The Licensing Act 2003 (“the Act”) |
| | 2 Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) (“the Guidance”) |
| | 3 Lambeth Resident Statement of Licensing Policy 2014 – 2019 (“the Policy”) |
| | 4 Full review application and supporting papers heard on 26th November 2013 and 26th August 2014 (available at committee if requested) |