

**OFFICIAL (when complete)**  
**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**I** PC Clare Cossar  
(Insert name of applicant)

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below** (delete as applicable)

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> <b>Londis Milton Convenience</b> <b>29 Milton Road</b>	
<b>Post town</b> Gravesend	<b>Post code (if known)</b> DA12 2RF

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> <b>Kandiah THAYATHARAN</b>
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<b>Number of premises licence or club premises certificate (if known)</b> <b>GM/PRE/10/0003</b>
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**Part 2 – Applicant details**

I am

**Please tick yes**

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

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**3 a member of the club to which this application relates (please complete (A) below)**

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in a applicable)

**Please tick**

**Mr**  **Mrs**  **Miss**  **Ms**  **Other title**   
(for example, Rev)

**Surname**

**First names**

**Please tick yes**

**I am 18 years old or over**

**Current postal address if different from premises address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

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**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address <b>PC 12431 Cossar</b> <b>Community Safety Unit</b> <b>Medway Police Station</b> <b>Purser Way</b> <b>Gillingham</b> <b>Kent</b> <b>ME71NE</b>
Telephone number (if any) <b>01634 792411</b>
E-mail address (optional) <b>12431@kent.police.uk</b>

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

Please tick one or more boxes

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

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

Londis Milton Road have failed to promote the following licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm by continuing to serve street drinkers and persons who cause anti-social behaviour throughout the day and night in and around the area. The premises has been found in continued breach of the Premises Licence.

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**Please provide as much information as possible to support the application**

(please read guidance note 2)

Kent Police are submitting paperwork for a review under all four of the Licensing Objectives at Londis Milton Road.

Mr Kandiah THAYATHARAN is The Premises Licence Holder and Designated Premises Supervisor.

The premises is located near to the Clock Tower on Milton Road which is in an area made up of small convenience stores, a pub, restaurants and a petrol station with residential flats above shops. It is close to a homeless support centre, a school for excluded children and the Change Grow Live support centre. Gravesend has had a Public Space Protection Order in place in this area since 20<sup>th</sup> October 2017, under The Anti-Social Behaviour, Crime and Police Act 2014.

Londis Milton Road trades as a grocery store and off licence. The venue holds a premises licence which permits the store to be open 06:00 - 00:00 hours 7 days a week with the sale of alcohol for consumption off the premises between 06:00 to 23:00 hours.

Kent Police are concerned about the high level of anti-social behaviour and public nuisance caused by people drinking high strength alcohol in and around the town centre and the park. These issues are from early in the morning until late in the evening. Those seen drinking this high strength alcohol are often believed to be alcoholics, suffering from poor health both physically and mentally. The easy availability of cheap, very strong alcohol does not help these vulnerable people break this powerful addiction and makes the task harder for organisations trying to engage with them. An inevitable consequence of street drinking is aggression, public urination, litter and disorder. This anti-social behaviour and linked crime and disorder can discourage people from visiting the town. The availability of alcohol has encouraged the regular gathering of street drinkers on nearby walls at the junction of Wellington Road (opposite the Londis) and in the Riverside Park.

The dispersal of street drinkers by local Police Officers has been ongoing in recent months. Police attend the park and surrounding area daily and move street drinkers on, deal with the incidents and confiscate alcohol. Due to the ongoing issues in the area with street drinkers, the Police Licensing Team have attended the area.

On 28<sup>th</sup> April 2020 PC Hunt attended the store and spoke with Mr THAYATHARAN. He addressed concerns regarding the quantity of high strength beer, lager and cider available at this store. Mr THAYATHARAN claimed that he has very good knowledge of his regular customers and stated that he does not sell to street drinkers. In PC Hunt's opinion the premises has the largest quantity of beers and ciders in the immediate area, many of which are high strength.

PC Hunt checked the refusals book and found that it had not been used since April 2018. There was also a quantity of beers and ciders on the floor, which is a breach of a licensing condition, namely:

- All alcohol is to be displayed on suitable shelving as indicated on the plan and NOT on the floor.

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When challenged, Mr THAYATHARAN stated there was a shelf on the floor. PC Hunt asked him to remove the alcohol from the floor which he did. Mr THAYATHARAN was advised by PC Hunt to rectify these breaches and to ensure compliance for the future.

On Thursday 14<sup>th</sup> May 2020 PC Hunt delivered a letter in person addressing concerns regarding street drinkers in the area. The letter also advised and reminded the premises of a need to promote the licensing objectives, reminded them of the need to ensure compliance with the conditions of their premises licence and advised them that enforcement action would be likely if there were future failings. The letter was given to a male worker, who was the only member of staff in the shop at the time who was working behind the cash desk. Subsequent checks have shown that this male is not in possession of a personal licence. This suggests the premises was in breach of its premises licence at this time:

- At all times the Designated Premises Supervisor or a personal licence holder must be present to authorise the sale / supply of alcohol.

On 27<sup>th</sup> May 2020 whilst visiting a nearby store PC Hill and PC Cossar in plain clothes, noticed a street drinker begging at the bus stop next the Londis. She stood up and joined a group of men who all walked the short distance to Londis. The group of four stood directly outside the entrance of the shop in plain view of the counter inside the shop. The lead male of the group placed a can of beer he was already drinking in the doorway of the shop and went into the shop and purchased several cans of beer. Whilst in the shop he talked to the group at the door, and it appeared obvious they were all together and he was buying alcohol for both himself and them. He purchased the cans from a female worker who was the only member of staff in the shop. The male left the shop. Directly outside the door he gave the cans to his friends. The group of men walked off to the park and sat on the wall by the entrance and drunk the beers they had purchased in Londis. The group were witnessed by PC Hill and PC Cossar consuming their recently purchased beer and were loud and intimidating. Within the park where groups of young children with their parents, elderly people and workers who were within the hearing and site of these persons.

PC Cossar spoke at length with a Park Warden who informed her that these street drinkers were a daily problem and caused anti-social behaviour in the area and most of their daily litter collection was cans/bottles of alcohol.

Police returned to the shop and Mr THAYATHARAN was not on site. There was a sole female worker behind the counter. We requested Mr THAYATHARAN return to the shop. He came and we viewed the footage which clearly showed the above sale of alcohol. It also showed the female worker was alone in the shop at the point of sale.

We spoke at length in his stock room regarding the concerns about street drinkers purchasing high strength alcohol from his store. Whilst in his stock room it was noted it was approximately 80% full of high strength beers/cider/lager.

A licence compliance check was conducted, and it transpired he was breaching 3 conditions:

- 3 All staff working on the premises will be fully trained to ensure they understand and adhere to the law relating to the sale / supply of alcohol. This training is to be documented and recorded.

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- 4 At all times the Designated Premises Supervisor or a personal licence holder must be present to authorise the sale / supply of alcohol.
  
- 5 A refusal / incident book is to be maintained at all times and made available for inspection when required. All incidents relating to criminal matters must be reported to the Police.

Mr THAYATHARAN stated the female worker had only been working at the store for about one month. She does not have a personal licence. When asked where the training records were, he stated he did not have any training records for his staff.

We informed him that he was not meeting the Licensing Objectives, particularly the prevention of public nuisance and crime and disorder. We discussed the options to tackle this which included common methods of deterring street drinkers such as reducing the strength of the beers/cider/lager, selling them in multipacks of 4 and not selling perry wine. Mr THAYATHARAN stated he would consider some of the advice. He advised us that he had refused a few sales of alcohol before 8am to certain customers and stated that 80 per cent of his customers go and drink in the park.

On 2<sup>nd</sup> June 2020 PC Hill and PC Cossar visited the shop with the intention of speaking to Mr THAYATHARAN to see what he and his business partner had decided.

The Police Officers entered, and the female worker was alone in the store. The female worker telephoned Mr THAYATHARAN and asked him to return to the store. The female worker started saying without any prompting "He's been here all day", "He hasn't left at all today".

Mr THAYATHARAN returned to the store and stated continually that he had not left the store all day. Mr THAYATHARAN stated that he had spoken to his business partner and despite the advice we had given he had no intention of making any changes to the business model.

We asked him to review the CCTV, and after some delay we eventually saw the footage we had asked for. It shows Mr THAYATHARAN leaving the store and off site for over 30 mins. During that time at least 5 sales of alcohol are made by the female worker who is in the store alone, at least 3 of those sales were high strength beer/cider. We confirmed the female member of staff still wasn't a personal licence holder. As such, the sales were in breach of the premise licence. In our opinion Mr THAYATHARAN and the female member of staff were fully aware he was breaching his licence again and trying to cover up the breaches. Mr THAYATHARAN was still in breach of the three licensing conditions that he was breaching on our visit on 27<sup>th</sup> May 2020.

Mr THAYATHARAN has been subject of advice and lower level interventions by Police and appears to have put profit before his obligations to promote the licensing objectives. Despite continued interaction with police licensing this venue is continuing to breach its premises licence, continuing to sell to street drinkers and people who cause anti-social behaviour. We have no faith in him changing his ways, he has given no indication that he is willing to amend his business plan to support the local issues. Mr THAYATHARAN has acted in a negligent manner with regards to his licence and with the scant disregard to the conditions of the Premises Licence that should have been adhered to.

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The Committee is invited to consider all options open to it, including revocation. In the event that the licence is not revoked, Kent Police would like to see a reduction in hours of licensable activity and the following conditions, in addition to the conditions already on the premises licence:

- Removal of DPS, Mr THAYATHARAN.
- No beers, lager or cider, perry or spirit mixer above 5.5% ABV in cans, bottle or any other container constructed of any material are to be displayed, sold or offered for sale from or stored on the premises.
- A minimum of 4 cans or bottles of beer, lager or cider shall be sold in any one transaction. A combination of these drinks is permitted to achieve this minimum quantity.
- No spirits in any container (constructed of any material) where the quantity of 100 ml or less are to be displayed or sold or offer off sale from or store on the premises.
- Branded shop carrier bags
- A 'clear glazing' policy for the window at the front of the shop shall be kept above 1 metre and below 2 metres (measured from the shop floor) so staff have an unobstructed view of the area outside the front of the premises through the glass looking into the street. The exception to this shall be the display of notices required by law and any required as a condition of this licence.
- All storage units displaying alcohol for sale shall be locked and have shutters closed over them outside the Permitted Licensable Hours.



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**Please tick yes**

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

If yes please state the date of that application

<b>Day</b>	<b>Month</b>	<b>Year</b>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to this premises please state what they were and when you made them**

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Please tick yes

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

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

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

Signature

.....

Date 09/06/2020

.....

Capacity Police Licensing Officer

.....

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

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.....  
.....  
.....  
.....  
.....

<b>Post town</b>	<b>Post code</b>
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<b>Telephone number (if any)</b>
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<b>If you would prefer us to correspond with you using an e mail address your e mail address (optional)</b>
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**Notes for Guidance**

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