



**METROPOLITAN
POLICE**

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Date: 11th SEPTEMBER 2013

Ref: - Objection to vary premises licence to specify an individual as designated premises supervisor (DPS) – Mr Kirushnawaran KIRUSHNAKOPALU

The Metropolitan Police wish to submit an objection notice against the application for change of DPS at Gidea Park Convenience Store, Gidea Park Convenience Store, 150 Balgores Lane, Gidea Park made by Mr Kirushnawaran KIRUSHNAKOPALU in accordance with s.37 of the Licensing Act 2003. The applicant is currently a holder of a personal licence issued by Dartford Borough Council on 13/12/2010.

Police are satisfied that granting this DPS change to the nominated individual will undermine the crime prevention and protection of children objectives. Police are aware that the applicant has recently sold alcohol (1 bottle of Bulmer's Cider) to a 16 year old female volunteer. The applicant did not challenge the volunteer as to their age or request any identification. The sale of alcohol to a person under 18 years old is a criminal offence under s146 (1) of the Licensing Act 2003. The particular details to this offence are -

On Thursday 20th JUNE 2013 officers from Trading Standards and I attended a number of premises across Havering borough testing the availability of alcohol to children. During our travel to one premise in Hornchurch we drove past Gidea Park Convenience Store, Gidea Park Convenience Store, 150 Balgores Lane, Gidea Park. My attention was immediately drawn to this premise as a number of youth's approx 12 -15 yrs of age were congregated directly outside the venue. I could clearly see that two of the youths were drinking from open bottles of Corona Larger.

We later attended the venue (1950 hrs) and a 16yr old female volunteer was deployed to enter the shop. A few moments later she exited the store informing Trading Standards she was sold an alcoholic bottle of Red berries Bulmer's Cider for £2.39. It was confirmed that the male seller, later identified as Mr Kirushnawaran KIRUSHNAKOPALU had sold this alcoholic drink to the volunteer making no attempt to ask for identification or clarify the female's age at any point.

Both Trading Standards and I entered the premises a few moments later, I instantly saw a "Special deal price" on Corona Larger which highlighted the fact youths were outside drinking this particular brand earlier in the day. The only staff member on duty at the premises was Mr Kirushnawaran KIRUSHNAKOPALU; he admitted he had sold to the volunteer saying he thought she was older than 16yrs of age. I pointed out the offence of "Selling alcohol anywhere to a person under 18" contrary to

s146 (1) of the Licensing Act 2003. Mr KIRUSHNAKOPALU stated "I understand, I thought she was 25".

Mr KIRUSHNAKOPALU confirmed he was a personal License holder and produced this as identification (Ref DH/PER/876/2010). After police completed checks it was ascertained the male was suitable for disposal by way of a fixed penalty notice (Penalty Notice for Disorder). He accepted his involvement and accepted the penalty notice (PND issued 01/A67875394 - £80 fine).

It was also noted at the time of the test purchase that no refusal log was in place and no evidence of any challenge scheme such as challenge 21 or 25 in operation at the premises. Attempts were made to contact the DPS at the time however this was unsuccessful. Future attempts also failing. This showed a complete disorganised system, a system that was not promoting the licensing objectives in any way. Not only did Mr KIRUSHNAKOPALU sell to our volunteer it was clearly apparent that sales had been conducted by the venue to the group of youths present earlier in the day, how many times has this happened? No refusal log or entries may suggest this is a regular occurrence.

A subsequent meeting was held with the responsible authorities at Mercury House on 15th July to speak about this incident. During this meeting Mr Kirushnawaran KIRUSHNAKOPALU made very little comment, showed very little remorse and did not convince police that he was suitable to take a position of DPS at the premises. The premise licence holder and current DPS, Mr and Mrs NAVAK spoke for the premises. Police fear that if Mr Kirushnawaran KIRUSHNAKOPALU is given more responsibility at the premises further sales to children will inevitably be made.

Police suggest this application is to enable the applicant higher levels of responsibility at the premises. Police therefore feel that granting this variation would detrimentally impact on the crime prevention and protection of children objectives. If the applicant is not of a suitable nature to enforce such clear and obvious policies at a grass root level, surely giving him more responsibility will only increase the possibility of a care free attitude, in turn raising the chance of future underage sales.

I have a duty to protect children and the public from crime and disorder under the Act. I must ensure subjects who apply for such positions are able to implement measures to prevent crime and protect children from harm. Designated Premise Supervisors should be of a nature whereby they do not encourage, promote or take part in such activity namely supplying alcohol to minors.

Given this recent event and Mr KIRUSHNAKOPALU failure to convince police he will not sell again to children, I must strongly oppose this application at this time.

If the applicant insists for this to be considered I will seek a Licensing Committee Hearing to determine the outcome.

If I can be of any further assistance in this matter please do not hesitate to contact me.

Yours sincerely



PC Jason ROSE 282KD
Metropolitan Police - Havering
Licensing Officer