



**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 BERESFORD 1330NW

apply for the review of a premises licence under Section 51 of the Licensing Act 2003
for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

TRANSILVANIA, 18 NORTH PARADE, MOLLISON WAY

Post town:

EDGWARE

Post code:
(if known)

HA8 5QH

Name of premises licence holder or club holding club premises certificate (if known):

MS ANDREA DUTA

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

0603-LHP9-CAEW-WDNG

Part 2 – Applicant details

I am:

Please tick Yes

- | | | |
|----------|--|-------------------------------------|
| 1 | an individual, body or business which is not a responsible authority
(please read guidance note 1 and complete (A) or (B) below) | <input type="checkbox"/> |
| 2 | a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
| 3 | a member of the club to which this application relates (please complete section (A) below) | <input type="checkbox"/> |

PROTECTIVE MARKING

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:						First Names:			
I am 18 years old or over				<input type="checkbox"/>					
Current postal address if different from premises address:									
Post town:					Post code:				
Daytime Tel. No.:					Email: (optional)				

(B) DETAILS OF OTHER APPLICANT (fill in as applicable)

Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in as applicable)

Name and Address:	
PC BERESFORD - Harrow Police station – Licensing Team	
Telephone Number (if any):	██████████
Email address: (optional)	██

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"/>

Please state the ground(s) for review: (please read guidance note 2)

During several visits to the premises, it has been found that the premises licence holder doesn't have control over the day to day running of this shop.

During visits by the police and HMRC the venue has been failing to uphold there conditions on there licence and has been found with non duty paid goods.

PROTECTIVE MARKING

Please provide as much information as possible to support the application: (please read guidance note 3)

20/11/2014

HMRC attended Transilvania, non-duty paid Goods were seized:

740 cigarettes

42.2 litres spirits

21.25 litres of wine.

Seized goods amounted to £940.33.

The person running the store at the time of this seizure was [REDACTED] who is the father of the owner of the business.

08/03/2019

Police attended this venue with trading standards for a licensing inspection the only member of staff at the premises was a male who identified himself as [REDACTED]. His English was very poor but we were able to understand that his daughter was the Premises licence holder and the DPS [REDACTED] gave police his daughter's mobile number so we could contact her he explained that she was in Romania on holiday & would be home in one week. Due to communication issues we were unable to conduct a full inspection, a note was left with [REDACTED] to give to his daughter to call or email the police. However no email or phone call was received. Also whilst in this shop police noticed that the prices of the wine and beer were very cheap at £1 for a can of beer and £5 for a bottle of wine this was passed onto HMRC.

08/04/2019

Police attended the venue again for a follow up visit, it was only [REDACTED] again, and police were unable to do a full licensing inspection due to communication issues. Another note was left for MS Andrea Duta to contact the police either by email or by phone. [REDACTED] explained again that his daughter was in Romania on holiday and this time would be back in two weeks.

Police called Ms Duta's phone and left a voicemail asking her to call or email the police ASAP, but police still haven't heard from her.

14/08/2019

Police attended the venue to conduct a full licensing inspection this time it was decided that we would attend with a Romanian speaking [REDACTED] who was able to translate, HMRC officers attended with us.

HMRC seized 246 Beers which And 164 bottles of wine which were all non-duty paid goods.

[REDACTED] admitted that he was running the store and he was the one who was buying all the stock and in charge of the day to day running of the store. He stated that the landlord had put the rent up to £3000 a month and he could only make this much money by selling non duty paid goods.

Selling non- duty paid items allows the trader to sell products at a reduced rate thereby undercutting responsible retailers it also makes them more affordable for the more vulnerable members of our community that have alcohol addictions.

Police asked [REDACTED] to call his daughter but said that he didn't want to worry her as she is in Romania.

We also with the help of PCSO [REDACTED] we was able to go through all of the licensing conditions that are on the license, he was failing to uphold the condition on Annex B – CCTV conditions, the CCTV was not working at all [REDACTED] stated that he was aware of this and hadn't been working for 1 week, which he has no plans to get this fixed.

Whilst in the shop police were handed an accountants business card that [REDACTED] had found within his paperwork this was in the name of [REDACTED] I asked who this was and he stated that it was his daughter and that her name was different as she was married. On this business card was the same number that [REDACTED] had previously given to police. [REDACTED] has made no attempt to contact the council licensing to make them aware of this name change.

Police are of the belief that MS Andrea Duta is not involved in the day-to-day running of this premises, up to now police have not been made aware of any applications to the local authority to transfer the premises licence to another person or company. Therefore she is still the licence holder and designated premises supervisor and ultimate responsibility lies with her.

The local policing team, council, residents and other partnership agencies are going to great efforts to improve Edgware, and we of the opinion that not only is MS DUTA not capable of being a responsible licence holder - she has failed to uphold the law, and has so far failed in her duties to be the kind of business that contributes positively to the community in which she works consistently failed to promote the licensing objectives. The Police have no confidence in the owner or operation of the premises. This leaves the police with no choice, but to apply for a review of this premises licence. This is not the behaviour we expect from premises licence holders on the Borough of Harrow and therefore respectfully request that the licence be revoked.

PROTECTIVE MARKING

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

(Please tick yes)

Day Month Year

If yes, please state the date of that application:

0

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

PROTECTIVE MARKING

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 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature:

[Redacted Signature]

Date:

23/08/2019

Capacity:

Licensing Officer - Metropolitan Police

Contact name (where not previously given) and postal address for correspondence associated with this application: (please read guidance note 6)

Post town:

Post code:

Telephone Number (if any):

[Redacted Telephone Number]

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

Notes for Guidance

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

Retention Period: 7 years

MP 321/12