

Licensing Sub-Committee

Agenda

Tuesday 21 February 2023 at 6.30 pm

This meeting will be held remotely

Watch the meeting live: [youtube.com/hammersmithandfulham](https://www.youtube.com/hammersmithandfulham)

MEMBERSHIP

Administration:	Opposition:
Councillor Mercy Umeh (Chair) Councillor Florian Chevoppe-Verdier	Councillor Dominic Stanton

CONTACT OFFICER: Debbie Yau
Committee Co-ordinator
Governance and Scrutiny
Tel: 07901 517470
E-mail: debbie.yau@lbhf.gov.uk

Public Notice

This meeting will be held remotely. Members of the press and public can watch the meeting live on YouTube: [youtube.com/hammersmithandfulham](https://www.youtube.com/hammersmithandfulham)

Speaking at Licensing meetings is restricted to those who have submitted a representation and registered to speak.

Date Issued: 10 February 2023

Licensing Sub-Committee Agenda

21 February 2023

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1.	APOLOGIES FOR ABSENCE	
2.	DECLARATIONS OF INTEREST	
	<p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Standards Committee.</p>	
3.	BROADWAY FOOD & WINE, 51 FULHAM BROADWAY, LONDON SW6 1AE	3 - 76

Agenda Item 3

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1. THE APPLICATION

On 10 November 2022, Mr Graham Hopkins of GT Licensing Consultants submitted an application on behalf of Mr Prabakaran Shanmugaratham (“the applicant”) for a new premises licence in respect of the premises known as Broadway Food & Wine, 51 Fulham Broadway London SW6 1AE

1.1 Application Requested

The applicant has applied for a new premises licence for the sale of alcohol off the premises only as outlined below:

Sale by retail of alcohol off the premises

Mondays to Sundays 10:00 to 23:00

Proposed Opening Hours:

Mondays to Sundays 08:00 to 02:00

A copy of the application form and plan can be seen on pages **14-33** of this report.

1.2 Applicants Operating Schedule

The applicant has proposed a number of steps to promote the four licensing objectives if the application is granted. A copy of the proposed conditions can be seen on page **24-26** of this report.

On the 06 December 2022, following correspondence received from the Police, the applicant agreed the licence be **time limited for a period of twelve months** from the date that any licence is granted and agreed to five extra conditions to their licence if granted. A copy of this amendment and relevant correspondence can be seen on pages **34-40** of this report.

- 1. The following people are not to be employed in any capacity of the business at the premises or involved in the management of licensable activities at the premises either directly or indirectly. Suganthan Sinnathurai, Mr Thayalan Ratnam and Mrs Nageswary Shanmugaratnam.*
- 2. The following people are not to enter the premises at any time in any capacity whilst licensable activities are taking place. Suganthan Sinnathurai, Mr Thayalan Ratnam and Mrs Nageswary Shanmugaratnam.*
- 3. All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. For a period of twelve months from the date the licence is granted, all staff training shall be provided by a professional licensing agent. Written records of this training shall be retained and made available to Police and authorised officers of the Licensing Authority on request.*
- 4. On days when Chelsea Football Club are playing a home fixture, or on any day that a Chelsea Victory Parade takes place, the premises shall stop the sale of alcohol*

three hours before the advertised kick-off time until one hour after the match has finished. During this time frame, all alcohol shall be locked behind shutters and not displayed.

- 5. On any day that Chelsea Football Club Men's First Team play in any Cup Final, specifically European Cup Finals, the premises shall stop the sale of alcohol three hours before the advertised kick off time until three hours after the match has been completed. During this time frame, all alcohol shall be locked behind shutters and not displayed.*

On the 07 December 2022, following correspondence received from Health & Safety, the applicant agreed to add the below condition to their licence if granted. A copy of this amendment and relevant correspondence can be seen on pages **41-43** of this report.

1. That the premises cannot be used for any activity licensed under the Licensing Act 2003 until the licence holder: -

- 1. Presents to the Safety Officer a documented safety management plan to satisfy the authority that the business can operate safely and address the objectives within the Licensing Act 2003.*
- 2. A record of a pre-opening inspection to confirm the premises is safe for the public to access.*
- 3. Written confirmation that the Safety Officer is satisfied with the Documented safety management system shall be made available on request to authorised officers of the Council upon request.*

On the 04 February 2023, following correspondence received from Trading Standards, the applicant agreed to add the below condition to their licence if granted. A copy of this amendment and relevant correspondence can be seen at pages **44-55** of this report.

- 1. The premises licence shall not come into effect until written notification from the Licensing Authority, Police and Trading Standards team has been sent to the licensee confirming they are satisfied the business is able to operate in accordance with the terms and conditions of the premises licence. A copy of this notification shall be made available to authorised officers of the Licensing Authority on request. The notification shall be subject to:*
 - the licensee contacting the aforementioned teams requesting a full pre-licensing inspection, and*
 - the inspection being undertaken within 14 days of request.*

2. BACKGROUND

The main access to the premise's unit is located on Fulham Broadway. There is a mixture of both residential and commercial premises within the area. A map showing the location of the premises and neighbouring licensed premises can be seen on pages **56-60** of this report.

There are several options for transport away from the area including buses and taxis which run from in and around Fulham Broadway area. Fulham Broadway tube station is a 2-minute walk away, Parsons Green tube station is an 11-minute walk away.

3. CONSULTATION

A public notice was displayed at the premises for 28 days. The application was advertised in a local circular and all statutory consultees were notified as required by the Regulations. The Council has served written notice of hearing upon the applicant and all those parties that have made representations in respect of the application.

3.1. Relevant Representations

The Licensing section received one representation from The Licensing Authority objecting to the licence application. A copy of the representation can be seen on pages **61-65** of this report.

The Licensing section received one representation from The Head Of Safeguarding, objecting to the licence application. A copy of the representation can be seen on pages **66** of this report.

The licensing section received eight representations from local residents objecting to the licence application. A copy of the representations can be seen on pages **67-74** of this report.

4. OTHER INFORMATION

4.1 Enforcement History

This premises has been the subject of adverse enforcement history over the last 2 years, with some of the original offences taking place in 2017. The licence was originally reviewed asking for revocation in October 2018, after multiple licensing breaches and the sale of alcohol to a child. This revocation was granted by the Sub-Committee in December 2018.

The decision was then appealed early in 2019 and in September 2019 a consent order was agreed on the basis that the two individuals who managed the premises previously should not be involved in any licensable activities at the premises – Mr Suganthan Sinnathurai and Mrs Nageswary Shanmugaratnah were specifically named in a condition which was then added to the licence.

The licence was reviewed again in May 2020 (asking for revocation following licensing offences ascertained) but the hearing did not take place until July 2020 due to Covid.

The licence was revoked for the second time in July 2020 and subsequently appealed again. Further Licensing and Trading Standards breaches were found in August 2021 which were also used in evidence for the appeal. On the 12th November 2021 the Magistrates' Court dismissed the appeal on all counts and upheld the Council's decision to revoke the premises licence in July 2020.

A new application was made by Mr Prabakaran Shanmugaratham (the current applicant) in November 2021, which was refused by the licensing sub-committee in January 2022. No appeal was made on this occasion.

A copy of a detailed summary regarding the Background and Enforcement History can be seen on pages **75-76** of this report.

4.2 Temporary Event Notices (“TENs”)

No TENs have been submitted in respect of this premises in the past twelve months.

5. POLICY CONSIDERATIONS

5.1 Section 5 pages 12 and 13 of the Statement of Licensing Policy (“SLP”) states that in order to ensure the promotion of the four Licensing Objectives the Licensing Authority will require applicants to detail in their operating schedule:

- the steps proposed to promote the licensing objective of the prevention of crime and disorder on, and in the vicinity of, the premises, having regard to their location, character, condition, the nature and extent of the proposed use and the persons likely to use the premises;
- the steps proposed to ensure the physical safety of people using the relevant premises or place
- how they intend to prevent nuisance arising, prevent disturbance and protect amenity so far as is appropriate to ensure that the Licensing Objectives are met. Where there is a relevant representation regarding extended hours, the Licensing Authority will not permit an extension unless it is satisfied that the Licensing Objectives would be met;
- the measures and management controls in place to protect children from harm. Where appropriate a written childcare policy should be available and be incorporated in the induction of staff.

5.2 Policy 1 page 18 confirms that The Secretary of State’s Guidance states that applicants are expected to obtain sufficient information to enable them to demonstrate, the steps they propose to take to promote the licensing objectives; and that they understand the layout of the local area and physical environment including:

- a) crime and disorder hotspots;
- b) proximity to residential premises;
- c) proximity to areas where children may congregate;
- d) any risk posed to the local area by the applicants’ proposed licensable activities; and
- e) participation in any local initiatives (for example, local crime reduction initiatives or voluntary schemes, such as ‘Ask for Angela’, local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

Applicants are expected to include positive proposals in their application on how they will manage any potential risks.

The Guidance goes on to state that ‘Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.’

The Licensing Authority notes the contents of these paragraphs from the Secretary of State’s Guidance and, in particular, the use of the word ‘expected’. Licence applications that do not in any way address the contents of these paragraphs in their operating schedules may be returned to the applicant as ‘incomplete’.

5.3 Policy 3 page 21 of the SLP states that where there is a relevant representation, the Licensing Authority will consider each particular case on its merits having regard in particular to the following matters:

- a) Whether the licensed activities are likely to have an adverse impact especially on local residents and, if there is potential to have an adverse impact, what, if any, appropriate measures will be put in place to prevent it;
- b) Whether there will be a substantial increase in the cumulative adverse impact from these or similar activities, on an adjacent residential area;
- c) Whether there is a suitable level of public transport accessibility to and from the premises at the appropriate times;
- d) Whether the activity will be likely to lead to a harmful and unmanageable increase in car parking demand in surrounding residential streets suffering high levels of parking stress or on roads forming part of the Strategic London Road Network or the London Bus Priority Network leading to a negative impact on the Licensing Objectives relating to the prevention of crime, disorder, anti-social behaviour (ASB), nuisance and vehicle emissions;
- e) Whether there have been any representations made by Responsible Authorities, or other relevant agency or representative.

The Licensing Authority will closely scrutinise extended hours applications to ensure that the Licensing Objectives are met. In determining an application the licensing committee might decide that the circumstances are such that a restriction on hours is the only appropriate means to achieve the Licensing Objectives. If an ‘hours’ restriction is imposed, the Licensing Authority will normally require that customers should be allowed a minimum of thirty minutes to consume alcohol.

To act as a guide for new or existing operators we have set out the suggested closing times for licensed premises below:

Type of premises	Town centres	Mixed use areas	Residential areas
Off-licences and alcohol sales in supermarkets	23:00 daily	23:00 daily	22:00 daily

5.4 Policy 4 pages 22 and 23 of the SLP states that in determining an application where there has been a relevant representation the Licensing Authority will, where appropriate, take into account the cumulative effect of the number, type and density of licensed premises already existing in the area. Consideration will be given to the proximity to any drug and alcohol treatment site, A&E department or homeless hostel in a local area type remit ie applicants need to make the case for how they would not increase further problems for residents/clients nearby.

In coming to any decision regarding cumulative impact the Licensing Authority will consider other mechanisms outside of the licensing regime which may also be available to address this issue, these include but are not limited to:

- Police and other enforcement of the normal law concerning disorder and anti-social behaviour.
- Police powers to close down instantly any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises, for up to 24 hours.
- The power of the police, other responsible authorities, a local resident, business or Councillor to seek a review of the licence or certificate in question.
- Police and Local Authority power to issue a Closure Notice for up to 48 hours where serious antisocial behaviour is taking place at licensed premises under the Anti-social Behaviour, Crime and Policing Act 2014.
- To ensure that residents are protected from the negative impact of late-night local licensing activities the Licensing Authority may decide to adopt an Area Specific Cumulative Impact Policy in relation to a specific area; where the number, type and density of premises providing licensable activities is having a serious negative impact on the local community and local amenities.

5.5 Policy 11 pages 30 of the SLP states that Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour caused by people once they are away from the licensed premises and, therefore, beyond the direct control of the licensee. However, licensing is a key aspect of such control and licensing law is part of a holistic approach to the management of the night time economy.

As a matter of policy the council expects every holder of a licence, certificate or permission, to accept and be responsible for minimising the impact of their activities and anti-social behaviour by their patrons within the vicinity of their premises by taking appropriate measures and action consistent with that responsibility.

Licensees and certificate holders should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example on the pavement, in a beer garden or in a smoking area, to the extent that these matters are within their control.

Population densities in this borough are high, with many residential premises located above or in close proximity to licensed premises. This means that the public nuisance and crime and disorder objectives will be of paramount concern when evaluating Operating Schedules. Licensing Committees will place high regard on the control measures put in place by the applicant to ensure that our residents are protected from the potential detrimental effects of any licensed premises.

5.6 Policy 12 pages 30 and 31 of the SLP states that we are committed to the Regulators Code and supporting businesses.

i) We will work with businesses in our borough and provide the advice you need to help you comply with the law. This may be through meeting with you at your premises or at our offices, providing written advice in an email or letter or verbally over the telephone.

ii) We will usually confirm any technical/ legal advice in writing. For applicants and agents, we also offer a pre-application advice service. Further details about this service can be found on our website.

iii) We will attend pub watch meetings and work with local businesses, including the Hammersmith Business Improvement District (BID) and Fulham BID, to help facilitate the sharing of information and advice amongst licensees in our borough.

iv) We are continuously working to improve our online application process for a range of licence permissions. If you want to know what services are available or you want to make an application online please check our website for further details.

v) We want to ensure that businesses comply with the law. Where this has not been possible through advice and education we will carry out enforcement action in accordance with our enforcement policy and as part of our commitment to the Regulators Code.

vi) We want local businesses in our borough to thrive and survive. We recognise that the law can be complex at times and that despite trying to resolve issues through discussion in the first instance, enforcement will be necessary on some occasions. We also recognise that attitudes, circumstances and personnel often change over time.

Where enforcement action has been taken against a business in the past, relevant Responsible Authorities will be mindful of this when considering any new applications. However, all new applications e.g. variations to hours or licensable activities will be decided on their merits and the information provided to demonstrate promotion of the four licensing objectives. Where a premises licence or club premises certificate has previously been reviewed or the business has been prosecuted for licensing offences, licensees are advised to discuss any new/proposed changes with the Licensing Authority and/or the relevant Responsible Authority e.g. The Police, to resolve any ongoing concerns and/or issues.

5.7 Annex 1 pages 35 and 36 of the SLP in relation to the prevention of crime and disorder states licence applicants will be expected to demonstrate the following in their operating schedules:

- a) Measures to control excessive consumption and intoxication.
- b) Consideration of any additional measures or restrictions that may be placed on alcohol sales to prevent binge drinking and promote 'sensible drinking'.
- c) Operators of off-licences in areas problems relating to street drinking and under age drinking are prevalent, measures should be outlined to strictly monitor the way alcohol is sold, specifically where the premises are located close to schools and hostels and similar premises that provide shelter or services to alcohol dependent persons.
- d) It is important to ensure that staff working at off licences are suitably trained and receive appropriate refresher training in their responsibilities under the Act and can discharge their duties in full compliance with the licence conditions and requirements of the Act. This includes the ability to competently check a customer's age with acceptable forms of identification where necessary. The Licensing Authority will particularly consider the following matters where they are material to the individual application:
 - i. The likelihood of any violence, public order or policing problem if the licence is granted;
 - ii. The measures taken to control admission to the premises, and to take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside the premises, where and to the extent that these matters are within their control.
 - iii. Past conduct and prior history of complaints against the premises;
 - iv. Whether a dispersal policy has been prepared to minimise the potential for disorder as customers leave the premises; and
 - v. Any relevant representations.

- e) Measures to demonstrate compliance Home Office guidance ' Safer Clubbing' in relation to the control of illegal drugs on their premises. They should agree a protocol with the Licensing Authority and the police on the handling of illegal drugs found on their premises.
- f) Robust measures in place to avoid the presence of weapons on their premises and should agree a protocol with the Licensing Authority and the police on the handling of weapons found on their premises.
- g) Conditions will, so far as possible, reflect local crime prevention strategies, and the Licensing Authority will also have regard to the views of the local Crime and Disorder Reduction Partnership.
- h) **Crime and disorder in the vicinity of the premises:** this may include the crime and disorder risks arising from persons queuing to enter the premises; persons exiting the premises and customers smoking eating or drinking in outdoor areas and on the highway outside the premises. This can also include crime arising from pickpockets and bag snatchers, particularly in open spaces or crowded areas where alcohol is being consumed.
- j) **CCTV** - using CCTV inside and/or outside the premises together with appropriate procedures and having staff properly trained to use CCTV equipment
- l) **dealing with and reporting crime and disorder** - training for staff and door security aimed at reducing crime and disorder in the premises and its vicinity and dealing with and reporting incidents if they occur.
- p) **local schemes** – joining and attending local Pubwatch meetings and participating in the Behave or Be Banned Scheme (BOBB) and/or signing up and using the Council's Safety Net Radio scheme.
- q) **prevention of theft** - using bag hooks and signage to warn customers of pickpockets and bag snatchers.

5.8 Annex 1 page 37 of the SLP states the Licensing Authority will require the applicant to demonstrate the steps proposed to ensure the physical safety of people using the relevant premises or place. This does not cover the separate need for applicants to provide relevant public safety requirements dealt with by Environmental Health.

5.9 Annex 1 pages 38 to 40 of the SLP in relation to the prevention of public nuisance states that the Licensing Authority will particularly consider the following matters where they are material to the individual application:

- i. The Licensing Authority recommends that primarily alcohol led premises such as nightclubs and pubs, located close to any residential premises, implement a dispersal policy at their venue. All relevant staff should be trained on any policy, and all Page 39 reasonable steps should be taken to ensure it is fully implemented and adhered to at all times.
- ii. The proximity of residential accommodation;
- iii. The type of use proposed, including the likely numbers of customers, proposed hours of operation and the frequency of activity;
- iv. The steps taken or proposed to be taken by the applicant to prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;
- v. The steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving at or leaving the premises.
- viii. The steps taken or proposed to be taken by the applicant to prevent queuing (either by pedestrian or vehicular traffic). If some queuing is inevitable then queues should be diverted away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction;

- ix. The steps taken or proposed to be taken by the applicant to ensure staff leave the premises quietly;
 - x. The arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents;
 - xi. The provision for public transport in the locality (including taxis and private hire vehicles) for patrons;
 - xii. The level of likely disturbance from associated vehicular and pedestrian movement to and from the premises;
 - xiii. The delivery and collection areas and delivery/collection times;
 - xv. The arrangements for refuse disposal, storage and the prevention/tidying of litter (including fly posters and illegal placards);
- The history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licence holder;
- xvii. The history of the applicant in controlling anti-social behaviour and preventing nuisance;
 - xviii. The generation of odour, e.g. from the preparation of food;
 - xix. Any other relevant activity likely to give rise to nuisance;
 - xx. Any representations made by the Police, or other relevant agency or representative;

The following provides a non-exhaustive list of risks associated with the public nuisance objective that applicants may want to consider when preparing their Operating Schedule:

j) **Deliveries/collections** – noise from deliveries to and/or collections (e.g. refuse) from the premises are another common source of complaint. Consider the times of such deliveries/collections and make sure you specify to any contractors that deliveries/collections should not be made at anti-social times. As a guide, the Noise and Nuisance Service recommend that deliveries/collections should only be made between the hours of 7:30am and 9:00pm, depending on the proximity of residential and/or other noisesensitive properties.

l) **Light pollution** – this is an increasingly common source of complaint, particularly from illuminated signs and external security lighting. Where provided, illuminated signs should not cause glare to neighbouring properties, ideally being turned off at night, and external lighting should be angled and/or diffused to also prevent nuisance.

r) **Waste** – consider how and where waste will be stored/disposed of at the end of trading hours, particularly if trading until late at night. This is important because the disposal of glass and/or cans to outside bin areas can be very noisy and give rise to complaints, so it may be necessary to store such items and other non-degradable refuse inside the premises until the next trading day. Consideration should also be given to the time of deliveries to minimize disruption to local residents.

s) **Litter** – for example, litter patrols for late night take-away premises

5.10 Annex 1 pages 40 to 41 of the SLP in relation to the protection of children from harm states the Licensing Authority will require operating plans to specify the measures and management controls in place to protect children from harm. Where appropriate a written childcare policy should be available and be incorporated in the induction of staff. This is expected to include:

c) The sale of alcohol to a minor is a criminal offence and Trading Standards officers will conduct appropriate covert test purchasing exercises and will take account of any complaints and intelligence. The Act permits the use of children under the age of 18 to undertake test purchases when they have been directed to do so by a duly authorised officer.

d) Where a sale of alcohol has been made on the same premises to a minor on two or more different occasions within a period of three months the premises licence could be suspended for a defined period.

g) The Licensing Authority will expect operating plans to specify the measures and management controls in place to prevent alcohol being served to children, other than in those limited circumstances permitted by the Act. The Council's Trading Standards officers have a role to play in the protection of children from harm, and proof of age schemes, and are able to provide advice in relation to measures that can be taken to help prevent the sale of alcohol to underage children. Potential licence holders should also be aware of the Proof of Age London (PAL) Scheme hosted by Southwark Council.

i) Where premises are subject to age-restrictions, the procedures in place to conduct age verification checks. The Council will expect premises only to accept current passports, driving licences or documents bearing the national PASS logo, such as Citizencard. The Proof of Age Standards Scheme (PASS) is the UK's national guarantee scheme for proof-of-age cards as endorsed by the Home Office. More information can be found on The Proof of Age Standards Scheme (PASS) website.

6. DETERMINATION

6.1 In determining this application, the Committee must have regard to the representations and take such of the following steps as it considers necessary for the promotion of the licensing objectives. The steps are:

- (a) Grant the application in full
- (b) Grant the application in part – modifying the proposed hours, activities or conditions.
- (c) Reject the application

It is the Council's duty under the Licensing Act 2003 ("The Act") to determine applications with a view to promoting the four licensing objectives; Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from Harm.

In reaching a decision the Council shall consider the details of any relevant representations received; the applicant's Operating Schedule; the Council's adopted Statement of Licensing Policy and the guidance issued by the Secretary of State under section 182 of the Act.

If the Committee is minded to grant the application conditions may be attached to the licence to alleviate the concerns raised through the representations.

* 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

GT/Broadway Food & Wine/1/22

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

PRABAKARAN

* Family name

SHANMUGARATNAM

* 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.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

- Yes No

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

Is the applicant's business registered outside the UK?

- Yes No

Business name

BROADWAY FOOD & WINE

If the applicant's business is registered, use its registered name.

VAT number

- NONE

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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.

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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

PRABAKARAN

Family name

SHANMUGARATNAM

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"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
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=""/> / <input type="text" value=""/> / <input type="text" value=""/> dd mm yyyy
* Nationality	<input type="text"/>
Right to work share code	<input type="text"/>

[Documents that demonstrate entitlement to work in the UK](#)

[Right to work share code if not submitting scanned documents](#)

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

Continued from previous page...

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.

The premises is located in a ground floor terraced retail unit with a residential flat above. It is situated on a busy main road. The business will operate as a convenience store & off licence. The layout is as per the plan submitted.

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](#)

Continued from previous page...

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

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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

Continued from previous page...

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="23:00"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="23:00"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="23:00"/>

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.

NONE

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.

NONE

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'.

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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.

NONE

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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="08:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="02:00"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="02:00"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="02:00"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="02:00"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="02:00"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="02:00"/>

State any seasonal variations

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

NONE

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.

NONE

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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.

We will operate our premises in a responsible manner and actively promote the Licensing Objectives at all times. The premises is not located in a Cumulative Impact Zone.

b) The prevention of crime and disorder

- 1) The premises licence holder, DPS or a personal licence holder shall be present at the premises at all times during the permitted hours for the sale of alcohol.
- 2) a) The premises licence holder shall ensure that a CCTV system is installed in the premises of a standard acceptable to the Metropolitan Police Service. The system shall be maintained in good working order & fully operational covering all internal areas of the premises to which the public have access and also the area immediately outside the premises. All entry and exit points shall be covered enabling frontal identification (full head and shoulders images), of every person entering the premises in any light condition to an evidential standard.
 - b) All staff shall be fully trained in the operation of the CCTV system including the ability to download screenshots and images for Police or Authorised Officers on request. A minimum of one such member of staff fully trained in the operation of the CCTV system shall be on duty at all times that the premises are open to the public.
 - c) The CCTV system shall have the capability to either download footage onto a disk or memory stick. The footage of the CCTV system shall be retained for a minimum period of 31 days before re-writing itself with the correct date and time showing. Screenshots and CCTV footage shall be made available to Police or Authorised Officers immediately upon request.
 - d) If the CCTV system is broken the premises licence holder shall notify the Licensing Authority and Police Licensing Team as soon as possible and shall get the fault rectified as soon as practicable.
 - e) The premises licence holder shall ensure that a log is kept with the details of the dates of all work / repairs carried out on the CCTV system including the name and phone number of the engineer.
 - f) On a minimum daily basis the premises licence holder / DPS shall check that the CCTV system is operational and the date and time stamp are correctly set and on a minimum of a weekly basis, shall check that the CCTV system is also correctly recording images for a minimum of 31 days and that screenshots and footage can be correctly downloaded. Details of these checks shall be recorded in the appropriate section of the Incident Book.
- 3) An Incident Book shall be kept at the premises and made available to the Police or Authorised Officers, which shall record the following:
 - All crimes reported;
 - Lost property;
 - All ejections of customers;
 - Any complaints received and the outcome;
 - Any incidents of disorder;
 - Any faults in the CCTV;
 - Any refusal in the sale of alcohol;
 - Any visit by a relevant authority or emergency service. Whenever Police are called a CAD number shall be obtained and recorded in the Incident Book.
- 4) Appropriate notices shall be clearly displayed by the entry / exit door and behind the counter advising customers:
 - That CCTV and the Challenge 25 proof of age policy are in operation;
 - Of the provisions of the Licensing Act 2003 regarding underage or proxy sales;
 - That a minimum of 2 cans or bottles of beer, lager or cider may be sold in a single transaction;
 - Of the permitted (licensed) hours for the sale of alcohol and the opening hours of the shop;
 - Asking customers to respect residents, to leave the shop and area quietly, not to loiter or drink outside the shop or in the street (due to the Borough wide Public Spaces Protection Order) and to dispose of litter legally;
 - That customers shall not drink alcohol in the premises;
 - That the shop does not buy alcohol or tobacco goods from unsolicited (cold) callers to the premises at any time and that details of any such unsolicited (cold) callers including CCTV images shall be passed to the Police.
- 5) The Challenge 25 proof of age policy shall be operated as the proof of age scheme. (See Box E Protection of Children From Harm - Condition 2 for full details.)
- 6) All staff shall be trained on induction and given refresher training at a minimum of six monthly intervals. (see Box E Protection of Children From Harm - Condition 4 for full details.)
- 7) There shall be no supply of alcohol for consumption off the premises except in sealed containers.

Continued from previous page...

- 8) No beers, lagers or ciders above 5.5% ABV (alcohol by volume) shall be sold at the premises.
- 9) A minimum of 2 cans or bottles of beer, lager or cider shall be sold at the premises.
- 10) No spirits shall be sold in bottles of less than 20 cl (centilitres).
- 11) All spirits shall be displayed behind the counter and all other alcohol shall be displayed in clear line of sight of the counter.
- 12) All displays of alcohol shall be specifically covered by CCTV at all times.
- 13) All displays of alcohol shall be covered by lockable metal shutters which must be closed & used to cover the alcohol displays when the shop is open outside of the licensed hours for the sale of alcohol. The key(s) must only be kept by the premises licence holder, DPS or personal licence holder on duty.
- 14) A maximum of 20% of the retail display space shall be used for the display of alcohol at any time.
- 15) All alcohol not on display shall be stored in a lockable store.
- 16) All containers of alcohol shall be marked with a label stating the name and postcode of the shop.
- 17) The premises shall actively engage with and work with the local Police Team and the Police and Council Licensing Teams.
- 18) Invoices or copies of all invoices relating to all alcohol and tobacco goods shall be kept on the premises for at least a year after the date of purchase. Alcohol and tobacco shall never be purchased from a cold caller to the shop. A notice shall be clearly displayed advising persons entering the shop that no alcohol or tobacco is purchased from unsolicited callers and that their details shall be provided to the Police.
- 19) The Premises Licence Holder shall not permit Mr Suganthan Sinnathurai and Mr Thayalan Ratnam to be employed in any capacity of the business at the premises or involved in the management of licensable activities at the premises. The Premises Licence Holder shall also not permit Mrs Nageswary Shanmugaratnam to be employed in any capacity involving customer service or other customer related roles in the service area of the premises, including working behind the counter or on the tills, or to be involved in the management of licensable activities at the premises.
- 20) On days when Chelsea Football Club are playing a home fixture, the premises shall stop the sale of alcohol two hours before the advertised kick-off time until one hour after the match has finished.
- 21) The premises licence holder shall be able to produce, to a Police Officer, UKBF Immigration Officer or Authorised Officer, proof of full compliance with the Home Office Guide For Employers on Preventing Illegal Working in the UK , currently titled " An Employers Guide to Right to Work Checks", January 2019 issue or any subsequent issue.
- 22) The premises licence holder shall maintain on the premises a contemporaneous written record of the hours worked by all persons subject to Immigration Control. Such record shall as a minimum cover the previous four (4) weeks and must be produced on demand to a Police Officer, Immigration Officer or Authorised Officer.

c) Public safety

A fire risk assessment and emergency plan shall be prepared and regularly reviewed. Staff shall be given appropriate fire safety training.

d) The prevention of public nuisance

- 1) Appropriate notices shall be clearly displayed by the entry / exit door and behind the counter & by the alcohol displays, as appropriate. (See Box B Prevention of Crime & Disorder - Condition 4 for full details.)
- 2) Management and staff shall proactively discourage persons from drinking or loitering outside the shop both by monitoring the CCTV system & physical checks, politely asking persons drinking or loitering outside the shop to leave the frontage & area quickly & quietly.
- 3) The shop front shall be kept tidy at all times and shall be swept at close.
- 4) No deliveries shall be received or removal of rubbish especially glass take place between 20.00 and 08.00 daily.

e) The protection of children from harm

- 1) Relevant notices shall be clearly displayed by the entry / exit door, behind the counter & by the alcohol displays, as appropriate. (See Box B Prevention of Crime & Disorder -Condition 4 for full details.)
- 2) The Challenge 25 proof of age policy shall be operated and only a photographic driving licence, a valid passport, a valid

Continued from previous page...

UK Armed Forces photographic identity card with the bearer's photograph & date of birth on it or a Home Office approved proof of age card with the bearer's photograph & date of birth and the PASS hologram on it shall be accepted as proof of age.

3) Refusals of the sale of alcohol shall be recorded in the refusals section of the Incident Book.

4) All staff shall be trained for their role on induction and be given refresher training at minimum intervals of six months thereafter. Training shall include the operation of the CCTV System including downloading screenshots & footage, operation of the Challenge 25 proof of age scheme, including identifying persons under 25, making a challenge, acceptable proof of age, making and recording a refusal, avoiding proxy sales and sales to intoxicated persons or people under the influence of drugs, avoiding conflict, responsible alcohol retailing and safeguarding children, vulnerable people, girls & women.

5) Written training records shall be kept for each member of staff and produced to Police or Authorised Officers on demand.

6) Unless an EPOS till system shall be used a manual till prompt shall be displayed by each till to remind staff to check proof of age where appropriate.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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.
- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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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.

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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.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

* I/we understand 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.

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

* Capacity

* Date / /
dd mm yyyy

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/hammersmith-and-fulham/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.

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" value="GT/Broadway Food & Wine/1/22"/>
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 >](#)

From: Kristen
Sent: 07 December 2022 10:19
To: Licensing HF: H&F

Subject: 51 Fulham Broadway London SW6 1AE- 2022/01898/LAPR

Good Morning Licensing,

Please refer to the agreed five conditions (highlighted in red below) between the Police and the applicant or the above application. Please also note that the applicant has agreed that this licence be **time limited for a period of twelve months** from the date that any licence is granted.

Kind regards,

Kris.

Kris Cardwell
Police Constable
Licensing Officer - Hammersmith and Fulham (Central West BCU)

From: Cardwell Kris J - AW-CU
Sent: 07 December 2022 10:09
To: GRAHAM HOPKINS
Subject: RE: Police Proposed Conditions:- 51 Fulham Broadway.

Hi Graham,

Many thanks for confirmation that your client agrees to the conditions proposed by the Police for the premises licence for 51 Fulham Broadway. I will inform the Local Authority who will amend the application.

Many thanks for your time with this application.

All the best,

Kris.

Kris Cardwell
Police Constable
Licensing Officer - Hammersmith and Fulham

Hi Kristen,

Mr Praba Shanmugaratnam agrees that the Police conditions including the time limited licence should be added to and applied as appropriate to any premises licence granted for Broadway Food & Wine.

Thank you and kind regards,

Graham Hopkins

From: Cardwell Kris J - AW-CU

Sent: 07 December 2022 08:44

To: GRAHAM HOPKINS

Subject: RE: Police Proposed Conditions:- 51 Fulham Broadway.

Great Stuff,

Thanks Graham,

All the best.

From: GRAHAM HOPKINS

Sent: 07 December 2022 08:43

To: Cardwell Kris J - AW-CU

Subject: Re: Police Proposed Conditions:- 51 Fulham Broadway.

Good morning Kristen,

Sorry just seen your email. Sending it straight to client. Doug Love has emailed to say that TS will be offering Praba & staff training too. Probably makes sense to avoid duplication so I will ask what areas TS will cover.

Kind regards

Graham

On Tue, 6 Dec 2022 at 13:31, <Kristen wrote:

Good Afternoon Graham,

Many thanks for your time with the application for 51 Fulham Broadway. Please can you confirm that your client agrees with the following conditions and agreement referencing the licence being time limited for a period of twelve months?

The premises licence be time limited for a period of 12 months from the date it is granted.

1. The following people are not to be employed in any capacity of the business at the premises or involved in the management of licensable activities at the premises either directly or indirectly. Suganthan Sinnathurai, Mr Thayalan Ratnam and Mrs Nageswary Shanmugaratnam.

2. The following people are not to enter the premises at any time in any capacity whilst licensable activities are taking place. Suganthan Sinnathurai, Mr Thayalan Ratnam and Mrs Nageswary Shanmugaratnam.

3. All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. For a period of twelve months from the date the licence is granted, all staff training shall be provided by a professional licensing agent. Written records of this training shall be retained and made available to Police and authorised officers of the Licensing Authority on request.

4. On days when Chelsea Football Club are playing a home fixture, or on any day that a Chelsea Victory Parade takes place, the premises shall stop the sale of alcohol three hours before the advertised kick-off time until one hour after the match has finished. During this time frame, all alcohol shall be locked behind shutters and not displayed.

5. On any day that Chelsea Football Club Men's First Team play in any Cup Final, specifically European Cup Finals, the premises shall stop the sale of alcohol three hours before the advertised kick off time until three hours after the match has been completed. During this time frame, all alcohol shall be locked behind shutters and not displayed

I look forward to hearing from you,

Kind regards,

Kris.

Kris Cardwell

Police Constable

Licensing Officer - Hammersmith and Fulham

Metropolitan Police Service

From: GRAHAM HOPKINS

Sent: 06 December 2022 12:17

To: Cardwell Kris J - AW-CU <

Subject: Re: Police Proposed Conditions:- 51 Fulham Broadway.

Thank you Kristen.

Kind regards,

Graham

On Tue, 6 Dec 2022 at 11:58, <Kristen> wrote:

Hi Graham,

Great stuff, I will send the conditions over formally later today for your approval and then inform the Local Authority.

Thanks again and all the best,

Kris.

Kris Cardwell

Police Constable

Licensing Officer - Hammersmith and Fulham

From: GRAHAM HOPKINS

Sent: 06 December 2022 11:22

To: Cardwell Kris J - AW-CU <

Subject: Re: Police Proposed Conditions:- 51 Fulham Broadway.

Morning Kristen,

Yes definitely.

Kind regards ,

Graham

On Tue, 6 Dec 2022 at 10:44, <[Kristen](#)> wrote:

Good Morning Graham,

Many thanks for your email and update.

Regarding the training being professionally delivered for the first year are we able to put that as a condition on the licence?

Happy to discuss,

All the best,

Kris.

Kris Cardwell

Police Constable

Licensing Officer - Hammersmith and Fulham

Metropolitan Police Service

From: GRAHAM HOPKINS

Sent: 05 December 2022 15:20

To: Cardwell Kris J - AW-CU

Subject: Re: Police Proposed Conditions:- 51 Fulham Broadway.

Dear All,

I have spoken at length to Mr Praba Shanmugaratnam following our TEAMS meeting. Thank you all for attending and to PC Cardwell for organising it.

- 1) Mr Shanmugaratnam has agreed that this premises licence application, if granted, be limited to a 12 month period.
- 2) He has also agreed that we would undertake all staff training on his behalf for at least the first year following any grant.
- 3) The Police football conditions have been accepted.
- 4) The Police conditions re excluding persons have been accepted including re Mrs Shanmugarartnam.

Kind regards,

Graham Hopkins

GT Licensing Consultants

On Mon, 5 Dec 2022 at 14:30, <Kristen> wrote:

Good Afternoon Graham,

It was good to meet you early today to discuss the application for [51 Fulham Broadway](#). As I am sure you are aware, there are real concerns about this application and the premises licence being granted, specifically as ongoing issues are still apparent even though the premises is currently not licensed.

As I stated, the Police do want to work with premises, however due to the significant number of breaches at this premises it is essential that the appropriate conditions are attached to the premise licence.

To give the Police some confidence in the applicant, I am recommending that the following conditions be added to the premises licence and also that this **premises licence be time limited for a period of 12 months from the date it is granted:-**

1. The following people are not to be employed in any capacity of the business at the premises or involved in the management of licensable activities at the premises either directly or indirectly. Suganthan Sinnathurai, Mr Thayalan Ratnam and Mrs Nageswary Shanmugaratnam.

2. The following people are not to enter the premises at any time in any capacity whilst licensable activities are taking place. Suganthan Sinnathurai, Mr Thayalan Ratnam and Mrs Nageswary Shanmugaratnam.

I look forward to hearing from you by Wednesday.

If you wish to discuss anything further the please contact myself or Nicole,

Kind regards,

Kris.

Kris Cardwell

Police Constable

Licensing Officer - Hammersmith and Fulham

From: GRAHAM HOPKINS
Sent: 02 December 2022 10:41
To: Cardwell Kris J - AW-CU
Subject: Football Conditions - Mr Shanmugaratnam

Good Morning Kristen,

Mr Shanmugaratnam has now accepted both your Football Conditions. He does not accept the idea of a time limited licence so that will have to be decided by the LSC.

I look forward to hearing from you re the online discussion for Monday.

Kind regards,

Graham Hopkins

GT Licensing Consultants

From: Praba Shan
Sent: 07 December 2022 09:38
To: Christian Shaafiek: H & F
Cc: Layug Karen: H & F
Subject: Re: 51 Fulham Broadway: Public Safety Review for Premises License Application

Thanks Christian.

Happy to accept mentioned conditions below.

Best,

Praba (Applicant).

From: Christian Shaafiek: H & F
Sent: 07 December 2022 09:21
To: Praba Shan
Cc: Layug Karen: H & F
Subject: RE: 51 Fulham Broadway: Public Safety Review for Premises License Application

Dear Applicant,

Thank you for your email dated 29 November 2022. Having reviewed the response received and information provided, I am not satisfied the Public Safety measures in place are sufficient and would submit representation for the Licensing Sub-Committee to consider in granting this application.

However, if the applicant is in agreement, I am minded to put forward the following conditions to be attached to the Licence, if granted.

1. *That the premises cannot be used for any activity licensed under the Licensing Act 2003 until the licence holder: -*
 1. *Presents to the Safety Officer a documented safety management plan to satisfy the authority that the business can operate safely and address the objectives within the Licensing Act 2003.*
 2. *A record of a pre-opening inspection to confirm the premises is safe for the public to access.*
 3. *Written confirmation that the Safety Officer is satisfied with the Documented safety management system shall be made available on request to authorised officers of the Council upon request.*

Please confirm whether you are in agreement with the above proposed condition.

Sincerely,

Shaafiek Christian

Environmental Health Practitioner

Health and Safety

Hammersmith and Fulham Council

From: Praba Shan
Sent: 29 November 2022 11:22

To: Christian Shaafiek: H & & F
Cc: Layug Karen: H & & F ; Overton Adrian: H & & F <gtlicensingconsultants
Subject: Re: 51 Fulham Broadway: Public Safety Review for Premises License Application

Hi Christian,

Thank you for reaching out.

I'm currently not running the business - in any shape or form. Hence, not in a position to manage, implement or report on any of the below requirements or questions.

The decision to take on or buy the business will be dependent on a premise license.

However, please be assured that if I do take on the business, I will work with your team and relevant Health & & Safety experts to implement the required conditions.

For example, helping with Disabled access:

- step free access / Ramps available for wheel chair users if needs
- Widening doors (if not already wide)
- Automatic sliding doors (if not present already)
- lower shelf / de clutter and widen aisles (if not already done so)
- Workshop and awareness training for Staff (especially on understanding non-physical or non-visible impairments)

Regarding equipment checks, fire safety assessments and other operational / Maintenance type activities, I am confident I can deliver on these.

As a property owner / landlord, please be assured I have access to the relevant professionals that can help with all regulatory and compliance matters.

Hope this helps. Feel free to reach out to myself or GT Licensing (Graham, cc'd) if you require any further information.

Best,

Praba

From: Christian Shaafiek: H & & F

Sent: 22 November 2022 13:57and

To: Shan

Cc: Layug Karen: H & & F; Overton Adrian: H & & F

Subject: 51 Fulham Broadway: Public Safety Review for Premises License Application

Dear Mr Prabakaran Shanmugaratham

I write in reference to the application of the premises licence submitted for **51 Fulham Broadway, London, SW6 1AE** and received on 10/11/2022.

I am the member of the Health and Safety team, allocated to review the steps you intend to take to promote the Public Safety Licensing Objective.

Upon review of the information provided, the following further information will be required to ascertain how public safety objectives will be achieved:

1. Please provide a copy of your Fire Risk Assessment as I would like to make sure fire safety arrangements are adequate and that you have all necessary measures in place to prevent fire and evacuate people safely if fire does occur.
2. Disabled access and evacuation – – what is your policy regarding admittance for disabled customers? How are you going to assure their safety at the premises?
3. Please confirm and provide evidence that checks on equipment are carried out at specified intervals, e.g., gas safety checks and Portable Appliance Testing.
4. Please confirm and provide evidence that standards are maintained, e.g., Fixed electrical installations to comply with British Standards and carried out in the required timescales.
5. Please confirm that Health and Safety risk assessments, accident reporting procedures and staff training protocols are in place.

In the meantime I would refer you to our licensing policy, available on our website under this link: [London Borough of Hammersmith and Fulham: Statement of Licensing Policy 2022-2027 \(lbhf.gov.uk\)](https://www.lbhf.gov.uk), especially pages 37-38 which are relevant to Guidance on promoting Licensing Objectives in Operating Schedule, re public safety. Please familiarise yourself with it and elaborate on the specific measures which you are going to take to meet this objective. Please provide me with a response by **Tuesday, 29 November 2022.**

Thank you in advance of your co-operation.

Sincerely

Shaafiek Christian

Environmental Health Practitioner

Health and Safety

Hammersmith and Fulham Council

London Borough of Hammersmith & Fulham

Trading Standards
Hammersmith Town Hall, W6 9JU

To: LBHF Licensing Team

Date: 08/12/22

Please ask for: Doug Love

LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY

Broadway Food & Wine, 51 Fulham Broadway, SW6 1AE Trading Standards representation to new application

1. Following the application for a new premises licence made by Prabakaran Shanmugaratnam, I wish to make the following representation to outline Trading Standards' knowledge of the (current) business and to request conditions to be added, if the Licensing Sub-Committee choose to vary the licence.
2. It is my understanding that the applicant wishes any post-grant business to be seen as a different entity to the business currently trading there, as he will be fully involved in the management of the business whereas, previously, he has only been financially involved. Whether this is realistic, given that he is related to the existing managers and has had a financial interest may be something the Committee will take their own view on.
3. The section below, gives a history of Trading Standards' dealings with the premises.

Statement of facts

4. On 3rd September 2018, a test purchase was undertaken at the premises by a 16-year-old volunteer working with Trading Standards. An employee sold her a bottle of wine without asking any questions. It was clear that the employee had been poorly trained. Suganthan Sinnathurai, then PLH and brother-in-law of the applicant, attended Trading Standards training course for managers and staff of Age-restricted Goods retailers in October 2018.
5. On 12th September 2018, I undertook an inspection for illicit goods. I seized a large amount of illicit alcohol - 45 bottles of vodka and 127 bottles of wine.
6. Nageswary Shanmugaratnam, who is to this day the sole director of the company that owns the business, admitted she had purchased the vodka from someone calling at the shop, without proper paperwork. She stated that the wine came from a cash and carry business, but could / would not produce invoices.
7. Trading Standards submitted a representation supporting a review bought by the Licensing Authority in November 2018 and the licence was revoked by the LS-C shortly after, before a consent order was signed.

8. In January 2020, visiting the business after reports that the shop had been buying stock from known shoplifters, I detected several types of own brand wine. Invoices were requested – the then PLH was required by a licence condition to produce them upon request – but could /were not produced.
9. Trading Standards submitted a representation supporting a review bought by the Licensing Authority in May 2020 and the licence was revoked by the LS-C shortly after.
10. Mr Shanmugaratnam, who is the son of Ms Shanmugaratnam, applied for a new licence towards the end of 2021. He spoke well when I and other officers met with him. He stated that although he had had a financial interest in the business he had not to that date been involved in day-to-day management, but said he would be from that point. The Licensing Sub-Committee chose not to grant the application.
11. On 19th August 2022, a Challenge 25 test purchase was made at the business. An employee, Jeeva Nathan, sold a disposable e-cigarette to a male volunteer, aged 20. He told the officer leading the operation that he did not ask for ID because he thought the volunteer looked old, stating he believed him to be 26 (most people the volunteer encountered put his age much lower – seven out of 10 estimated his age between '15-16' and '22-23'). An invite to attend the Trading Standards training for managers and employees of age-restricted goods retailers was extended, but no-one from the business booked onto the course.
12. On 12th October 2022, Mr Nathan failed an underage test purchase, selling an e-cigarette to a female volunteer, 17, who was accompanied by another 17-year-old female volunteer. On this occasion he did ask for ID, but accepted a photo of ID shown to him on the phone of the second volunteer. The pictured ID was of her genuine ID and showed her date of birth to be in April 2005, confirming she was 17, but was accepted by Mr Nathan who later said he'd misread it through the COVID screen as '2003'. He did not require ID from the person who was paying.
13. We strongly advise businesses never to accept ID pictured on a phone, as it is too easy to fake, and to take ID from customers, so it can be properly examined. It is not acceptable that ID should be sought from someone accompanying the buyer, but not also from the buyer.
14. The business did contact TS to book Mr Nathan on a training in November. However, they did not pay the fee, Mr Nathan did not turn up, and the business did not take advice that the person responsible for the training was the best person to attend. It was not clear who I was corresponding with at the business, but it was via the same e-mail address that I am aware Mr Sinnathurai has used when dealing with a colleague about the underage sale.
15. My colleague who investigated the underage sale offence received answers to written questions from the same e-mail address and the writer confirmed himself to be 'Sinna thurai'; that he was managing the shop as 'the owner' had been on holiday for three months; and that he was "supervisor (arranging and managing staff and delivery and supervision)". I attach the written questions and the correspondence as Appendices 1A & 1B respectively.
16. The history of for age-restricted test purchases at the business in addition to those mentioned above is as follows: the only Challenge 25 test purchase was for alcohol in August 2021 and resulted in a sale without ID being required; underage test purchases of alcohol were passed in December 2018 and October 2021.

Recommendations

As mentioned above, when I met the applicant at the end of 2021, I was quite impressed with his words.

I have met (virtually) with him again during the consultation period. He was, again, impressive, and gave some confidence when he was pledging to ensure staff were properly trained and that he would have robust expectations for their work.

However, I do have some ongoing concerns.

- The first application from Mr Shanmugaratnam was received only days before the Council's decision to revoke the previous licence was upheld on appeal. I commented in my representation to that application that it may be thought strange that despite his financial involvement in the business and could have been assumed to have been aware of previous problems at the business, the responsible authorities only became aware of him when he made the application.

For this application, he says that he has still has no involvement in the management of the business, but that he will consider buying his mother out of the business, manage it, replace the staff and insist on high standards, if the licence is granted. Had he been in a position to demonstrate this improved approach – which is clearly what the business needs - prior to making the application, I may have been in a position to recommend that it was granted,

- The answers to written questions (in Appendix 1B) suggest that, currently, staff training covers the right sort of areas – although I was disappointed not to see the ASSESS-CHALLENGE-CHECK steps process explicitly mentioned, or anything about the difficulty in assessing age.

However, there were two recent sales made by the same person. The first was not an offence but should have warned the business and the employee that they may not be getting it right. The second, when an offence was committed (and is currently under investigation), revealed the seller had made three mistakes: to accept 'phone ID'; to fail to check it carefully; and to not require ID from the person actually buying the item. This would suggest that neither the business nor seller did heed the warning.

Unless the applicant were to totally change the staff at the premises, there may be a lot of corrective action needed and I wonder whether a licence should be issued before this has been achieved.

- The same concern arises from the indication that Mr Sinnathurai has been managing the business for three months. Mr Sinnathurai was, on a previous licence, prohibited from being employed by or being involved in the management of the business.
- A similar licence condition, to prohibit named individuals from the business, is proposed with this application. However, a feature of the second review application, leading to revocation, was that the similarly prohibited Ms Nageswary Shanmugaratnam was seen behind the counter, and alleged to be purchasing stolen wine. Should there a concern about compliance with this proposed condition?

In summary, there is a track record of serious non-compliance at the premises and previous PLH's have a record of breaching conditions, including those that have been put on the licence in an attempt to guard against recurrences of that non-compliance.

I appreciate the applicant is in a difficult position – not wishing to take on the costs and responsibility of running the business, unless he has a premises licence that would go a long way to ensure its profitability, but consequently being unable to demonstrate effective and responsible running of the business – and it would not surprise me if his words are genuine and the business was responsibly run were the application to be granted. However, I am not convinced that this is a decision I can recommend to the Committee.

If they choose to grant the application, I ask that it is time limited, so that when they apply again, there will be more known about how the business is managed

Doug Love
Senior Trading Standards Officer

APPENDIX 1A

Broadway Food & Wine
51 Fulham Broadway
London
SW6 1AE`

11/11/2022

Dear Mr Shanmugaratnam,

Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 Children and Young Persons (Protection from Tobacco) Act 1991

I am writing to you, as the owner of Broadway Food & Wine in 51 Fulham Broadway, SW6 1AE, further to a sale of e-cigarette made by Jeeva Nathan on the 12th October 2022. The sale was made to a 17-year-old female volunteer, who was working with Trading Standards, accompanied by a second volunteer female volunteer, also 17.

The underage sale followed a failed 'Challenge 25' test purchase in August 2022, when Jeeva sold to a 20-year-old male volunteer, working with Trading Standards. Disposable, single-use nicotine inhaling products - generally referred to as 'disposable vapes' - are increasingly popular with children, largely due to their bright colours, appealing flavours, and price. **You and your staff should be alerted** to attempts by children to buy these products and take extra care to avoid underage sales.

It is an offence under **Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015** to sell to any person under the age of 18 and the owner can be guilty of this offence, as well as the actual seller.

It was observed by the officer present at the time of sale, that Jeeva asked for ID, and the volunteer showed him a photo ID. **Legally, you are required to have the original document. A picture is not "ID"**. As such, I would **strongly recommend** you & Jiva attend our training (details attached in the email). Our records show the last training attended by your business was in 2018 - Suganthan Sinnathurai.

I would like to ask you questions about the alleged offence. We are not routinely doing face-to-face interviews now, so I have put some questions at the end of this letter, and I invite you to provide a written answer. If you prefer to attend in person, however, I can make arrangements for you to do so.

You do not have to answer any questions, and I would suggest you take independent legal advice before you respond to this letter, especially if you are not sure what to do.

Please note these points apply to a face-to-face interview; the caution relates to both a face-to-face interview and any written response.

- Any interview will take place at these offices. (See the red marker on the map below).
- The interview will comply with the PACE codes of practice
- You will be cautioned*
- The interview will be recorded
- You may be accompanied by a legal representative
- You will not be under arrest and may stop the interview at any time.

*** PACE caution: “You do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence”.**

The purpose of these questions is to help us decide what action to take in respect of the offence. You may be prosecuted and/or the licence may be reviewed, but other options are available. My manager will make the final decision.

Please confirm whether you wish to be interviewed or intend to submit a written response by 18th November 2022.

I attach a notice outlining the rights of interviewees.

Please contact me if anything in this letter needs further explanation or if you have any questions.

Yours sincerely,

**Ladan Mohamud
LBHF Trading Standards**

Written questions for Broadway Food & Wine

- Please outline your roles in the business, being clear which of you does what.
- How many staff do you employ at the business? Please indicate which staff serve customers.
- Have you ensured all staff are trained properly in how to sell age-restricted goods to young people? If you have delegated this task, please say to whom.
- What are the main instructions given to staff during training? (If it's easier, you can provide a copy of the materials used).
- Do you keep training records for staff? Please provide any you have for current staff.
- How long has Jeeva Nathan worked at the business? When was the last time he received any training on selling e-cigarettes to young people?
- What steps does the business take to ensure that staff are following the instructions given to them about selling e-cigarettes to young people?
- Do you instruct staff to keep 'refusals records? That is, do you ask staff to make a record of occasions that they refuse to sell age-restricted goods?
- Please describe any other steps you take to minimise the underage sale of e-cigarettes at the premises.
- Is there anything else you'd like to say about the alleged offence, or anything else?

Appendix 1B – e-mail correspondence between Ladan Mohamud and the business

On 11 Nov 2022, at 11:08, Mohamud Ladan: H&F <ladan.mohamud@h&f.com> wrote:

Hi,

Please see letter attached following the recent underage sale on the 12th October 2022.

Kind regards

Ladan Mohamud
Trading Standards Officer

On 11 Nov 2022, at 12:53, viji raji <viji.raji@h&f.com> wrote:

Hi

We would like to give written answer

1 supervisor (arranging and managing staff and delivery and supervision)

2)four employees and all of them serve customers

3)yes

4)all staff were given on the job training

We have given training on following

How to check ID,What type of ID,explaining about challenge 25,

What are the age restricted products ,do not serve when elder person purchase age restricted products for under age persons ,do not accept photo ID asking everyone ID etc

5)yes

6). 2 years,last week

7)we are giving alerts to staff about asking ID every three or four hours and ask staff to write down any refusal

And we check CCTV as well to check staff asking ID to all young people

8)yes , we already trained them to keep refusal record

9)every three or four hours we give the reminder to employees about ask ID by in person or by calling to the land line or their personal mobile when we are outside

Checking refusal records

Warning to staff about termination when they failure to ask ID

Warning to send for training to council

Ask them to read about under age sales restrictions or Google it online to get the knowledge about under age sales

Every week on the job and verbal training

10)I apologise for this incident and we warned him and we are sending him for training coming November 22 on council

He explained he has seen the ID through coronavirus protection glass ,glass not clear
And he apologised and promised to be alert and ask everyone ID and get the training on council

Please forgive this incident we will be 200% alert after this incident

I send you the attachment shortly

Thanks

Sent from my iPhone

On 14 Nov 2022, at 13:49, Mohamud Ladan: H&F <Ladan.Mohamud@hmf.gov.uk> wrote:

Hi Viji,

I've reviewed your answers, as I understand you are the supervisor,

Can you confirm who is the owner/manager of the business?

Kind regards

Ladan Mohamud
Trading Standards Officer

From: viji raji <viji@tradingstandards.gov.uk>
Sent: 14 November 2022 15:00
To: Mohamud Ladan: H&F <Ladan.Mohamud@hmf.gov.uk>
Subject: Re: IMPORTANT! - Broadway F&W - 51 Fulham Broadway - SW6

Pirabakaran shan

Sent from my iPhone

From: viji raji <viji@tradingstandards.gov.uk>
Sent: 14 November 2022 17:55
To: Mohamud Ladan: H&F <Ladan.Mohamud@hmf.gov.uk>
Subject: Re: IMPORTANT! - Broadway F&W - 51 Fulham Broadway - SW6

But currently I am in charge to the shop And managing and looking after the shop as Shan on holiday last three months

Sent from my iPhone

On 14 Nov 2022, at 16:19, Mohamud Ladan: H&F <Ladan.Mohamud@hmf.gov.uk> wrote:

Do you have a contact number so I can speak to you about the written interview?

Ladan Mohamud
Trading Standards Officer

On 14 Nov 2022, at 17:36, viji raji <[redacted]> wrote:

07 [redacted] 585

Sent from my iPhone

On 15 Nov 2022, at 13:07, Mohamud Ladan: H&F <[redacted]> wrote:

Hi Viji,

I tried to call you but no answer,

Do you have permission from the owner do answer these questions? I know you mentioned you are in charge what is your full name?

Is the business registered on companies house? If yes, what's the company name?

Ladan Mohamud
Trading Standards Officer

From: viji raji <[redacted]>

Sent: 15 November 2022 14:02

To: Mohamud Ladan: H&F <[redacted]>

Subject: Re: IMPORTANT! - Broadway F&W - 51 Fulham Broadway - SW6

Yes I have permission ,currently I am running the shop as the owner on holiday

My name is Sinna thurai

Yes Registerd

BROADWAY FOOD & WINE LTD

Sent from my iPhone

From: Love Doug: H&F
Sent: 12 December 2022 11:23
To: Perez-Trillo Cristina: H&F
Subject: FW: TS Representation

Morning, All.

Please see the applicant's response to my rep. I'm reading that as offering a condition that the licence will not take effect unless and until officers are satisfied with the applicant's training and procedures. If this is the case, I would canvass that it is granted.

Could his e-mail be appended to my rep?

Also, realised I didn't include the appendices I mentioned – now attached.

Doug

Doug Love
Senior Trading Standards Officer
Hammersmith & Fulham Council

From: Praba Shan
Sent: 09 December 2022 15:32
To: Love Doug: H&F
Cc: gtlicensingconsultants
Subject: Re: TS Representation

Hello Doug,

Thank you for your representation letter, where I also saw some kind words you shared - much appreciated.

Reading the letter, I wholeheartedly agree with your concerns and wanted to see if I can address a few apprehensions you quite rightly hold.

For example, we would be keen to:

- Work with yourself and Graham (cc'd) on training / workshops etc.
- Also, delaying the start date for licensable activities, so officers can review and ensure they are satisfied.
- In essence, you get to see the changes before giving the green light (or red) - and give me the opportunity to be like Ronseal (i.e. does exactly what it says on the tin)

As mentioned, my goal is to have a tighter alignment with the authorities and ensure you all have the peace of mind that this business is in good hands - and won't bring further headache to your doorstep.

Would you be open to a call to discuss above suggestions - and any other concerns you have?

Thanks,
Praba

From: Graham Hopkins
Sent: 08 December 2022 19:18
To:
Subject: TS Representation

Praba

FYI

KR's Graham

From: Love Doug: H&F
Sent: 04 February 2023 14:28
To: Layug Karen: H&F ; Perez-Trillo Cristina: H&F ; Overton Adrian: H&F ;Cardwell Kris J - AW-CU
Subject: 51 Fulham Broadway - new licence application: Withdrawal of TS rep

Hi, All.

In the circumstances that the applicant has now agreed to seek only a 12-month time-limited licence and has offered a condition requiring officer approval prior to the licence becoming effective, I will withdraw the Trading Standards rep, as I believe that these safeguards are sufficient to protect against continuing bad practice.

I should also note that the applicant attended the Trading Standards training session on Wednesday, which covers avoiding underage sales from both a serving and managing staff perspective, as well as information about illicit alcohol and tobacco and licensees' responsibilities. His attention and apparent understanding of the issues discussed enhanced my feeling that he is determined to run the business responsibly in future.

Doug

Doug Love
Senior Trading Standards Officer

From: GRAHAM HOPKINS
Sent: 03 February 2023 19:00
To: Love Doug: H&F
Subject: LA Condition

Hi Doug,

Mr Shanmugaratnam accepts the Licensing Authority condition as per your email.

Would you be able to write or speak in support of the application please? We just wondered.

Kind regards,

Graham Hopkins
GT Licensing Consultants

From: Love Doug: H&F
Sent: 03 February 2023 14:25
To: Praba Shan ; gtlicensingconsultants
Cc: Layug Karen: H&F
Subject: RE: Training dates

Hi, Both.

Licensing have come back with a wording, which is probably simpler than mine:

The premises licence shall not come into effect until written notification from the Licensing Authority, Police and Trading Standards team has been sent to the licensee confirming they are satisfied the business is able to operate in accordance with the terms and conditions of the premises licence. A copy of this notification shall be made available to authorised officers of the Licensing Authority on request. The notification shall be subject to:

- ***the licensee contacting the aforementioned teams requesting a full pre-licensing inspection, and***
- ***the inspection being undertaken within 14 days of request.***

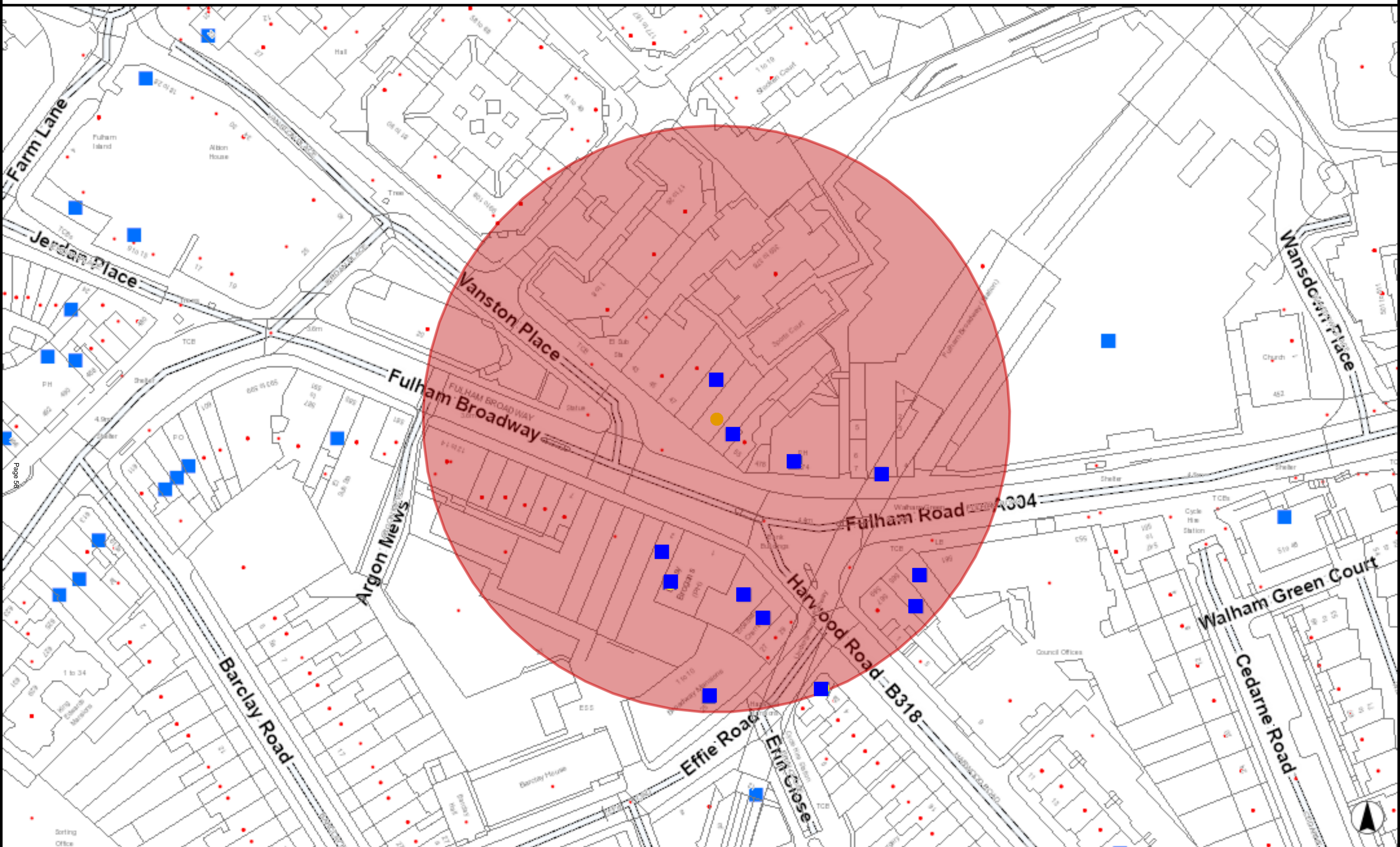
If this is OK with you, I will withdraw the TS rep.

Kind regards,

Doug

Doug Love
Senior Trading Standards Officer

London Borough of Hammersmith & Fulham



REF	TRADE AS	ADDRESS	ACTIVITY	Monday to Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
2021/00475/LAPR	Whole Foods	2 - 6 Fulham BroadwayLondonS W6 1AA	Sale of Alcohol Off the Premises		08:00:00 - 22:00:00	08:00:00 - 22:00:00	08:00:00 - 22:00:00	08:00:00 - 22:00:00	08:00:00 - 22:00:00	08:00:00 - 22:00:00	10:00:00 - 20:00:00
			Sale of Alcohol On the Premises		10:00:00 - 21:30:00	10:00:00 - 21:30:00	10:00:00 - 21:30:00	10:00:00 - 21:30:00	10:00:00 - 21:30:00	10:00:00 - 21:30:00	11:00:00 - 17:00:00
2021/00555/LAPR	Broadway Bar & Grill - Members & Roof Terrace	Broadway Bar And Grill474 - 476 Fulham RoadLondonSW6 1BY	Playing of Recorded Music	10:00:00 - 01:30:00							
			Provision of Late Night Refreshment	23:00:00 - 02:00:00							
			Sale of Alcohol On and Off the Premises	10:00:00 - 01:30:00							
2021/00556/LAPR	Broadway Bar & Grill - Ground & First Floor	Broadway Bar And Grill474 - 476 Fulham RoadLondonSW6 1BY	Exhibition of a Film	10:00:00 - 01:00:00							
			Performance of Live Music	10:00:00 - 01:00:00							
			Playing of Recorded Music	10:00:00 - 01:00:00							
			Entertainment Similar to Music or Dance	10:00:00 - 01:00:00							
			Provision of Late Night Refreshment	23:00:00 - 01:00:00							

2019/01120/LAPR	Bodean's BBQ	4 Broadway ChambersFulham BroadwayLondonS W6 1EP	Playing of Recorded Music		12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 22:30:00
			Provision of Late Night Refreshment		23:00:00 - 00:30:00	23:00:00 - 00:30:00	23:00:00 - 00:30:00	23:00:00 - 00:30:00	23:00:00 - 00:30:00	23:00:00 - 00:30:00	23:00:00 - 00:30:00	
			Sale of Alcohol On the Premises		12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 00:00:00	12:00:00 - 22:30:00

LICENSING CONSULTATION INTERNAL MEMO

To : **Elisha Collins**

From : **Adrian Overton**

Date : **8th December 2022**

Premises : **Broadway Food and Wine, 51 Fulham Broadway, SW6 1AE**

CAPS Ref : **2022/01898/LAPR**

Application : **New premises licence**

I am the Licensing Policy and Enforcement manager for the London Borough of Hammersmith and Fulham. I am also able to act as the responsible authority for the Licensing Authority of the London Borough of Hammersmith and Fulham.

I have considered the above application and wish to make a representation on the basis of past adverse enforcement history at this premises which has been outlined below.

The application

On 10th December 2022 Mr Prabakaran Shanmugaratham applied for a new premises licence in respect of Broadway Food and Wine, located at 51 Fulham Broadway London SW6 1AE.

The following activities were included on the application:

- Sale by retail of alcohol off the premises - Monday to Sunday: 10:00 - 23:00
- Hours open to public: Monday to Sunday 08:00 - 02:00

Supporting Information - Enforcement summary

This premises has been the subject of previous adverse enforcement history over the last 2 years, with some of the original offences taking place in 2017. The licence was originally reviewed asking for revocation in October 2018, after multiple licensing breaches and the sale of alcohol to a child. This revocation was granted by the Sub-Committee in December 2018.

The decision was then appealed early in 2019 and in July 2019 a consent order was agreed on the basis that the two individuals who managed the premises previously should not be involved in any licensable activities at the premises –Mr Sinnathurai

and Mrs Nageswary Shanmugaratnah were specifically named in a condition which was then added to the licence.

During an inspection in January 2020 one of the individuals (Mrs Nageswary Shanmugaratnah) was found selling alcohol behind the counter. This person was also seen on CCTV purchasing alcohol from someone who the Police later identified as a known shoplifter. The licence was therefore reviewed again in May 2020 (asking for revocation) but the hearing did not take place until July 2020 due to Covid.

The licence was revoked for the second time in July 2020 and subsequently appealed again. Further Licensing and Trading Standards breaches were found in August 2021 which were also used in evidence for the appeal. On the 12th November 2021 the Magistrates' Court dismissed the appeal on all counts and upheld the Council's decision to revoke the premises licence in July 2020.

A new application was made by Mr Shanmugaratham (the current applicant) in November 2021, which was refused by the licensing sub-committee in January 2022. No appeal was made on this occasion.

Conclusion

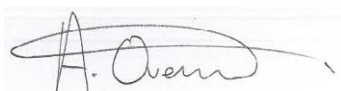
Given the previous extensive enforcement history at this premises the Licensing Authority wishes to make a representation against this application, as we have concerns that there will be a similar pattern of non-compliance at the premises in the future.

Whilst we appreciate that current applicant (Mr Shanmugaratham) was not previously named on the licence, we are concerned that the previous owners will still have some level of influence and involvement with the business in the future. This concern is compounded by the fact that the current applicant is a close family contact of Mr Sinnathurai (the previous licence holder) and Mrs Nageswary Shanmugaratnah.

For this reason, if the committee does decide to grant this application, we would ask that the licence is time limited for 12 months. Therefore, if there are further enforcement issues at the premises, these can be raised when a new licence is applied for in a years time.

We would also ask that the conditions attached at Appendix 1 of this representation are added to any new licence, to minimise any adverse impact on the four licensing objectives.

Please note that the applicant has suggested a number of conditions in their operating schedule which we would also expect to be added onto any licence granted.



Adrian Overton
Licensing Policy and Enforcement Manager
London Borough of Hammersmith and Fulham

APPENDIX 1

Suggested conditions

1. The premises licence be time limited for a period of 12 months from the date it is granted.
2. The following people are not to be employed in any capacity of the business at the premises or involved in the management of licensable activities at the premises either directly or indirectly. Suganthan Sinnathurai, Mr Thayalan Ratnam and Mrs Nageswary Shanmugaratnam.
3. The following people are not to enter the premises at any time in any capacity whilst licensable activities are taking place. Suganthan Sinnathurai, Mr Thayalan Ratnam and Mrs Nageswary Shanmugaratnam.
4. For a period of twelve months from the date the licence is granted, all staff training shall be provided by a professional licensing agent or the Council's Trading Standards team.
5. There shall be a minimum of one personal licence holder on duty at the premises at all times when the premises are authorised to sell alcohol.
6. Strong beer (including lager stout, ale etc) and cider above 5.5% ABV shall not be displayed or sold.
7. An incident log (electric or paper based) shall be kept at the Premises and made available on request to an authorised officer of the Council or the Police or the Fire Service which shall record the following:
 - (a) all crimes reported to the venue
 - (b) all ejection of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any visit by a relevant authority or emergency service

The incident record shall be kept on the premises and be available for inspection by the Police or authorised officers of the Licensing Authority at all times the premises is open.

8. The Premises shall maintain a lost property record. As a minimum this will include details of type of property, imei numbers of mobile phones, personal details attainable and restoration efforts. This will be available to the Police or authorised officers of the Licensing Authority upon request.
9. The Licence Holder shall require staff to note any refusals in a refusals log. The refusals log shall record the date and time of the refusal; the name of the staff member refusing; and the reason for refusal. It must be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the Licensing Team, Police or Trading Standards.

10. No customers carrying open alcoholic drinks shall be permitted on the premises.
11. No alcoholic goods or tobacco products shall be purchased or taken from persons calling to the shop.
12. The Licensee shall report to Trading Standards and Police any instance of a caller to the shop attempting to sell alcohol or tobacco products within 24 hours.
13. Any alcohol sold for consumption off the premises shall be sold in a sealed container.
14. All staff responsible for selling alcohol shall receive relevant training before making any unsupervised sales. The training shall include:
 - the Licensing Act 2003 in terms of the licensing objectives and offences committed under the Act;
 - the conditions of the Premises Licence;
 - the sale of age-restricted products.
 - proxy sales
 - conflict management

Age-restricted products training shall cover the following steps: the assessment of age; how and when to challenge for proof of age; acceptable proof of age and how to check; and recording refusals. This training will be refreshed at least every six months. Staff shall sign to confirm that they have received and understood the training. Written records of this training shall be retained and made available to the Police or authorised officers of the Licensing Authority upon request.

15. All staff responsible for selling alcohol shall be trained in how to identify drunk or drug impaired customers. This training shall be repeated at least biannually. Staff shall sign to confirm that they have received and understood the training. Written records of this training shall be retained and made available to the Police or authorised officers of the Licensing Authority upon request.
16. The premises shall use a till operation system which provide an ID confirmation prompt when alcohol is scanned.
17. No person shall be allowed to work at the Premises unless they have and are able to demonstrate the right to work in the United Kingdom.
18. Right to work checks shall be carried out by or on behalf of the licensee on all persons that are carrying out work within the Premises, whether paid or otherwise, temporary or permanent, before those persons commence work. The documentation for each employee shall include: date stamped colour copies of all documents produced, the name of the person who has checked the original documents and confirmation that the said person has seen the original documents, any enquiries made and a right to work checklist with the relevant box (es) ticked. This information shall be retained in each case

(whether they have carried out or are still carrying out work within the Premises) for a minimum of 3 years. Such copies to be kept on the Premises and made available within 24 hours of the request being made for inspection by police, licensing or immigration officers.

19. Right to work audits of all persons working at the Premises shall be carried out at least annually, with records of the said audits to be retained for a period of at least 3 years and made available within 24 hours of the request being made for inspection by police, licensing or immigration officers.
20. No worker within the Premises shall be paid less than the prevailing statutory minimum wage.
21. A written contemporaneous record shall be maintained on the Premises, detailing the hours worked by all persons (paid or unpaid). Such record shall as a minimum cover the previous 8 working weeks and must be produced within 24 hours of the request being made by an officer of the Licensing Authority, a Police Officer or a Home Office Immigration Officer.
22. Invoices (or copies) for all alcoholic goods on the premises shall be retained for 12 months after the date of purchase and shall be made available to officers from the Council, Police or HMRC upon request.
23. The Premises shall not sell any item that may reasonably be expected to be used for the preparation or consumption of illegal drugs. This will include grinders; pipes and other items commonly used for smoking products other than legal tobacco or herbal products; and nitrous oxide cannisters.
24. All alcohol kept in the public part of the premises shall be kept in display units.
25. All display units for alcohol shall have lockable shutters.
26. Shutters shall be closed and locked at the end of the permitted hours for the sale of alcohol, and shall not be unlocked again whilst the premises is open until the start of the permitted hours on the following day

From: Carpenter Anna: H&F
Sent: 08 December 2022 09:36
To: Licensing HF: H&F Overton Adrian: H&F
Subject: RE: Premises Licence Application for 51 Fulham Broadway London SW6 1AE - Objection

Dear colleagues

I have been contacted by residents about this licencing application. Reading through the application and history I am concerned about this Application

The decision of the Licensing Sub-Committee 12 January 2022 refused an application for a licence to sell alcohol. This followed two revocations and Magistrates dismissing an appeal by the Applicant.

Paragraph 15 notes – *“there were concerns that even though this new Application was submitted by a different individual, the Applicant is a very close relative to the previous owners. The Licensing Authority was of the opinion that these individuals would still be involved with the Premises in the future, as there is no clear break from the previous management of the Premises”.*

I note that this is the same Applicant (as referred to above) and I therefore remain concerned that they will permit the named individuals sited in Section 18 of 21 Licensing Objectives, to continue to be involved in the Premises.

Paragraph 19 of the Sub-Committee record notes *“The Committee noted the concerns of the objectors that the Premises is located close to various secondary schools and that in the past has sold alcohol to children. According to the objectors the Premises is known as a shop that does not ask for ID when underage persons attempt to purchase alcohol.”*

Residents have raised concerns that the Premises/Applicant has been caught selling to underage children and residents have reported that they sell single cigarettes to children. Parents are rightly very concerned.

Local residents have suggested to the Applicant/his agent that they only take card payments, no cash, to reduce the risk of children buying alcohol. I am advised that the Applicant responded that only allowing card payments would be ‘ageist’. The response is very disappointing. I am aware that other small shops are starting to only take card payments for alcohol to increase transparency.

I am unclear how the Applicant plans to ensure a zero tolerance policy to selling anything illegally, especially to children. On that basis I am raising an objection to this application. I am raising my objection under The Prevention of Children from Harm

Kind Regards

Anna Carpenter
Head of Safeguarding, Review and Quality Assurance
Hammersmith

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 14/11/2022 12:55 AM from Mr Simon Jones.

Application Summary

Address: 51 Fulham Broadway London SW6 1AE

Proposal: Licensing Act - Premises Licence

Case Officer: Ms Elisha Collins

[Click for further information](#)

Customer Details

Name: Mr Simon Jones

Email:

Address: Effie Place London

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 14/11/2022 12:55 AM This shop was guilty of various offences such as selling alcohol to minors. It had its alcohol sales banned by the recent LBHF Licensing committee hearing where many residents objected to this license holder. Just a few weeks later, it is back and making a further application, so this needs thorough discussion and residents need to know how this differs from the current and past situation.

From: Charlotte Dexter
Sent: 06 December 2022 15:30
To: Licensing HF: H&F
Cc: Overton Adrian:
Subject: 2022/01898/LAPR 51 Fulham Broadway shop

2022/01898/LAPR 51 Fulham Broadway shop

We write to oppose this application on all four licensing objectives grounds.

The poor track record for this shop, with licenses revoked twice, an appeal thrown out at the Magistrate's Court etc do not give us much comfort.

Fulham Broadway needs proud, honest, hardworking shop owners who go out of their way to uphold the law and the four licensing objectives. This area has enough shops selling food and the market stalls at North End Road add to the good offering.

I am in contact with the agent and am trying to obtain answers from him on various points. Therefore, we reserve our right to comment further and will do so soon.
Thank you.

Charlotte Dexter for Barclay Road Conservation Area Neighbourhood Watch
Barclay Road Residents WhatsApp Alert Group (80 households)

From: belindadonovan
Sent: 06 December 2022 16:01
To: Licensing HF
Subject: 51 Fulham Broadway asking to sell alcohol 10.00-23.00 - 2.00 closing

Adrian,

I am very concerned about the above application.

I would like to register my concern before the deadline, of the 8th December but reserve my right to comment further.

The applicant needs to have a zero tolerance policy to selling anything illegal, especially to children and vulnerable adults - I am also very concerned about the homeless and alcohol dependent adults - we have so many hostels in this Borough which I have personally looked round as a previous Councillor, which try to get alcohol dependent adults clean and the last thing we want is a premises that is stopping this from happening.

I have also e mailed Anna Carpenter about this as it is a safeguarding issue, children must be protected from harm.

Charlotte Dexter works so hard to crack down on this kind of thing in the area.

Belinda Donovan
Former Councillor, Town Ward

[On Thursday, December 8, 2022, 2:13 pm, belindadonovan wrote:](#)

As a previous local Cllr for the area with its old boundaries, and a regular tube, train, walker in the area, I really must object to the above application.

I gather that children and vulnerable adults have been sold alcohol and that Anna Carpenter has written in as Head of Safeguarding to object.

Children and the vulnerable must be protected from harm. I gather that this area is still subject to the saturation zone being reinstated - I brought the one in Shepherds Bush personally - this zone was put in for a reason as was the Shepherds Bush one.

I ask that to protect children and the vulnerable - to an area I know very well as a previous Ward Cllr - please can this licensing application be turned down.

Belinda Donovan
Kenyon St
Previous Town Ward Cllr

From: Daisy Armstrong
Sent: 04 December 2022 14:28
To: Licensing HF:
Subject: Fulham Cabin, 51 F'Bdy - Licence representation

Representation against reinstating alcohol licence application from Fulham Cabin Convenience Store, located at 51 Fulham Broadway London SW6 1AE

4 December 2022

To Hammersmith and Fulham Licensing Committee & Adrian Overton,

As a recent appointee of Walham Grove Ward Panel, I have become aware of the revocation of Fulham Cabin Convenience Store's Alcohol Licence, which I live 100 yards around the corner from. I know that a handful of my neighbours regularly purchase their morning newspaper from this establishment and on occasions purchase forgotten items, such as milk, but other than that, this shop serves no neighbourly purpose to the local residents. There are many other similar shops less than 100 yards nearby, including major retail/alcohol providers such as Sainsburys and Waitrose and other more reputable smaller newsagents on Fulham road and Harward road. Therefore there is cumulative impact of these retail providers in our local area.

Over the years the negative aspects from the Fulham Cabin Convenience Store has directly impacted this community and which outweigh any benefits. I am therefore making a representation based on grounds that I have witnessed, have knowledge of and have directly experienced, as a result of this shop operating, which I detail below.

I have lived on Samuel Lewis Trust, Vanston place for 8 years and in Hammersmith and Fulham all of my life. I am active in improving my community and work as a Non-Executive Director on Southern Housing Group Housing Association's board to make a difference.

Grounds of Objection:
Public Nuisance and Safety

The owners/staff of the Fulham Cabin Convenience Store regularly use the Samuel Lewis Trust Estate roads and/or parking bays to park illegally and for free, and also to load/unload and transport their stock to the shop. This causes issues for the residents here as they have blocked cars parked in their parking bays, resulting in them to wait until the return of Fulham Cabin owners/staff to move their car to enable the resident to be able to exit or park in their allocated bay. On return to their car, the owners/staff are extremely ignorant and rude to the residents when they are approached about their illegal parking and the inconvenience and disturbances they have caused.

In addition to this the shopping trollies the owners/staff use to load and transport their stock are extremely noisy and often they are restocking at unsociable hours, such as Sundays and evenings.

Crime and Disorder

It is well known by myself and my neighbours that the Fulham Cabin Convenience Store is a place where alcohol can be purchased after 11pm for a higher cash price at the end of the counter. I didn't realise that their alcohol license had been revoked, on and off, since 2018 as it was known alcohol was available to be purchased there at any time. It is also well known that during Chelsea matches alcohol can be purchased, again at high cost in cash, at Fulham Cabin Convenience Store.

As an active member of the community I regularly report any anti-social behaviour I witness to the Metropolitan Police. Since January 2022 I have noticed that there has been a decline of anti-social behaviour especially drunken behaviour and urinating on Samuel Lewis Trust Estate. I am aware of this as my kitchen & bedroom window looks onto the corner of Vanston Place, 50 yards away from Fulham Cabin Convenience Store. The reduction in anti-social behaviour could be partly attributed to Fulham Cabin Convenience Store's alcohol licence being revoked and not being granted a new licence in January 2022.

Public's and Children's Health and Safety

I believe that Hammersmith and Fulham Licensing Committee owe the residents and the community of Fulham Broadway a duty of safeguarding to prevent the availability to purchase alcohol so easily especially by vulnerable adults (eg alcoholics and homeless) and children underage. Since the withdrawal of Fulham Cabin Convenience Store's alcohol licence (January 2022), the health, safety and well being of my neighbours and children who live on our estate has improved and we have not been exposed to as much anti-social behaviour.

On every recent passing by (at least once a day) of Fulham Cabin Convenience Store, I or my husband have witnessed 'no sales' occurring, every customer entering the shop will exit immediately after seeing the alcohol shutters down. My neighbour has also noticed this and commented that, "don't know how they are surviving now, what else do they sell apart from alcohol and newspapers."

We have also seen a decrease in the owners/staff parking and loading using our parking bays and road, which has been more pleasurable.

I look forward to being updated on any developments of the application to reinstatement of Fulham Cabin Convenience Store's alcohol licence.

Yours Sincerely,

Daisy Armstrong

Daisy Armstrong
Samuel Lewis Trust
Vanston Place

From: Ward Panel Chair Walham Green
Sent: 21 November 2022 13:22
To: Licensing HF: H&F
Subject: 51 Fulham Broadway 2022/01898/LAPR

Dear Sirs

I object to the above application.

As I understand it the debt to the Council remains unpaid. In spite of a promise at the last hearing that this would be settled immediately.

If this is not paid it brings into question the applicant's ability and intention to uphold the Licencing Principals and points to the lack of intention to run the premises responsibly.

In addition the applicant is closely associated with the previous licence holder who seriously breached the licence on numerous occasions.

Annabel Cottrell

Annabel Cottrell and Sarah Chambers
Co-Chairs Walham Green Town Ward Panel.

From: Lsk
Sent: 07 December 2022 20:35
To: Licensing HF:
Subject: 2022/01898/LAPR 51 Fulham Broadway shop

I write to oppose allowing this shop to obtain an alcohol licence till 23:00 and to stay open till 02:00. This shop has had its licence revoked twice and new Applications refused, costing the Council huge time and money. They do not embrace the law. I understand they also owe £12,500 to the LBHF Council in outstanding court costs.

We have mothers on Barclay Road who have to tell their children to not go into this shop as it offers the temptation to buy single cigarettes and even alcohol is sold at the end of the counter in cash only payment if the child is tall enough to look old enough.

Regards,
Laura sk
barclay rd
Sw6 1eh

From: Martin Band
Sent: 08 December 2022 09:57
To: Licensing HF
Subject: Ref: Dec 8 deadline Fwd: 2022/01898/LAPR 51 Fulham Broadway shop

Dear Licensing,

I am replying to yet another of the barrage of alcohol licence and hours extension applications which are taking up so much of your and residents' time and patience.

This shop should not have an alcohol licence at all, never mind an extension. As you know, its licence was revoked twice and new applications have been refused in the past. Its deserved reputation amongst mothers and children is that you only have to be a bit tall for your age and you can buy all the alcohol you like.

This application does not uphold the licensing objective of preventing harm to young people. Alcohol licences should be granted to traders willing to uphold the spirit of the law.

Yours faithfully,
James Martin Band
Barclay Rd, Fulham, London

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 08/12/2022 1:02 PM from Ms Sally Bagot.

Application Summary

Address: 51 Fulham Broadway London SW6 1AE

Proposal: Licensing Act - Premises Licence

Case Officer: Ms Elisha Collins

[Click for further information](#)

Customer Details

Name: Ms Sally Bagot

Email:

Address: Barclay Road London

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 08/12/2022 1:02 PM I write to oppose allowing this shop to obtain an alcohol licence till 23:00 and to stay open till 02:00. There is already huge disruption at Fulham Broadway every night and extended opening hours will only increase the problems on all 4 licencing objections grounds
Thank you.

Background

The premises currently operates as a convenience store and was previously known as Broadway Food and Wine.

Based on the Council's database, a new premises licence was applied for on the 11 March 2011 by Convenience Store Retailing Ltd. The application was for the sale of alcohol off the premises between 08:00 hours and 23:00 hours. This application was granted on the 14 April 2011.

On 3 February 2015, Mrs Thurka Jeyakumar submitted an application to transfer the premises licence from Convenience Store Retailing Ltd to Mrs Thurka Jeyakumar. On the 5 February 2015, an application was submitted to vary the Designated Premises Supervisor (DPS) to Mrs Thurka Jeyakumar.

On 28 November 2017 Mr Suganthan Sinnathurai submitted an application to transfer the premises licence from Mrs Thurka Jeyakumar to Mr Suganthan Sinnathurai. Additionally, an application was submitted to vary the DPS to Mr Suganthan Sinnathurai.

On the 12 October 2018, Hammersmith and Fulham Council Licensing Authority submitted an application to review the premises licence on the grounds of the prevention of crime and disorder, the protection of children from harm and public safety. On the 5 December 2018, the Licensing Sub-Committee considered the application and revoked the premises licence.

The review documents can be found here: [51 Fulham Broadway Review 05 December 2018](#)

On 15 February 2019 an Appeal was lodged against the decision to revoke the licence, subsequently discussions were held between all parties. As a result of these discussions, an agreement was made between the Authority and the Appellant. This agreement resulted in the licence remaining active, however further conditions were attached to the licence to promote the four licensing objectives. A consent order was signed by the District Judge on the 25 September 2019.

On 4 September 2019, Ms Gill Sherratt of Licensing Matters Limited, submitted an application to transfer the premises licence from Mr Suganthan Sinnathurai to Mr Thayalan Ratnam and also submitted an application to vary the Designated Premises Supervisor (DPS) to Mr Thayalan Ratnam. The licence was issued on the 15 October 2019. The licence issued on the 15 October 2019 to Mr Ratnam did not include the new conditions agreed as part of the consent order on the 25 September 2019.

On the 13 January 2020 the licence was reissued to Mr Ratnam with the conditions agreed as part of the consent order.

The premises operated under a premises licence (2019/01450/LAPR) which permitted the following: Sale of alcohol for consumption off the premises Monday to Sunday 08:00 until 23:00 hours. Hours the premises are opened to the public:

Monday to Sunday 08:00 hours to 23:00 hours. There were twenty-three conditions attached to the licence to promote the licensing objectives.

On the 12 May 2020 a suspension notice was sent to Mr Ratnam. The suspension notice advised Mr Ratnam that the licence will be suspended on the 20 May 2020 for non-payment of annual fee due on the 14 April 2020. Our database shows that the licence was suspended between the 20 May 2020 and the 23 July 2020 when the fee was paid. In accordance with Section 55A of the Licensing Act 2003 if a premises licence is suspended licensable activities should not be carried out. Any activities carried out would be an offence under the Act.

On the 05 May 2020, Hammersmith and Fulham Council Licensing Authority submitted an application to review the premises licence on the grounds of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. On the 22 July 2020, the Licensing Sub-Committee considered the application and revoked the premises licence.

On 10 September 2020 an appeal was lodged against the decision to revoke the licence. On the 12 November 2020 the Court dismissed the appeal on all counts and upheld the Council's decision to revoke the premises licence.

On the 18 November 2021 an application for a new premises licence was made by Mr Prabakaran Shanmugaratnam. On the 12 January 2022 the Licensing Sub-Committee rejected the application.

Enforcement History

On the 5 May 2020, the administration team received a copy of the review application which was submitted by Adrian Overton Licensing Enforcement and Policy Manager. Mr Overton applied for a review of the premises licence under Section 51 of the Licensing Act 2003.

The application for a review of the premises licence was made on the grounds of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm following continuous breaches of licence between January 2020 and February 2020.

The review documents can be found here: [Broadway Food and Wine Hearing 22 July 2022](#)

On the 22 July 2020, the licensing sub-committee considered the application and revoked the premises licence in effect for 51 Fulham Broadway.

On the 10 September 2020 we received a summons and letter of complaint which stated that the premises licence holder had lodged an appeal with the Magistrates' Court against the decision of the Licensing Sub-Committee.

On the 12 November 2021 the Magistrates' Court dismissed the appeal for Broadway Food and Wine on all counts and upheld the Council's decision to revoke the premises licence in July 2020.