

From: Praba Shan

Sent: Tuesday, June 18, 2024 5:05 PM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Cc: Louis Stelling>

Subject: Re: Premises Licence - Shan Local 51 Fulham Broadway London SW6 1AE

Thanks Lorna.

As discussed, please see my response / comments to the objectors.

In summary, the objections hold no actual tangible weight (especially from a legal perspective). I would also be open to a mediation with both [REDACTED] and [REDACTED] to further iron out any concerns, but as per my comments below, we have fulfilled a huge amount of "asks" already.

For example, going cashless was a condition that [REDACTED] had wanted - and we have put that in place.

To add, the official, qualified, professional bodies (i.e. Licensing, Trading Standards, Fire, Health & Safety, Police etc.), have not raised any concerns during the consultation period. This is something any legal bench would take into consideration, should this go beyond the sub committee stage towards an appeal - and perhaps should be further iterated to the objectors. Hence, appreciate any help on your side for us to mediate this and resolved asap (especially as we will not be heard until July due councillor availability etc.).

Anyhow, please see comments below to their objections.

Look forward to your feedback / thoughts on next steps (I have also cc'd my legal representative, Louis Stelling, so please also keep Mr Stelling in the loop).

Many Thanks,
Praba Shanmugaratnam

Objection	Comments
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██████████
"...shop owners licence would not become effective until officers have reviewed his preparations and are satisfied that everything is in place to enable him to trade responsibly."

"To my knowledge NONE of these have been completed."

This was actually been completed. **July 21 2023**
Plese see email / quote from Council's legal team to my barrister (Duncan) : ***

Dear Duncan,

Following the inspection today, the Council's Licensing Team, Trading Standards team and the MPS have informed me that they are happy for 51 Fulham Broadway to start offering licensable activities.

Kind regards

Emmanuel Amponsah
Solicitor
Legal Services
Hammersmith & Fulham Council

In Addition: July 2023

- We worked with the Council's Environmental Health Practitioner.
- Certificates were produced showing compliance (for review of Public Safety Licensing Objective which was successful).

See email / quote below:***

Good afternoon Praba,

Thank you for providing me with the requested information. I can confirm that the Public Safety review has now been completed from my end with no further concerns raised.

Regards.

Shaafiek Christian

Environmental Health Practitioner

Health and Safety

Hammersmith and Fulham Council

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- Training was also attended (conducted by Council Trading Standard team - Jan and June 2023)

"..There has been a rise in anti-social drunken behaviour on Samuel Lewis Trust, mainly from youngsters fighting and domestic arguments. I cannot say where they purchased alcohol but from past history I would like proof this shop is acting responsibly for the safety and well being of our local residents."

*** Happy to show official email document if objectors request.

The shop has NOT been selling alcohol for over 2 years (since 2021 to January 2024), so this "rise in antisocial behaviours" cannot be linked to the shop in question. Hence, I would argue this objection has nothing to do with our application.

Re proof of acting responsibly:

Wednesday 20th March 2024 : Council Licensing team came to inspect and found "No Breach of Conditions".

Happy to share official document signed by council officials.

<p>██████████</p> <ol style="list-style-type: none">1. "...applicant promised all sorts to the Licensing Committee. We see no evidence of any of his points made during that hearing having been accomplished to date.2. "It is our understanding that the Committee has no evidence of these requests by H&F's public safety department being fulfilled."3. £12,500 court costs from a previous appeal. Remain outstanding by this very applicant.	<p>As above. Evidence has been shown and approved by both council licensing team and legal team. ██████████ should verify this with council to appease her concerns.</p> <p>As above. Evidence has been shown and approved by Councils Health & Safety team.</p> <p>I (Praba) was not charged / sentenced by the Court . ██████████ needs to address this with whoever the court charged / sentenced.</p> <p>This was also addressed in previous sub- committee as not being a valid objection - so not sure why this is being mooted gain (as again, this is not a valid or legal objection for this application).</p> <p>To add.</p> <p>██████████ requested the condition of "cashless payments" for alcohol. We have complied with her request.</p> <p>██████████ was concerned with homeless / drunks. We have put in conditions that make it difficult for this type of consumer to have access to alcohol (i.e. No strong beer / cheap lager or stout above 5.5% , No Cheap / accesible spirits such as 20cl bottles, No single can purchase - so minimum spend is also there as a preventive measure).</p>
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VALID REPRESENTATION

From: Licensing HF: H&F <licensing@lbhf.gov.uk>

Sent: Thursday, June 20, 2024 1:41 PM

To: [REDACTED]

Subject: Mediation & Letter from Applicant - Shan Local 51 Fulham Broadway London SW6 1AE

Dear [REDACTED],

Licensing Act 2003

Reference: 2024/00766/LAPR

Premises: Shan Local 51 Fulham Broadway London SW6 1AE

I am contacting you as you have made a representation against the above application.

As there is only two objections to the application, including yours, in this instance we would be looking to mediate and resolve the matter informally without the need for a Licensing Sub-Committee hearing.

The applicant has had a copy of your representation, and would like to open up mediation and has provided a response to comments raised in your objection which I have attached.

If you wish to contact the applicant Mr Praba Shanmugaratnam directly, you can on [REDACTED]

Please can you let me know if the attached addresses the concerns raised in your objection, and you are minded to withdraw?

Additionally, are you able to advise us of anything the applicant could propose in relation to reduction in hours or attach conditions that could resolve this matter?

If you have any further queries, please contact me directly on the number below.

Kind regards

Lorna McKenna

Licensing Compliance Officer

Licensing

Place Department

Hammersmith & Fulham Council

From: [REDACTED]
Sent: Friday, July 5, 2024 7:39 AM
To: Licensing HF: H&F <licensing@lbhf.gov.uk>
Cc: [REDACTED]
Subject: Re: Mediation & Letter from Applicant - Shan Local 51 Fulham Broadway London SW6 1AE

Dear Lorna

The 51 Fulham Broadway applicant told us at hearings, which consumed much time and precious resources, that he was so interested in being involved in the community but there is no evidence to support his platitudes.

[REDACTED]

On 18 Jul 2024, at 16:18, Mckenna Lorna: H&F <Lorna.Mckenna@lbhf.gov.uk> wrote:

Hi [REDACTED]

I am following up on the below email trail.

As you are now the only objector to the application, in this instance we would be looking to mediate and resolve the matter informally without the need for a Licensing Sub-Committee hearing.

Please can you let me know if the previous attached document addresses the concerns raised in your objection, and you are minded to withdraw?

Additionally, are you able to advise us of anything the applicant could propose in relation to reduction in hours or attach conditions that could resolve this matter?

Kind regards

Lorna McKenna

Licensing Compliance Officer

Licensing

Sent: Thursday, July 18, 2024 4:29 PM
To: Mckenna Lorna: H&F <Lorna.Mckenna@lbhf.gov.uk>
Cc: [REDACTED]
Subject: Re: Mediation & Letter from Applicant - Shan Local 51 Fulham Broadway London SW6 1AE

Dear Licensing

Tx for below. No, It does not.

I was in the shop not too long ago and I plan to ring health and safety about it. I am on holiday.

When will the £12,500 court fees owed by this premises address/the Applicant's associate be paid to the Council?

Let us remember that the Applicant Mr Praba Shanmugaratnam is the freeholder of 51 Fulham Broadway and his immediate family, close family and related associates are intertwined across these applications and a the off-licence shop at 51 Fulham Broadway.

The Applicant promised at the hearing that it would be paid and he would work out a payment arrangement with the Council, when he received a licence.

He did in fact receive a time-limited licence to 1st April 2024. Now he is asking for a licence without an end date.

As far understand it, he obtained such a licence last year via a settlement between the H&F Lic Authority and the Magistrate's court, even though his application 2021/01488/LAPR had been rejected by the H&F Licensing Committee and was effectively refused by the Court of Appeal.

So, one assumes Mr Praba Shanmugaratnam or someone in the family or close associates finally paid up.

I'd like proof of that, so would the Lic Authority and so would others who want action promised at previous hearings.

We taxpayers are not here to pay other's fines/debts owed to our Council.

We need a full time line of what has gone on here, or not. Many of the related applications/decided applicatiobs on the Licensing Register state: "Not available" when in fact they were rejected. Pls could someone create a useful timeline. The best we have is the Rep of Trading Standards from the Jan 2022 hearing for 2021/01448/LAPR (application rejected).

Shan Local 51 Fulham Broadway London SW6 1AE

Ref. No: 2024/00766/LAPR | Status: Open for Consultation | Applicant Name: Mr Prabakaran Shanmugaratnam

Fulham Cabin Convenience Store 51 Fulham Broadway London SW6 1AE

Ref. No: 2021/01448/LAPR | Status: Rejected | Applicant Name: Prabakaran Shanmugaratnam

Ref. No: 2019/01450/LAPR | Status: Licence Revoked



WITHDRAWN REPRESENTATION CORRESPONDANCE

From: Licensing HF: H&F <licensing@lbhf.gov.uk>

Sent: Thursday, June 20, 2024 1:38 PM

To: [REDACTED]

Subject: Mediation & Letter from Applicant - Shan Local 51 Fulham Broadway London SW6 1AE

Dear [REDACTED]

Licensing Act 2003

Reference: 2024/00766/LAPR

Premises: Shan Local 51 Fulham Broadway London SW6 1AE

I am contacting you as you have made a representation against the above application.

As there is only two objections to the application, including yours, in this instance we would be looking to mediate and resolve the matter informally without the need for a Licensing Sub-Committee hearing.

The applicant has had a copy of your representation, and would like to open up meditation and has provided a response to comments raised in your objection which I have attached.

If you wish to contact the applicant Mr Praba Shanmugaratnam directly, you can on [REDACTED]

Please can you let me know if the attached addresses the concerns raised in your objection, and you are minded to withdraw?

Additionally, are you able to advise us of anything the applicant could propose in relation to reduction in hours or attach conditions that could resolve this matter?

If you have any further queries, please contact me directly on the number below.

Kind regards

Lorna McKenna

Licensing Compliance Officer

Licensing

Place Department

From: [REDACTED]

Sent: Friday, June 28, 2024 8:37 PM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Subject: Re: Mediation & Letter from Applicant - Shan Local 51 Fulham Broadway London SW6 1AE

Dear Lorna,

The evidence that has been provided has addressed my concerns. Although if/when they return to seeking alcohol it would be good to review the impact of this and not ensure they do not return to out of hours selling of alcohol.

I am happy to join mediation on this matter.

Kind regards,

[REDACTED]

Sent from my iPhone

On 1 Jul 2024, at 2:16 PM, Licensing HF: H&F <licensing@lbhf.gov.uk> wrote:

Hi [REDACTED]y,

Thank you for your comments.

As the applicant has addressed your concerns, are you minded to withdraw your representation?

Kind regards

Lorna McKenna

Licensing Compliance Officer

Licensing

Place Department

From: [REDACTED]

Sent: Monday, July 1, 2024 9:12 PM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Subject: Re: Mediation & Letter from Applicant - Shan Local 51 Fulham Broadway London SW6 1AE

Dear Lorna,
Yes, I agree.

██████████

From: Licensing HF: H&F

Sent: Wednesday, July 3, 2024 10:45 AM

To: ██████████

Subject: RE: Mediation & Letter from Applicant - Shan Local 51 Fulham Broadway London SW6 1AE

Hi ██████████

Thank you for your below response.

The applicant is applying with the new premises licence to sell alcohol and has applied for the following:

Licensable activities sought

The sale of alcohol - Off the premises only

Mondays to Sundays between 10:00 to 23:00

Proposed opening hours:

Mondays to Sundays between 08:00 to 02:00

Please can you let me know if with the above, and the comments the applicant provided to answer your concerns raised in your representation that you still withdraw your representation?

Kind regards

Lorna McKenna

Licensing Compliance Officer

Licensing

Place Department

Hammersmith & Fulham Council

From: ██████████

Sent: Thursday, July 18, 2024 1:58 PM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Subject: Re: Mediation & Letter from Applicant - Shan Local 51 Fulham Broadway London SW6 1AE

Hi Lorna,

Yes. I thought I had withdrawn it already?

Regards,



Sent from my iPhone