A1

PROTECTIVE MARKING

METROPOLITAN POLICE TOTAL POLICING

Form 693

Form for Applying for a Summary Licence Review

Application for the review of a premises licence under section 53A of the Licensing Act 2003

(premises associated with serious crime, serious disorder or both)

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 the 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.

Insert name and address of relevant licensing authority and its reference number:

Name:	METROPOLITAN POLICE SERVICE		
Address:			
ADDINGTON POLICE STATION , ADDINGTON VILLAGE ROAD			
Post town:	CROYDON	**Post code:**	CR0 5AQ
Ref. No.:			

I PC ZOE GARROD

on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details

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

AACHIS MASALA CHENNAI, 3 BRIGHTON ROAD

Post town:	CROYDON	**Post code:** (if known)	CR2 6EA

2. Premises licence details

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

MR RAVICHANDRAN NATTUSELVAM and MR ARAVINDAIAH PRIYADHARSHAN RAJARAJAN

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

05/02425/LIPREM

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm: ☒

4. Details of association of the above premises with serious crime, serious disorder or both
(Please read guidance note 2)

On Sunday 4th July 2022 at 0245 hours Police were called made by the premises stating a fight was in progress at the location. Police attended and found three males with stab wound injuries. One of the victims had been stabbed seven times, the other two males both received mutliple stab wounds. Two of the males required urgent medical assistance.

Police have established that an altercation has started within the premises, with the music being turned off and patrons asked to leave. Whilst leaving the premises and walking down the stairs a further incident has started. One of the male victims is seen to fall down the stairs, this is the male that had been stabbed seven times. This is currently an ongoing Police investigation.

Police have established that this is a weekly promoted event, in which the event organiser gives the venue £1,000 for use of the venue, they bring their own alcohol and security. The Premises licence holder has no control over these events.

It is clearly this premises is linked to both serious crime and disorder, with outstanding suspects there is a high probability of reprisals leading to more serious crime and disorder.

Police therefore repectfully ask the committee as an interim step, to suspend this premises licence to ensure no further incident of serious crime and disorder are committed.

Further supporting documents will be submitted in due course.

Signature of applicant

Signature:	Z Garrod PC28015N	**Date:**	04/07/2022
Capacity:	CROYDON POLICE LICENSING OFFICER		

Contact details for matters concerning this application

Surname:	GARROD	**First Names:**	ZOE
Address:			
ADDINGTON POLICE STATION, ADDINGTON VILLAGE ROAD,			
Post town:	CROYDON	**Post code:**	CR0 5AQ
Tel. No.:	0208 649 0172	**Email:**	zoe.p.garrod@met.police.uk

Notes for guidance

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.
   Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:
   - conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
   - conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.
   Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

A1

PROTECTIVE MARKING

METROPOLITAN POLICE

TOTAL POLICING

Form 693A

Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

I hereby certify that in my opinion the premises described below are associated with: both serious crime and serious disorder

Premises (Include business name and address and any other relevant identifying details):

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

AACHIS MASALA CHENNAI

Post town: CROYDON **Post code:** (if known) CR2 6EA

Premises licence number (if known):

05/02425/LIPREM

Name of premises supervisor (if known):

MR RAVICHANDRAN NATTUSELVAM

I am a Superintendent* in the Metropolitan Police Service.

*Insert rank of officer giving the certificate, which must be superintendent or above.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case because:

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

I have considered the alternative options in this matter. However I am seriously concerned about the ongoing risk to public safety presented by this venue. A serious injury has occurred to three people at the venue. There is a lack of control and oversight. I am also concerned re the venue being the location of retaliation in the near future. Overall I believe that this is an appropriate course of action.

Signature

Signature: D. Smith D/Supt **Date:** 04/07/2022

Retention Period: 7 years
MP 147/12

A2

Goddard, Michael

From: Goddard, Michael
Sent: 05 July 2022 11:31
To: [redacted]
Subject: FW: Licensing Act 2003 - Summary Review of Premises Licence
Attachments: 3BrightonRoadPoliceSumRevApp.pdf; 3BrightonRoadStatGuidSumRevExt.pdf; 3BrightonRoadPoliceSumRevAppPL.docx

FAO: Ravichandran Nattuselvam and Aravindaiah Priyadharshan Rajarajan.

Hello, I am writing to you as the holders of the premises licence at Aachis Masala Chennai, 3 Brighton Road, South Croydon, CR2 6EA.

Further to my email of yesterday (below) and the attached, I am writing to you now to advise you that the Council's Licensing Sub Committee have considered whether it is necessary to take any Interim Steps in respect of the application by the Police for a Summary Review of your premises licence.

The Licensing Sub Committee have determined that the premises licence should be **suspended**, pending the review hearing that will be held within 28 days, to ensure no further incidents of serious crime and disorder are committed.

Accordingly, **your premises licence is suspended forthwith** and no licensable activities are permitted to be provided at Aachis Masala Chennai, 3 Brighton Road, South Croydon, CR2 6EA pending the review hearing.

Should you wish to discuss this matter or require clarification on any point, please do not hesitate to contact me.

Michael.

Michael Goddard
Head of Environmental Health, Trading Standards and Licensing

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www.croydon.gov.uk

Environmental Health, Trading Standards & Licensing
Sustainable Communities, Regeneration & Economic Recovery
6th Floor, Zone A
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA
Email: michael.goddard@croydon.gov.uk

From: Goddard, Michael
Sent: 04 July 2022 21:52
To: [redacted]
Subject: Licensing Act 2003 - Summary Review of Premises Licence

A2

Hello Mr. Nattuselvam – as you are aware, the Police have applied for a summary review of the premises licence you hold with Aravindaiah Priyadharshan Rajarajan in respect of 3 Brighton Road, South Croydon, CR2 6EA. You are also the named Designated Premises Supervisor on the premises licence.

This is a 'fast track' review and means that a review of the premises licence will need to be considered by the licensing sub committee at a hearing within 28 days.

In the interim, the sub committee is asked to consider whether it is necessary to take any interim steps (place temporary conditions on the licence) pending the review hearing.

The interim steps that the licensing authority (through the licensing sub committee) must consider taking are:

- the modification of the conditions of the premises licence*
- the exclusion of the sale of alcohol by retail from the scope of the licence
- the removal of the designated premises supervisor from the licence and
- the suspension of the licence.

*Modification of the conditions of the premises licence can include the alteration or modification of existing conditions or addition of any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place.

I attach a copy of the application by the Police for a summary review of the premises licence. This also includes a certificate signed by a Police Superintendent. This is a formal note which identifies the licensed premises and sets out that in their opinion, the premises are associated with serious crime, serious disorder or both.

I also attach a copy of your premises licence and an extract from the statutory guidance to local authorities from the Home Office in respect of summary reviews.

The licensing authority has 48 hours from receipt of the application to consider whether it is necessary to take any interim steps. The Police submitted the application at 4pm this afternoon.

A Council licensing sub committee will now consider whether it is necessary, in their opinion to take any interim steps. The sub committee do not have to meet in person. It can be done remotely.

Once the licensing sub committee have considered this matter and given their decision, I will update you accordingly.

Should you wish to discuss this matter or require clarification on any point, please do not hesitate to contact me

Michael.

Michael Goddard
Head of Environmental Health, Trading Standards and Licensing

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A2

Michael Goddard

Head of Environmental Health, Trading Standards & Licensing

6th Floor, Zone A

Bernard Weatherill House

8 Mint Walk

Croydon

CR0 1EA

05th July 2022

FOR YOUR VERY URGENT ATTENTION

By e-mail: michael.goddard@croydon.gov.uk

Dear Sirs

Re: AACHIS MASALA CHENNAI;

PREMISES LICENCE NUMBER: 05/02425/LIPREM;

PREMISES SUPERVISOR: MR RAVICHANDRAN NATTUSELVAM

I, RAVICHANDRAN NATTUSELVAM write this letter to bring to your urgent consideration the following, in the above matter in connection with an incident which took place on the early hours of 4th July 2022.

1. The business is a 70-seater restaurant with a party hall for around 200 guests. The Business operating hours are 7 days between 10 a.m. to 2.30 a.m. The business serves alcohol to its customers.
2. The party hall is booked for separate individuals and especially on weekends. For the parties, the customers are allowed to occupy the party hall on their own as private parties.
3. On 4th July 2022, I as the supervisor was at the premises and as usual switched off the lights and music and all activities at 2.30 a.m. We had our own security at the premises always.

4. After the operating hours, the customers vacated the premises. After they left the premises, the incident took place outside the premises, i.e., outside the door. The CCTV at the doorstop has evidence that nothing happened inside the premises.
5. No guests or customers had any weapons on them within the premises as the security checked each and every one.
6. Under the Date Protection Act and GDPR, it is wrong to take the ID details of the customers who come to the restaurant.
7. The Police are completely wrong in their account of events, as they are saying that *the 'altercation has started within the premises, with the music being turned off'*. There is simply no evidence for this. The incident clearly happened outside the door of the premises. Music was not turned off because of an altercation within the premises. I submit that there was no such altercation that happened within the premise.
8. The Police are wrong in concluding and assuming that the male who appeared to have fallen down the stairs, fell down as a result of the stabbing. There is no CCTV evidence to show the victim being stabbed. The Police are admitting there is an ongoing investigation on this and until it is completed no action should be levelled against us.
9. The Police did not take any fingerprints at the time of the incident but took them only at 5 p.m. in the evening yesterday. This was almost 14 hours after the incident took place at 2.45 a.m.
10. The Police are wrong to state that there was no security provided by the business as there is always security in place arranged and provided by the business. This was established by and to the Police who took the details.
11. The Police are wrong in saying it was established as a weekly promoted event. We completely deny this as after long covid years, the people are enjoying their freedom to party for different occasions which were long pending and postponed due to COVID. e.g. birthday party, anniversary party, business events etc.
12. The Police are wrong in saying and assuming that the licence holder has no control over this. This is strongly disputed as according to the CCTV recordings the licence holder is at the premises all the time. Even on that day of the incident, the licence holder was in control of switching off the lights, and music and asking people to leave in time. The Premises holder

i.e. I am in full control and there is no history of any previous incidents within the premises.

13. It is completely wrong for the Police to say that my premises are linked to 'serious crime and disorder'. This is a very serious allegation and we are making a complaint about the police conduct as we feel it is a racially motivated allegation against us and we are being discriminated against. This is a one-off incident that did not even take place within the premises. The Police have maliciously framed saying *'there is a high probability of reprisals leading to more serious crime and disorder'*.

In the above, I would like to conclude by submitting that your actions will cause severe harsh consequences and damage to both my financial and emotional well-being. In the current economic crisis, it is very hard to establish a growing business, especially after COVID. It is unfair, unethical, and unlawful for the Police and Council to take action against me without any proper analysis. This is purely a racially motivated attack and I want this matter to be immediately passed to the relevant authorities as believe racism and discrimination are involved. I am not treated on an equal footing on par with others in society. There are several stabbing incidents in Croydon and in pubs run by Whites in which no action is taken like this. If that is the case, the entire restaurants and pubs in the Croydon area must be suspended and their licence confiscated.

We, therefore, submit that until the investigation is over and guilt or wrong is established with evidence our licence must be reinstated immediately. Failing which we will make a complaint against you further and we request you to outline the complaint procedure.

Also, as stated above, we are making a complaint against the Police for their wrongful malicious discriminatory, and racist actions and until such investigation is over you are strongly requested to lift the suspension and allow us to carry on with our trading activities.

Yours faithfully

Ravichandran Nattuselvam

A2

Goddard, Michael

From: Goddard, Michael
Sent: 08 July 2022 09:43
To: [redacted]
Subject: Decision Notification

FAO: Aravindaiah Priyadharshan Rajarajan and Ravichandran Nattuselvam –

Dear Sirs,

Re: Interim Steps Hearing – Representations from Premises Licence Holder on Interim Steps Taken following Summary Review Application by Police
Address: 3 Brighton Road, South Croydon, CR2 6EA
Legislation: Licensing Act 2003

I refer to the application by the Police on 4 July 2022 for a summary review of the premises licence you hold at 3 Brighton Road, South Croydon, CR2 6EA.

The Council's Licensing Sub Committee considered the application and on 5 July 2022 they determined that it was necessary to take the interim step of suspending the premises licence pending the review hearing which will be held within 28 days of the review application being submitted.

You submitted representations on this decision and your representations were heard by the licensing sub committee at an interim steps hearing on 7 July 2022. Their determination was as follows –

"The sub-committee considered whether the interim steps (suspension of the licence) were appropriate for the promotion of the licensing objectives, and determined whether to withdraw or modify the steps taken. The sub-committee took into account the senior Police officer's certificate which accompanied the application by the Police for the summary review, the representations made on behalf of the Chief Police Officer, and representations set out by the premises licence holder in their letter dated 5 July, together with their further representations at the hearing. The sub-committee also had regard to the relevant parts of the Revised Guidance issued under Section 182 of the Licensing Act 2003.

In particular, in relation to the promotion of the licensing objective of prevention of crime and disorder, the sub-committee took into account:

- The Police representation at the hearing that the risk of reprisal attacks at the premises was "very real", and that there were insufficient security and management controls at the premises.
- The differing accounts as to the nature of events held at the premises, and the level of security and management controls.
- The lack of any clear proposals by the licence holder as to any possible mitigation measures.

The sub-committee therefore decided that the interim steps (suspension of the licence) were appropriate for the promotion of the licensing objectives, and determined that the steps taken should not be withdrawn or modified".

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Accordingly, the premises licence you hold for 3 Brighton Road, South Croydon **remains suspended** and licensable activities cannot be provided at the premises under authority of that premises licence, pending the review hearing.

Should you wish to discuss this matter or require clarification on any point, please do not hesitate to contact me.

Michael.

Michael Goddard
Head of Environmental Health, Trading Standards and Licensing

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CR0 1EA
Email: michael.goddard@croydon.gov.uk

A3

METROPOLITAN POLICE

From: Police Licensing Team,
Addington Police Station
Addington Village Road,
CROYDON CR0 5AQ

To: The Licensing Committee
Bernard Weatherill House,
8 Mint Walk,
CROYDON CR0 1EA

Date : Friday 15th July

Re: Summary Review of Premises Licence for Aachis Masala Chennai, 3 Brighton Road, South Croydon, CR2 6EA

Members of The Licensing Committee,

I respectfully submit the following representations under the Licensing Act 2003 seeking a summary review of the premises licence for Aachis Masala Chennai, 3 Brighton Road, South Croydon, CR2 6EA.

The premises is located on Brighton Road a busy main road between Croydon and Purley, the nearest junction is Bartlett Street. The premises is situated between two disused buildings and is opposite South Community Hospital which is a residential care home.

The premises main function is to operate as an Indian restaurant, with a large upstairs room being used for events. The premises consists of a foyer entrance with stairs leading to the upstairs event space, or down some steps to the main restaurant area. The upstairs event space consists of a large room, with access to a rear fire exit. The room consists of a bar area and small stage.

The premises licence was originally granted on 6th September 2005, with the latest premises licence issued on 1st August 2019 with updated premises licence holder and designated premises supervisor details.

The premises licence authorises sale by retail of alcohol and provision of regulated entertainment 1000-0200 hours daily. Provision of late night refreshment 2300-0230 hours daily. With nonstandard timings for all three licensable activities extended to 0300 hours on the morning in which British summer time begins.

Crime and disorder licensing objective –

On Saturday 28th May 2022 at 2214 hours, Police received a call from an anoymous female who states that there is a party going on at the venue, persons attending have hidden weapons inside the venue. Caller stated one member of the security team had refused to work at the venue. The caller then further stated the event is being run by the same organiser whom had an event in Barking a couple of weeks ago, where someone allegedly was shot.

On Sunday 5th June Police receive intelligence that a male has attended "Feel good Sunday" event in Brighton Road. This is believed to be 3 Brighton Road who hold weekly Sunday events, although this cannot be confirmed CCTV has been requested from the venue.

On Saturday 25th June 2022, Police received several calls stating a male had attended the premises, and had had been taken into the toilet by three males and threatened with a firearm. He had then been ejected from the premises.

On Saturday 2nd July 2022 Police from the Croydon Licensing Team attended the premises after the premises licence holder informed them of an unlicensed music event taking place next door at 5 Brighton Road. Whilst at the premises Police discussed the events that are being held on Sundays, raising their concerns about those attending and the issues they are causing for the local community. Mr Ravichandran Nattuselvam stated he was aware of the problems these events were causing and assured Police he would no longer being running them.

On Monday 4th July 2022 0245 hours Police were called to Aachis Masala Chennai, 3 Brighton Road, South Croydon, CR2 6EA by one of the premises licence holders Mr Rajarajan, stating a fight was in progress. Upon Police arrival a large crowd were outside the venue. Upon entry Police found a male lying on the floor receiving medical treatment from a member of the public. Victim one had received seven stab wounds to various parts of his body. Two further victims were located inside the premises each receiving several stab wound injuries. Two of the victims were conveyed to St Georges Hospital for urgent medical treatment.

On 4th July 2022 officers from Croydon Police Licensing Team attended the premises, along with Kay Jones from Croydon Council Licensing Team. Mr Ravichandran Nattuselvam was asked to provide information regarding the event, he told Police that the event space upstairs had been hired for a 50th Birthday party, with the booking being made the previous week from a female known as **"Petal"**. He stated that most of the people attended were also around 50 years of age.

On viewing the upstairs event space, Police found that all tables and chairs had been removed, with white podium tables situated around the space. These are used in nightclubs and events to maximise floor space, whilst providing a place to put both alcoholic and non-alcoholic drinks. There was a banner stating the event was run by **Lady Petel** in conjunction with another Event promoter with an Instagram site shown as [redacted]. Glass alcohol bottles littered all over the floor and were brands not normally sold by the venue. Enquiries were made with security that were present during the event. Police were advised that this event is held at the premises every Sunday. **Security confirmed they are booked by the event organiser and not the premises.**

When Police informed Mr Nattuselvam that they believed this to be a promoted event and not a birthday party as previously stated, he then confirmed this is a weekly event for which he takes payment of £1,000 for the use of the space only. The person hosting the event brings their own alcohol which is sold at the premises. The premises licence holders and designated premises supervisor do not maintain any control of these events. They do not carry out any form of risk assessment therefore not putting in any measures to ensure the four licensing objectives are adhered to at all times, there is a requirement on the operating schedule for the premises to inform the Metropolitan Police Service on all Promoted Events with at least 14 days' notice, there has been no such notification received for this particular Event and countless others that have been held at the location over the previous months.

Over the past few months, information received by Police indicates that weapons are being allowed to enter this premises. Promoted events are becoming the main function of this premises, however the premises licence holder seems only interested in the profit that can be made from hiring this space. His lack of

involvement in the running of these events shows he has a total disregard for the prevention of crime and disorder licensing objective.
On Tuesday 5th July Police licensing officers collected a working copy USB of the CCTV from VIIDO at Croydon. A CCTV review was completed in order to try and establish what had occurred, during this viewing process it was noted that an altercation had occurred inside the premises which was in the upper level prior to descending the staircase. This altercation was observed on CCTV and shows a female specifically throwing an article which appears to be a bottle towards a group. It appears that this has occurred due to two highly intoxicated males stumbling into a group which were on their way out. It appears a female in the group may have been knocked to the floor and reacts angrily, hence throwing the item. The evidence of the intoxication is clear to see as these two particular males are extremely unsteady on their feet from excessive alcohol. A further review of the CCTV from the Camera that shows the entrance area by the front doors, also demonstrated further disorder with one customer inside the premises remove his belt and start striking at people outside whom were trying to enter. Other males inside the premises arm themselves with bottles. These two incidents in isolation represent offences under the Public Order Act occurring inside the premises and further demonstrate the lack of effective control measures in place.

Public safety licensing objective –

It is clear that this premises is holding weekly promoted events, run by different event organisers. The premises licence has a specific condition under Annex 2 of the premises licence which refers to promoted events, and states The Metropolitan Police Service must be given 14 days notice of all forthcoming events, and have received an MPS promotion/event risk assessment for (696) 14 days prior to the event.

Form 696 is no longer used and therefore this part of the condition would not be enforceable, however Police would still expect 14 days notice of all promoted events. Given that Mr Ravichandran Nattuselvam lied to Police when asked about the event on Sunday 4th July 2022, he is clearly aware of this condition and has a blatant disregard for it.

In allowing event organisers to be given the venue in its entirety, no measures are being put in place to ensure the safety of those attending these events. The Public safety licensing objective was created to ensure the physical safety of customers attending premises and staff on duty in those premises. Mr Ravichandran Nattuselvam is aware of the risks around holding promoted events, as he had already told Police he would not be holding anymore, yet less than 24 hours later during one of those promoted events there have been multiple persons stabbed.

It is clear the upstairs event space is available for hire with no risk assessment and control measures put in place, event organisers arrange their own security and therefore the premises has no control over how many are deployed and what would happen should an event decide not to use any.

During the event held of Sunday 4th July 2022, the organiser was allowed to set up their own bar. The bar sold alcohol by the bottle and not required measurements 25ml, 35ml or multiples of 25ml or 25ml. One of the bottles sold was Wary and Nephew 70 cl, this is 63%vol and without adequate control measures, could cause very high levels of intoxication. A male is seen in the CCTV footage obtained by Police using one of these bottles as a weapon to attempt to cause serious injury to another person.

CCTV obtained from the venue for the incident that happened on 4th July shows one of the victims is so intoxicated he is falling into people, this could have been the trigger incident that result in his near fatal stabbing.

Further CCTV supplied by the venue shows these promoted events have been running every Sunday evening through June 2022 into the early hours of Monday morning. These other events through June are through the same promoter and are the same format at we saw during the serious assault on 4th-5th July.

Public nuisance –

On 6th December 2021 a local resident applied to review the premises licence, due to ongoing noise issues and ASB caused by patrons leaving the venue. The review was withdrawn as the premises licence holder assured the applicant that they would put measures in place to deal with the issues.

On 20th April 2022 at midnight, Police received a call from a local resident stating very loud music coming from the rear of 3 Brighton Road. States music continues until 0400 hours which caller believes is a breach of their premises licence.

On 18th May 2022 at 0127 hours, Police received a call from a local resident stating loud noise, screaming and shouting coming from the venue.

On 25th May 2022 at 0224 hours, Police received a call from a local resident stating the premises is playing really loud music, this is happing 4 to 5 nights a week, when asked to turn the music down patrons have become aggressive.

This premises is having a negative impact upon the local community, late night events are producing excessive noise. Patrons leaving these events are causing anti-social behaviour shouting and screaming, which affects the quality of life for local residents. A licensed premises should be seen as a community asset and not a hindrance.

At this point in the submission, I would like to refer you to your Statement of Licensing Policy:

5.2 Crime and Disorder

5.2.1 Croydon Council is committed to reducing crime and disorder within the Borough and creating an environment where people feel safe. 5.2.2 In addition to the requirements under the 2003 Act for the Council to promote the licensing objective of preventing crime and disorder, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough.

5.2.3 Licensed premises, especially those offering late night/early morning entertainment, alcohol and/or refreshment, can be a source of crime and disorder problems. 5.2.4 The Council considers that the promotion of the Licensing Objective to prevent crime and disorder also places a responsibility on licence holders to work in partnership to achieve this Objective.

5.3.6 Public safety issues may be addressed by the following examples of recommended management practice being included in operating schedules, having due regard to the type of premises and/or activities:

- **effective and responsible management of premises**

- **provision of a sufficient number of people employed or engaged to secure the safety of everyone attending the premises or event, i.e. number of door supervisors within nationally accepted standards (and having SIA accreditation where necessary)**

• appropriate instruction, training and supervision of those employed or engaged to secure the safety of everyone attending the premises or event

• suitable customer-care policies for assisting lone customers taken ill or injured etc. at the premises

• provision of effective CCTV in and around premises

• provision of toughened or plastic glasses • implementation of crowd management measures 15

• regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety codes and standards

10.1 It is essential that licensed premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the 2003 Act and it is the responsibility of premises licence holders and designated premises supervisors (where applicable) to ensure this happens and that regulatory compliance is maintained. The Council and its partners will make arrangements to monitor premises and take appropriate enforcement action to ensure this but enforcement action should be considered to be the last resort and such intervention should not be necessary where premises are operated & managed effectively.

At this point in the submission, I would like to refer you to the revised guidance under section 182 of the Licensing Act 2003:

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

The Premises Licence Holder, during a meeting with Police Licensing Officers on Monday 4th July was given every opportunity to present the exact circumstances of what occurred on the evening of Sunday 3rd July 2022. The Premises Licence Holder Mr NATTUSELVAM presented a false account of the Event, stating this was not a Promoted Event and was in fact a Birthday Party, on review of the Social Media open source Instagram account displayed on the Promotional signage still in place in the self-described Party Hall by Mr NATTUSELVAM on police arrival, it has been established that this Venue has been a hosting for many weeks and months previously, all without any notification or engagement with the Police. This in itself demonstrates that the Premises Licence Holder is placing financial gain over and above Public Safety / Prevention of Crime and Public Nuisance. Mr NATTUSELVAM has been operating countless events in the past and profiting greatly from it, he has allowed the promotional events companies to supply the alcohol under the hours presented in his operating schedule, with no regards to Intoxication levels and welfare.

Due to the extremely serious nature of the crime and Police having no confidence in the premises to operate not only safety but in accordance with the licensing objectives, especially the prevention of crime and disorder and public safety.

We therefore feel there are no other alternatives but to ask the Committee to revoke this premises licence.

I thank the Croydon Licensing Committee for its consideration of these matters and would be glad to assist with any further enquiries they have if required.

A3

Yours Sincerely,

PC Zoe Garrod 2801SN

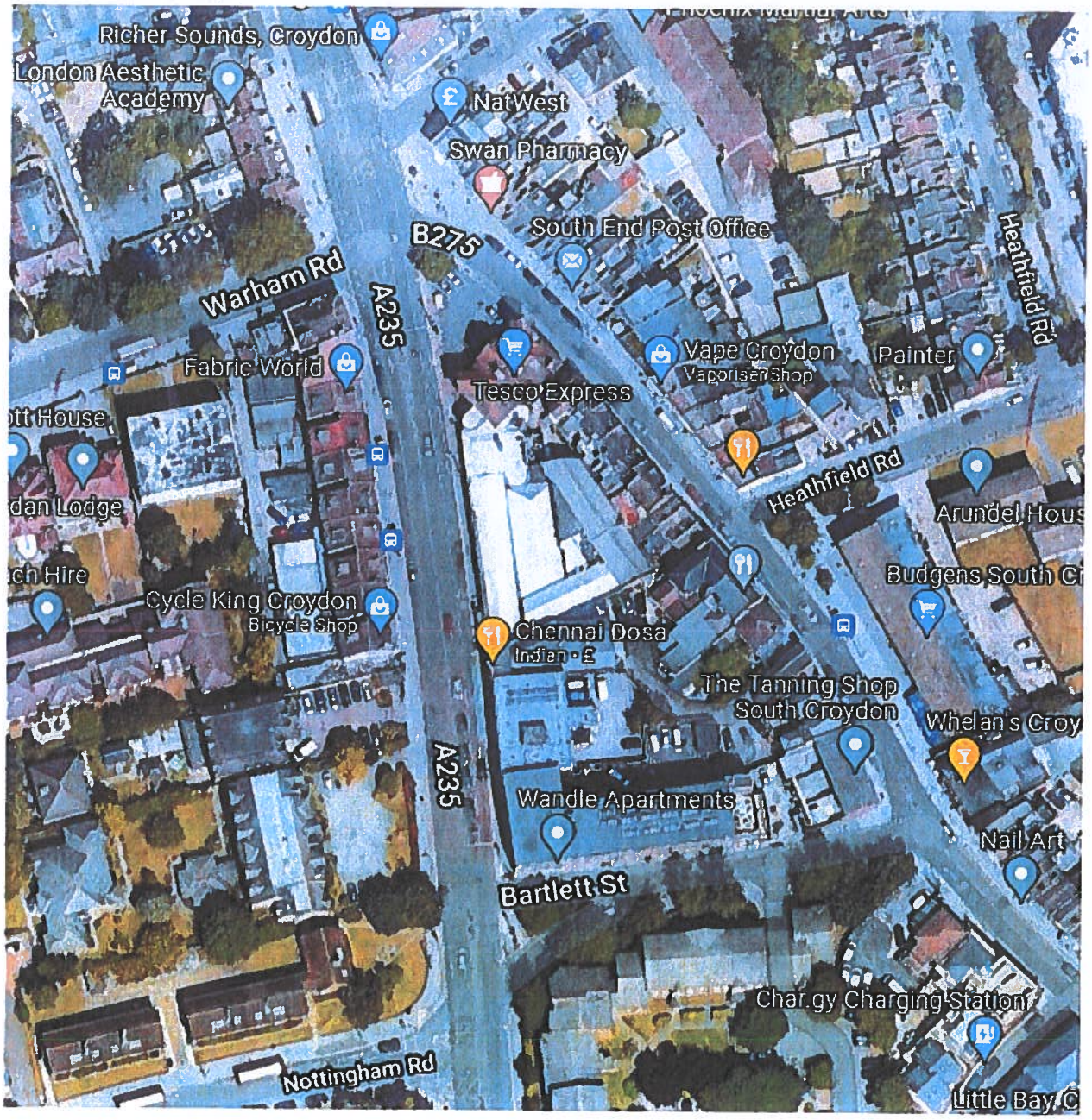
Croydon Police Licensing Team

Please find below images of Aachis Masala Chennai, 3 Brighton Road, South Croydon, CR2 6EA

Front of the premises clearly showing residential premises above –

Ariel view of the premises, image taken from google maps

A3


Richer Sounds, Croydon
London Aesthetic Academy
NatWest
Swan Pharmacy
South End Post Office
B275
Warham Rd
A235
Heathfield Rd
Fabric World
Tesco Express
Vape Croydon
Vaporiser Shop
Painter
Heathfield Rd
Arundel Hous
Budgens South Cr
Cycle King Croydon
Bicycle Shop
Chennai Dosa
Indian · £
The Tanning Shop
South Croydon
Whelan's Croy
A235
Wandle Apartments
Nail Art
Bartlett St
Char.gy Charging Station
Nottingham Rd
Little Bay C

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RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **PC2801SN Garrod** ..... URN: | | | | |

Age if under 18 **Over 18** ..... (if over 18 insert 'over 18') Occupation: **Police Officer 200403** .....

This statement (consisting of: .... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tended in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: PC Zoe GARROD 2801SN ..... Date: 18th July 2022 .....

Tick if witness evidence is visually recorded ☐ *(supply witness details on rear)*

I am a Police Constable I joined the Metropolitan Police Service in February 1999. I am currently attached to Croydon Borough Licensing Team in my role as a Licensing Officer a role I have held since April 2015. Part of my duties within this role is to look at any incidents of serious crime and disorder and see what measures can be put in place to ensure that no further incidents take place. There are four licensing objectives the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm. As the police we lead on the prevention of crime and disorder.

On Monday 4th July 2022 at 0700 hours I was on duty in plain clothes preforming my role as Croydon Borough Police Licensing Officer. On checking my emails I was made aware via an email from our Central Licensing Team that there had been a multiple stabbing at 3 Brighton Road, Croydon CAD 697/4JUL refers. In order to try and establish full details of the incident I viewed the crime report 3820486/22. Which states that three males had been stabbed at the location, one male had been stabbed seven times. The report stated the party had been booked by [redacted]. Once I had collated information from CAD and the crime report, I phoned the premises licence holder Mr Ravichandran Nattuselvam and arranged that we would attended the premises at 10:00 hours to discuss the incident in more details.

At approximately 10:05 hours I attended 3 Brighton Road, Croydon, CR2 6EA with my colleagues PS Peter Wright and PC Chris Woods, we were also accompanied by Kay Jones from Croydon Council Licensing Team. As I entered the premises I noticed there was blood in the foyer, and half way up the stairs. These stairs lead to an upstairs event space which is hired for functions. I went down the steps into the restaurant area noting blood stained bandages and tissue. I saw the premises licence holder Mr Mr Ravichandran Nattuselvam and a male who identified himself as the manager of the premises. We were led to a seating area at the back on the restaurant where we all sat down. Mr Ravichandran Nattuselvam was informed by PC Chris Woods that the meeting was not an interview but would be recorded on Body Worn Video so that we all knew what had been said during the meeting. I confirmed that Mr Ravichandran Nattuselvam was the premises licence holder and the designated premises supervisor, I then confirmed that my name was Zoe although I am known to Mr Ravichandran Nattuselvam.

I have spoken to Mr Ravichandran Nattuselvam on several occasions, most recently I attended his premises on Saturday 2nd July 2022, with PC Chris Woods in response to an email and phone call made by Mr Ravichandran Nattuselvam. He raised concerns regarding an unlicensed music event that had taken place the previous evening in 5 Brighton Road. Mr Ravichandran Nattuselvam later emailed me to thank me for my support.

Signature: ..... Signature witnessed by: .....

Continuation of Statement of **PC801zd Garrod** .....

During the meeting held on 4th July I introduced the other persons present, PS Peter Wright, PC Chris Woods and Kay Jones. I explained to Mr Ravichandran Nattuselvam that we were at the premises to establish what had happened during the incident and how we could move forward. I asked what the event was and Mr Ravichandran Nattuselvam told me it was a 50th Birthday party, with 200 in attendance, 5 security were present with the party starting at 2300 hours. He confirmed the licenced hours were until 0230 hours. Mr Ravichandran Nattuselvam was asked to explain what had happened he stated that everyone was going out smoothly, nothing was wrong then suddenly he heard a big noise, he couldn't see anything, and all security were at the front of the door. Mr Ravichandran Nattuselvam stated that the male was stabbed at the door.

I asked if there was a camera outside, this was confirmed. The manager then stated he had viewed the CCTV, so I therefore asked him what happened, he stated that at 0230 hours the lights were switched on, people started slowly moving out, some people came from outside to inside. He stated two people were stabbed inside. Mr Ravichandran Nattuselvam was asked if the people who had stabbed the victim had been inside the premises, he stated no, then changed his answer to maybe. He confirmed the three victims had all been in the premises at the party.

PC Woods asked if the people with the knives had been in the premises, the manager stated he would need to check the CCTV. Mr Ravichandran Nattuselvam stated they ran away outside for two or three minutes then came back in, so could of got something from their car. This conflicted his earlier answer where he stated the suspect had not been in the premises.

I asked Mr Ravichandran Nattuselvam what information would be needed to book at event, he stated that as this event was a birthday party so no risk assessment was needed but he did take details of the security. When asked if he had booked the security or the lady who's birthday it was Petel [redacted], Mr Ravichandran Nattuselvam confirmed she had booked her own security. He stated that he recommended the security but it had been booked by Petel [redacted]. I asked to see the security records of the SIA door supervisors deployed for the birthday party. I was given a piece of paper with hand written names and SIA numbers, along with the name Junior and a phone number, I was advised he was the security company.

PS Peter Wright confirmed with the manager that he had seen two stabbing movements inside the door, this was confirmed and the manager stated he would show us the CCTV. He was asked if he recognised the two victims as guests that were here that night, again this was confirmed.

After receiving the information from Mr Ravichandran Nattuselvam and the manager, I explained that the current premises licence was not fit for purpose as it did not have adequate measures to address the prevention of crime and disorder licensing objective. I explained that the Sunday events had caused such issues with the local residents that earlier in the year (I now know this to be December 2021) one of them had started a review of the premises licence. I explained to him that he had previously said that he would not hold any more of these events, he stated that he contacted the woman and asked to carry on these until 17th July 2022. I assumed he meant the resident who had started the review. He then stated he would be carrying on the events until 17th July 2022, then would notify Croydon Council that he would not be holding any more. It was explained that some action would be needed to address Police concerns following this multiple stabbing.

I explained to him that it had been a problematic premises especially around noise and the Sunday events. And confirmed that during our visit on Saturday 2nd July 2022 PC Woods had raised concerns around the people attending those events and he had told us that the premises was no longer holding those events.

Continuation of Statement of **PC801zd Garrod** .....

I explained to Mr Ravichandran Nattuselvam that anyone now wishing to apply for a new premises licence with late hours such as those on his premises, would have at least 30 conditions relating to the prevention of crime and disorder which would include an ID scanner, metal detecting wands, dispersal policies.

It was explained to Mr Ravichandran Nattuselvam that a review of the premises licence would be applied for once we had viewed the CCTV, and that it would either be a fast time summary review in which we would ask for suspension as an interim step or a standard review in which would ask that the premises remains solely as a restaurant. The type of review would be decided upon our findings. I explained that these events had been problematic for a number of years, and there are not enough measures in place to ensure they are run safely. It was explained that the premises are taking bookings solely on good will without carrying out checks and putting in adequate control measures, to ensure they know who is booking the event space and what it will be used for.

PS Wright asked Mr Ravichandran Nattuselvam who provided the DJ, he confirmed people bring their own DJ and solely hire the room. PS Wright asked if the premises just provide the alcohol and the food, this was confirmed. PS Wright asked if he recorded the details of the DJ's and if any checks are carried out, he confirmed he did not record the details or does not do any checks on DJ's performing at the premises. I asked Mr Ravichandran Nattuselvam if food had been served during the event, he confirmed it had been. PC Woods asked if Petel was the lady who's birthday it was, he confirmed yes she was, PC Woods asked if the guests were a similar age, he confirmed they were and only the victims were young. PC Woods asked if the victims had gate crashed the party, he confirmed they were invited guests.

I asked Mr Ravichandran Nattuselvam to confirm he was on the premises during the party. I then raised concerns that he had other events booked and how did he know they were not linked to this event, as the police investigation was ongoing and the suspects for this incident remained outstanding. He stated he did not want to hold these events anymore although they would continue until 17th July 2022.

I asked Mr Ravichandran Nattuselvam when Petel booked her birthday party, he stated the previous week. I told him this did not allow time for a risk assessment and a birthday party should be booked with plenty of notice given the person would know the date of their own birthday.

PS Wright states that three people were stabbed in the facility of the business,this was a birthday party with 200 people, it was only booked last week and she was asked to provide her own security. PS Wright raised concerns regarding people arriving at the premises without security. With only a weeks' notice you are unable to do due diligence and a risk assessment. PS Wright stated the need for Police to have confidence that this premises is going to run in line with objectives under the licensing act, the current conditions are not in line with the events that you want to run.

PC Woods asked if there had been any incident in the premises prior to the stabbing, any disagreement a scuffle. Mr Ravichandran Nattuselvam says nothing happened in premises prior to the GBH.

I explained that our actions would depend of the findings of the CCTV, PC Trayling from our VIDDO unit who was in attendance obtaining CCTV for the officers leading the investigation, explained that there was no outside camera. The manager stated that the outside camera was not working, when asked when it had stopped working, he stated Saturday morning. Therefore no CCTV footage from outside the premises could be viewed.

After our conversation I went upstairs to look at the event space, the area was littered with bottles and plastic cups. All tables and chairs had been removed and white light up podium tables were in place either side of the room. These podiums are used to places alcohol drinks on. There was a banner advising the event as Lady

Continuation of Statement of **PC801zd Garrod** .....

Petel, on viewing the room it was clear that the event had been a promoted event and not a 50th Birthday party as we had been lead to believe.

To try and establish what had happened I phoned Junior using the phone number provided to me by Mr Ravichandran Nattuselvam. Junior stated that this was a weekly event held at the premises, he and his security team were booked and paid for by Lady Petel. When asked how the incident had happened, he stated that an altercation had started upstairs at about 0220 hours, as a result the music was turned off 5 minutes later and patrons asked to leave. A further commotion happened on the stairs, the victim came outside, bottles were thrown and the main victim was stabbed in the door way. At which point he was half in and half out of the premises. Junior stated that they had searched everyone entering the premises and he had tried to stop the suspects getting into the venue.

It was then clear the Mr Ravichandran Nattuselvam had lied to Police about the nature of the event, this is a weekly promoted event, in which the premises is given solely to an individual they are allowed to bring their own alcohol. No control measures are put in place regarding Challenge 25 and training of bar staff in regards to intoxication levels and vulnerable persons.

No control measures were put in place to ensure on incident of this nature did not happen at the premises.

Having looked on social media I found a flyer advertising this event which I exhibit as ZPG/1.

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WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC Woods

Age if under 18: o/18 *(if over 18 insert 'over 18')* Occupation: Police Officer p215834

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: ..... Date: 06/07/2022

I am a police officer working in the Licensing Team on Croydon Borough. This statement refers to an incident which took place at Chennai Dosa, 3 Brighton Road, South Croydon in the early hours of Monday 4th July 2022. Chennai Dosa is a licensed Indian restaurant on the ground floor with a separate events space/junction room on the 1st floor directly above. On Monday 4th July I started work in Addington Police station at 0800hrs and was made aware of a serious incident at the above venue which had resulted in three people being stabbed.

As part of our Licensing remit our job was to visit the venue, speak with the operator/owner about what had happened, discuss how it was able to happen, how we could help and what if any measures were needed to stop this happening again.

I attended the venue with PS WRIGHT and PC Garrod at 1010hrs. I was also aware that PC TRAYLING from our VIIDO team was inside the venue downloading CCTV footage for our CID colleagues who were investigating the incident.

Whilst walking into the venue I could see a large amount of dried blood on the floor directly inside the front door. Dried blood also covered the first 6-7 steps leading upstairs. There was dried blood spattered on nearby walls and handrails in the entrance hall leading to the restaurant. Inside the restaurant area we were met by the owner Mr Ravi NATTUSELVAN and his manager Muralidaran RAM

After introductions we all made our way to the back of the venue and sat at one of the restaurant tables. I explained to Mr NATTUSELVAN that our conversation was going to be recorded on BWV for continuity reasons and PC GARROD started proceedings by asking for Mr NATTUSELVAN's version of events. Mr NATTUSELVAN explained the party was for a 50th Birthday party. The conversation lasted approximately 45mins.

After the conversation with Mr NATTUSELVAN and Mr RAM I headed upstairs into the events space in order to gather an understanding of how the event was being run on the night. The event space itself was accessed by a stairwell from the entrance hall, up a flight of steps, onto a landing, then down another small flight of steps in the main function room was large enough to hold approximately 150 comfortably. What I immediately noticed was a large amount of rubbish all over the floor from the event. This included glass Guinness bottles, Red Bull cans, plastic water bottles, Champagne bottles and glass bottles of Rum.

Witness Signature: .....

Signature Witnessed by Signature:.....

Continuation of Statement of:

There were a lot of white podium tables set up and most of these has ice buckets on them still with various bottles inside. Mainly Champagne and vodka. A banner in the far corner was advertising a promotions company called 'Feel a Vibes, every Sunday, follow LadyPetal & Mega_Lynx'. There was also some stands and bags with electrical lighting equipment and some kind of collapsed structure branded as LadyPetal. It looked like a dancing podium to me. There was no blood in the upstairs event space.

I then went and had a look at the fire exit leading from the function room for any other signs of disturbance. There were more bottles outside, similar to those inside but no blood. I noticed the fire exit was blocked at the bottom by many bags of rubbish.

I recorded my findings on BWV. These recordings now include 1) the conversation with Mr NATTUSELVAN, 2) the event space itself, 3) the stairs covered in blood, and 4) the rubbish outside of the fire exit.

Witness Signature: .....

Signature Witnessed by Signature:.....

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC Woods

Age if under 18: o/18 *(if over 18 insert 'over 18')* Occupation: Police Officer p215834

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: ..... Date: 06/07/2022

I am a police officer working in the Licensing Team on Croydon Borough. This statement is a follow up to my previous statement and refers to a CCTV viewing from the incident which took place at Chennai Dosa, 3 Brighton Road, South Croydon in the early hours of Monday 4th July 2022.

On Tuesday 5th July I attended our VIIDO department at Croydon Police station and collected a working copy USB of the CCTV footage downloaded from Chennai Dosa by PC TRAYLING.
The CCTV footage contains four different camera views from Chennai Dosa restaurant and it's 1st floor event space. Each camera angle provides the below view:
Camera 3 is a view of the short flight of steps at the rear of the events space leading from the dancefloor onto the upstairs landing.
Camera 5 gives a view of the front door, albeit a tight angle and with limited coverage.
Camera 7 provides a view across the bar area towards the rear stairs. It also shows a lot of the event space.
Camera 12 shows the majority of the events space and the DJ area at the opposite end to the bar.
The CCTV footage totals about 3hrs. It has recorded timings which are approximately 1hr behind, probably due to the winter/summer timings not being changed. This has been confirmed, meaning a recorded time of 12 midnight is actually nearer 0100hrs. The footage does not have sound. I will refer to the actual believed timings forthwith in this statement instead of the times shown on CCTV recordings.

Having now viewed large sections of the CCTV footage I have a good idea of the events leading up to the incident which involved 3 persons being stabbed.
During the evening the events space begins to fill up from about 0100. The bar area was busy throughout. The footage provides evidence that all drinks were being supplied over the bar. These included glass bottles of Champagne, spirits, Guinness, Red Bull and plastic water bottles.
There are various white podium drinks tables which light up. There does not appear to be any seating, just a dance floor area.

The crowd numbers continue to grow until the event appears to finish just after 0230hrs. At it's busiest I would estimate the number of customers would total around 200 people.

Witness Signature: .....

Signature Witnessed by Signature:.....

It is at this time people start to leave the event via the stairs leading from the dance floor towards the upper landing which in turn leads to the stairs downstairs to the front door.

At approximately 0245hrs an IC3 male with dreadlocks who I now believe is later the victim of seven stab wounds begins to climb the stairs to leave the venue. Whilst on the landing he embraces another IC3 male with short cropped hair and a black shirt. The two males due to their level of intoxication appear to then stumble into another group of customers who are also leaving. Within seconds an altercation breaks out at the top of the stairs, the two males retreat back down the stairs towards the dancefloor and a female is seen to then throw what appears to be a bottle at them. There is a small scuffle around the stairs and then the customers start leaving again. At this point it does not appear that anyone is hurt. I believe the scuffle had started due to some females being pushed/knocked over by this drunk pair.

A few minutes later at the front entrance a large fight takes place. The same male with the dreadlocks is seen to stumble into view, presumably as he has lost his footing on the stairs. At this time, 0149hrs it is clear some of the males who had previously left are then trying to get back in. A security guard does his best to keep the glass door closed but he is over powered and all parties come to blows of the door threshold. The security guard disappears out onto the pavement. The male from earlier in the black shirt is seen swinging his belt towards the outside attackers and others inside the venue are seen arming themselves with glass bottles.
During the melee the dreadlocked male spills through the door onto the immediate curtilage of the venue outside and reappears with seconds and has clearly been stabbed. Blood is visibly dripping onto the floor inside the premises as he is helped back in and taken away from the front door. A male from outside is then immediately seen lunging inside the venue with a large knife/machete. This lasts for a couple of seconds before he disappears from view.

A security guard then re-appears and brings order to the front door. A black sofa is placed in front of the glass door and the fight has finished.

Witness Signature: .....

Signature Witnessed by Signature:.....

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MEGA, LADY PETAL & BURRU PRESENTS
SUN. 03RD JULY
FEELA VIBES
Sunday
DJ'S ON THE NIGHT
BAGGA BRITISH
WISSY WASSY KA TOP STRIKER
FULL CLIP SOUND WITH
SPANKY BRITISH & FLEXALINE
3 BRIGHTON ROAD, CR2 6EA
LADIES FREE BEFORE 11:00
£10 ON THE DOOR | DOORS OPEN 9PM TILL 2:30AM
DRESSCODE; NO TRACKSUITS
+ 360 PHOTO BOOTH & SNAPCHAT FILTER
MUSIC POLICY 80'S & 90'S
FROM MORE INFO; 07539 646 926

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12. Summary reviews

12.1 Summary reviews can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The summary review process, set out under sections 53A-53D of the 2003 Act, allows interim conditions to be quickly attached to a licence and a fast track licence review. The provisions were inserted by section 21 of the Violent Crime Reduction Act 2006 and amended by sections 136-137 of the Policing and Crime Act 2017, including the addition of section 53D.

12.2 The powers apply only where a premises licence authorises the sale of alcohol. They do not apply in respect of other premises licences, or to premises operating under a club premises certificate. The powers are aimed at tackling serious crime and serious disorder, in particular (but not exclusively) the use of guns and knives. The powers complement the general procedures in the 2003 Act for tackling crime and disorder associated with licensed premises and should be reserved for the most serious matters which cannot be adequately or otherwise redressed unless urgent action is taken. Separate powers in the Anti-social Behaviour, Crime and Policing Act 2014 provide for the instant closure of premises by the police in some circumstances (in essence, disorder or nuisance). The consequent review of premises licences by the licensing authority is provided for by section 167 of the Licensing At 2003.

Application for summary review

12.3 Section 53A of the 2003 Act sets out who may apply for an expedited review and the circumstances in which it can be used. The application is made by, or on behalf of, the chief officer of police and must be made in the form which is set out in Schedule 8A to the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 (SI 2005/42).

12.4 The completed application must be accompanied by a certificate issued by a senior officer of the rank of superintendent or above. The certificate is a formal note which identifies the licensed premises and includes a signed statement by the senior officer that in his/her opinion the premises are associated with serious crime, serious disorder or both. This form is not prescribed in legislation. However, a sample form which forces may wish to adopt is published on gov.uk.

12.5 The tests to determine the kinds of conduct that amount to serious crime are set out in section 81(2) and (3) of the Regulation of Investigatory Powers Act 2000. Those tests are that the conduct:

(a) constitutes an offence for which a person who is 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more; or
(b) Involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

12.6 There is no definitive list of behaviours that constitute serious disorder, and the matter is one for judgment by the local police. The phrase should be given its plain, ordinary meaning, as is the case under section 12 of the Public Order Act 1986 in which it is also used.

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12.7 In deciding whether to sign a certificate, the senior officer should consider the following (as applicable):

- The track record of the licensed premises concerned and whether the police have previously had cause to give advice about serious criminal or disorderly conduct (or the likelihood of such conduct) attributable to activities taking place on the premises. It is not expected that this power will be used as a first response to a problem and summary reviews triggered by a single incident are likely to be the exception.
- The nature of the likely crime and/or disorder – is the potential incident sufficiently serious to warrant using this power?
- Should an alternative power be deployed? Is the incident sufficiently serious to warrant use of the powers in Part 4, Chapter 3 of the Anti-social Behaviour, Crime and Policing Act 2014, or section 38 of and Schedule 6 to the Immigration Act 2016, to close the premises? Or could the police trigger a standard licence review to address the problem? Alternatively, could expedited reviews be used in conjunction with other powers (for example, modifying licence conditions following the use of a closure power)?
- What added value will use of the expedited process bring? How would any interim steps that the licensing authority might take effectively address the problem?

12.8 It is recommended that these points are addressed in the chief officer's application to the licensing authority. In particular, it is important to explain why other powers or actions are not considered to be appropriate. It is up to the police to decide whether to include this information in the certificate or in section 4 of the application for summary review. The police will also have an opportunity later to make representations in relation to the full review. In appropriate circumstances the police might want to make representations to the licensing authority suggesting that they modify the conditions of the premises licence to require searches of customers for offensive weapons upon entry. Under the powers in sections 53A to 53D, this could be done on an interim basis pending a full hearing of the issues within the prescribed 28-day timeframe or for an appropriate period determined by the licensing authority.

12.9 Similarly, the power could, where appropriate, be used to reduce the risk of injury caused by glass by requiring the adoption of a safer alternative (but see paragraphs 12.15 and 12.16 below). However, it should always be borne in mind that the aim of the powers is to provide a selective tool, to be used proportionately.

The licensing authority and interim steps pending the review

12.10 Within 48 hours of receipt of the chief officer's application, the licensing authority must give the premises licence holder and responsible authorities a notice of the review and should include a copy of the application for review and a copy of the certificate, and must also consider whether it is necessary to take interim steps (place temporary conditions on the licence). When calculating the 48 hour period any non-working day can be disregarded[11].

12.11 The licensing authority may want to consult the police about the steps that it thinks are

[11] This means that, for example, if the application was received at 3pm on a Friday, the 48 hour period would cover the remaining 9 hours on that Friday and the remaining 39 hours starting on the Monday morning (provided it was not a bank holiday). In this case the licensing authority would have to decide on interim steps by 3pm on the Tuesday.

A4

necessary, pending the determination of the review, to address the immediate problems with the premises, in particular the likelihood of serious crime and/or serious disorder. The licensing authority may consider the interim steps without the holder of the premises licence having been given an opportunity to make representations. This does not, of course, mean that the licensing authority *cannot* afford such an opportunity if it thinks it appropriate and feasible to do so in all the circumstances.

12.12 The determination of interim steps is not a matter that may be delegated to an officer of the licensing authority. The relevant decisions are likely to be taken by a licensing sub-committee rather than the full committee. It should also be noted that there is no requirement for a formal hearing in order to take interim steps. This means that the relevant sub committee members can communicate by telephone or other remote means in order to reach a decision. A written record should always be produced as soon as possible after a decision is reached.

12.13 The interim steps that the licensing authority must consider taking are:

- the modification of the conditions of the premises licence;
- the exclusion of the sale of alcohol by retail from the scope of the licence;
- the removal of the designated premises supervisor from the licence; and
- the suspension of the licence.

Modification of the conditions of the premises licence can include the alteration or modification of existing conditions or addition of any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place.

12.14 If the licensing authority decides to take steps at the initial interim stage:

- the decision takes effect immediately, or as soon after it as the licensing authority directs; but
- the licensing authority must give immediate notice of its decision and its reasons for doing so to the holder of the premises licence and the chief officer of police who made the application. The 2003 Act does not specify that the immediate notice has to be in writing. However, in an individual case the licensing authority may consider that the need for immediate communication at least initially requires a non-written approach, such as a telephone call. This may happen when, for example, the authority decides that the decision should have immediate effect. In such a case, the decision and the reasons for it should be explained clearly and in full to the licence-holder (or someone who may properly act for the licence-holder), and the call followed up as soon as possible with a written version of the decision and the reasons (for example, by email or fax) which is identical to, or not significantly different from, the version given by telephone.

12.15 The licensing authority, in deciding when its decision on interim steps should take effect, should consider the practical implications of compliance in relation to the premises. For example to comply with a modification of the conditions of a licence that requires employment of door supervisors, those running the premises may need some time to recruit appropriately qualified and accredited staff.

12.16 In addition, very careful consideration needs to be given to interim steps which would require significant cost or permanent or semi-permanent adjustments to premises which would be difficult to remove if the outcome of the subsequent full review was to withdraw

A4

or modify those steps. For example, making structural changes, installing additional CCTV or replacing all glassware with safer alternatives may be valid steps, but might be disproportionate if they are not likely to be deemed necessary following the full review (or any subsequent appeal). The focus for interim steps should be on the immediate measures that are necessary to prevent serious crime or serious disorder occurring.

Making representations against the interim steps

12.17 The premises licence holder may make representations against the interim steps taken by the licensing authority. There is no time limit for the premises licence holder to make representations on the interim steps, although in practice this would at some point be superseded by the full review which would have to be completed within 28 days of the application being received by the licensing authority. On receipt of such representations, the licensing authority must (if the representations are not withdrawn) hold a hearing within 48 hours of their receipt. When calculating the 48 hour period, any non-working day can be disregarded. Where the licensing authority has already held a hearing to consider representations against the interim steps, the holder of the licence may only make further representations if there has been a material change in circumstances.

12.18 The licensing authority must give advance notice of the hearing to the premises licence holder and the chief officer of police. Given that these measures are designed to deal with serious crime and/or serious disorder on an interim basis only, the process is designed to avoid delay and, as such, significant portions of the Licensing Act 2003 (Hearings) Regulations 2005 (SI 2005/44) (which set out the usual processes governing the conduct of licensing authority hearings) do not apply in order to streamline the hearing process. One result of this is that the licensing authority cannot adjourn the hearing to a later date if the licence holder fails to attend at the scheduled time, as is the case under the normal review procedure. And as is the case with that procedure, the licence holder does not have to be present for the hearing to take place. In addition, there is no timescale for notifying the licence holder of the hearing under the modified process, providing the notification takes place before the hearing is held. However, it is imperative that the licence holder be given as much notice as is possible in the circumstances to afford the holder a maximum practicable opportunity to prepare for and attend the hearing. Licensing authorities should bear in mind that the usual principles of public law decision-making will apply to interim determinations, in a form that has regard to the statutory context of an expedited process.

12.19 At the hearing to consider representations against interim steps the licensing authority must:

- consider whether the interim steps are appropriate for the promotion of the licensing objectives; and
- determine whether to withdraw or modify the steps taken.

12.20 When considering the case the licensing authority must take into account:

- the senior officer's certificate that accompanied the application;
- the chief officer's representations (if any); and
- any representations made by the premises licence holder.

12.21 There is no right of appeal to a magistrates' court against the licensing authority's

decision at this stage.

The review of the premises licence under section 53C

12.22 The licensing authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the chief officer's application. There can be no adjournment of the hearing or delay in reaching a determination beyond the end of the 28 day period. This must take place even if the chief officer asks to withdraw his application or representations. At the review hearing, the licensing authority must consider what steps are appropriate for the promotion of the licensing objectives taking into account any change in circumstances since any interim steps were imposed, consider any relevant representations, and review the interim steps already taken (if any).

12.23 In making its final determination the steps the licensing authority can take are:

- the modification of the conditions of the premises licence;
- the exclusion of a licensable activity from the scope of the licence;
- the removal of the designated premises supervisor from the licence;
- the suspension of the licence for a period not exceeding 3 months; and
- the revocation of the licence.

12.24 Modification of the conditions of the premises licence can include the alteration or modification of existing conditions or addition of any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place.

12.25 The licensing authority must:

- advertise the review inviting representations from any persons for no less than seven consecutive days, by notice as described in regulation 38 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 (SI 2005/42) and, if applicable, on the licensing authority's website (see regulation 38(1)(b) of the above). The relevant notices should be published on the day after the day of receipt of the chief officer's application.
- advertise that any representations which the premises licence holder, responsible authority or any other person want the licensing authority to consider at the review hearing, should be submitted to the licensing authority within 10 working days of the advertisement of the review appearing.
- give formal notice of the hearing no later than five working days before the day or first day on which the hearing is to be held to the premises licence holder and to every responsible authority.

12.26 A party shall give to the licensing authority a notice no later than two working days before the day or the first day on which the hearing is to be held stating –

- whether he intends to attend or be represented at the hearing;
- whether he considers a hearing to be unnecessary.
- whether he would like permission for any other person (other than the person he intends to represent him at the hearing) to appear at the hearing and, if so, explain on which points that person will be able to contribute.

A4

12.27 The regulations relating to hearings are set out in the Licensing Act 2003 (Hearings) Regulations 2005 (S.I. 2005/44). They apply to final hearings under the section 53A(2)(b) in a similar way to hearings following closure orders under section 167 of the 2003 Act (it should be emphasised that the truncated version of the hearings regulations described in paragraph 12.18 above applies to interim hearings only). The issues they address include who can make representations and what those representations can be about. It is therefore possible for responsible authorities or any other persons to make representations in relation to any of the licensing objectives, not just crime and disorder. Similarly, where it is in the public interest, the regulations relating to the exclusion of individuals from hearings, or conducting the hearing in private, will apply.

12.28 The licensing authority must notify its decision and the reasons for making it to:

- the holder of the premises licence;
- any person who made relevant representations; and
- the chief officer of police who made the original application.

Review of the interim steps under section 53D

12.29 The licensing authority's determination does not have effect until the end of the 21 day period given for appealing the decision, or until the disposal of any appeal that is lodged (see below information on right of appeal). To ensure that there are appropriate and proportionate safeguards in place at all times, the licensing authority is required to review any interim steps that it has taken that are in place on the date of the hearing and consider whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn. The review of the interim steps should take place immediately after the determination under section 53C has been reached. In making its decision, the licensing authority must consider any relevant representations made.

12.30 In conducting the review of the interim steps the licensing authority has the power to take any of the steps that were available to it at the initial stage (see paragraph 12.13). Any interim steps taken at the review hearing apply until—

(a) the end of the period given for appealing against a decision made under section 53C (21 days),

(b) if the decision under section 53C is appealed against, the time the appeal is disposed of, or

(c) the end of a period determined by the relevant licensing authority (which may not be longer than the period of time for which such interim steps could apply under (a) or (b) above).

Right of appeal against review of interim steps decision

12.31 The licence holder or the chief officer of police may appeal against the decision made by the licensing authority concerning its review of the interim steps to a magistrates' court. The appeal must be made within 21 days of the appellant being notified of the licensing authority's decision and must be heard in full by the magistrates' court within 28 days beginning with the day on which the appellant lodged the appeal.

A4

Right of appeal against final review decision

12.32 An appeal against the final review decision may be made to a magistrates' court within 21 days of the appellant being notified of the licensing authority's determination on the review. An appeal may be made by the premises licence holder, the chief officer of police and/or any other person who made relevant representations.

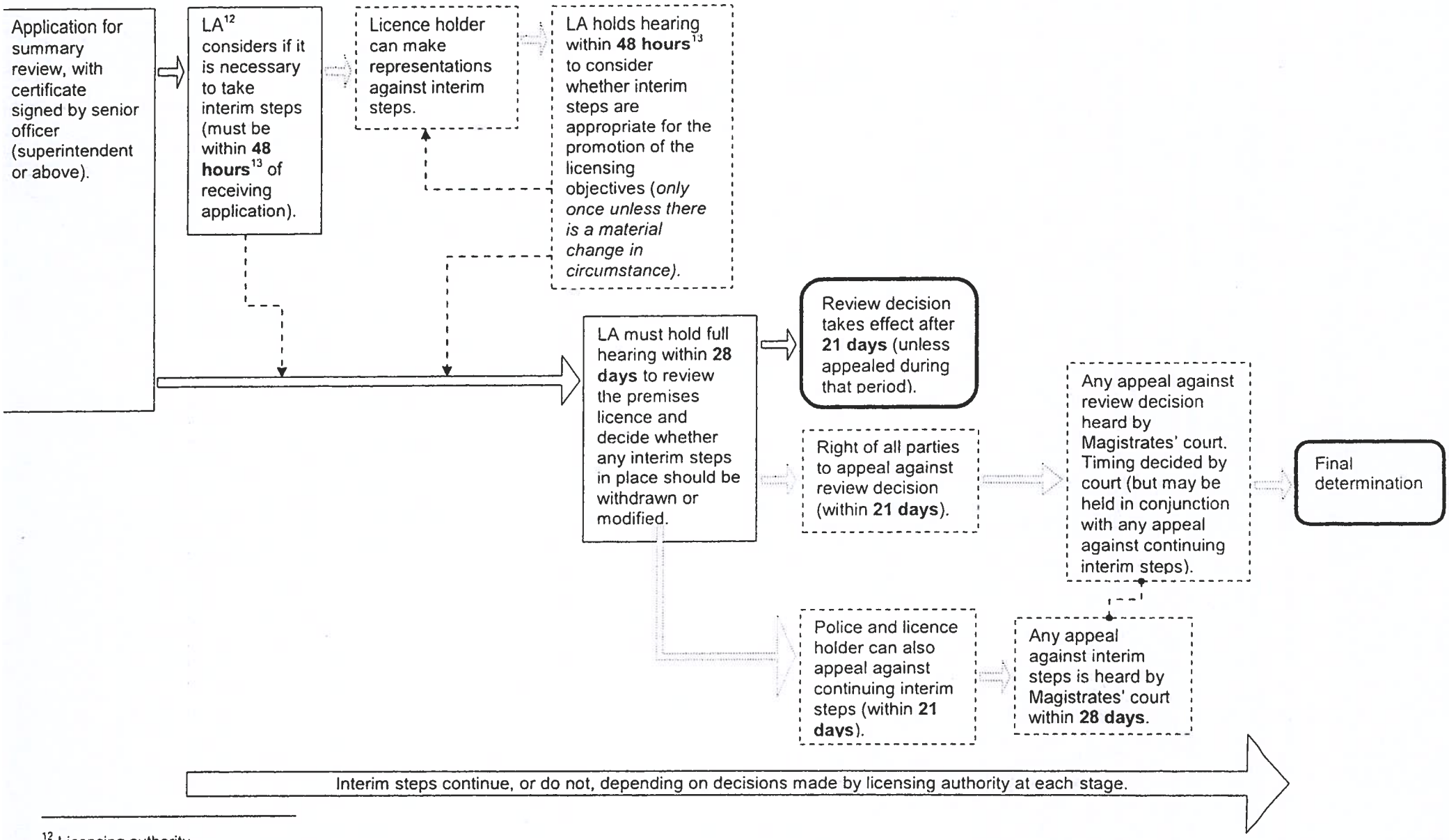
12.33 The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal, or until the disposal of the appeal.

12.34 Where appeals are lodged both against the decision following the review of the interim steps and against the final determination, the courts may decide to consider the appeal against the final determination within the 28 day period, allowing the interim steps appeal to be disposed of at the same time.

Flow diagram of the summary review process

12.35 The following flow diagram summarises the process.

Summary review flowchart



[12] Licensing authority

[13] Only working days count

A5

CROYDON
www.croydon.gov.uk

PREMISES LICENCE

Premises licence number	05/02425/LIPREM

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description including Post Town and Post Code	
Aachis Masala Chennai 3 Brighton Road South Croydon CR2 6EA	
Telephone number	0208 680 8833

Where the licence is time limited the dates
N/A

Licensable activities and entertainment authorised by the licence

The provision of regulated entertainment namely:-

- Sale by Retail of Alcohol
- Live music
- Recorded music
- Performance of dance
- Anything of a similar description to live music, recorded music and the performance of dance
- provision of facilities for making music
- provision of facilities for dancing
- provision of facilities for entertainment of a similar description to making music and dancing.

A5

The times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol
Monday to Sunday 10:00 to 02:00

Provision of Regulated Entertainment
Monday to Sunday 10:00 to 02:00

Regulated entertainment, namely recorded music, may be provided throughout the premises without restriction on times

Regulated entertainment, namely music and dancing or any other entertainment of the like kind, may be offered at the premises for pre booked private events, for pre invited guests, without restriction on times.

Provision of Late Night Refreshment
Monday to Sunday 23:00 to 02:30

Non-Standard Timings – For all of the above
On the morning on which British Summer Time begins the terminal hour shall be 03:00 hours.

Christmas Eve and Boxing Day 10:00 hours until 04:00 hours on the following days New Year's Eve, from the end of the permitted hours on New Year's Eve to the start of the permitted hours New Year's Day or, if there are no permitted hours on New Year's Day, until the end of the normal permitted hours for the day on which New Year's eve falls.
On 12 occasions during the year the applicant may extend the terminal hour for events held within the premises, with the police having an absolute veto on such events.

The opening hours of the premises

Monday to Sunday 10:00 to 02:30

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Both

Part 2

A5

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Mr Ravichandran Nattuselvam
[redacted]

Aravindaiah Priyadharshan Rajarajan
[redacted]

Registered number of holder, for example company number, charity number (where applicable)
N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Ravichandran Nattuselvam
[redacted]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence No:05/01946/LIPERS

Licensing Authority: London borough of Croydon

Date Original Licence Granted: 06.09.2005

Date This Licence Effective: 01.08.2019

Licensing Manager
Place Department

A5

Annex 1 - Mandatory Conditions

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing *Conditions*) Order 2010 and Order 2014.

No supply of alcohol may be made under the premises licence -
(a) at a time where there is no designated premises supervisor in respect of the premises licence,
or
(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. - Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. (1) The responsible person must ensure the staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purposes of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk to undermine a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamourise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonable available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy)to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

A5

(a) a holographic mark, or
(b) an ultraviolet feature.

In respect of the condition governing age verification, there are specific duties relating respectively to the holder of the premises licence or club premises certificate and designated premises supervisor.

6. The responsible person must ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measure -

(i) beer or cider: ½ pint;
(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
(iii) still wine in a glass: 125 ml;

(b) these measures and displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

*Responsible person is defined as:

(a) In relation to licensed premises:
(i) The holder of a premises licence in respect of the premises,
(ii) The designated premises supervisor (if any) under such a licence, or
(iii) Any individual aged 18 or over who is authorised for the purposes of section (4) of the Licensing Act 2003 by such a holder or supervisor,
(b) In relation to premises in respect of which there is in force a club premises certificate, any member of officer of the club present on the premises in a capacity which enables him to prevent the supply in question.

7.1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2). For the purposes of the condition set out in paragraph 1 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979.
(b) "permitted price" is the price found by applying the formula - P = D + (D x V) where -
(i) P is the permitted price,
(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence
(ii) the designated premises supervisor (if any) in respect of such a licence, or
(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3). Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4) - (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

8(1) . Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:-

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of the Act.

(2). But nothing in subsection (1) requires such a condition to be imposed:-
(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
(b) in respect of premises in relation to:-
(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act.

(3. For the purposes of this section:-
(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

A5

Annex 2 – Conditions consistent with the operational schedule

Prevention of Crime and Disorder

The premises licence holder shall:

1. Employ SIA registered door supervisors at the premises on Friday and Saturday nights when any event is booked for the first floor

2. Provide a closed circuit television system to cover the entrance and internal public areas, all to the satisfaction of the local police crime prevention officer, with recorded tapes kept by the DPS for not less than 28 days and made available in useable form to police and Council officers on request.

3. Comply with all reasonable requests of the Metropolitan Police crime prevention officer.

5. Promoted Events -

   The Metropolitan Police Service must be given at least 14 days' notice of all forthcoming events and have received an MPS Promotion/Event Risk Assessment (Form 696) 14 days in advance of any event

   The Metropolitan Police Service must receive an MPS Debrief Promotion/Even Risk Assessment (Form 696A) three days after any risk assessed event.

   Sufficient SIA registered door supervisors, as agreed with the Metropolitan Police, shall be employed at the premises at any promoted event

6. No 18th birthday party bookings will be accepted.

Public Safety
None

Prevention of Public Nuisance
None

Protection of Children from Harm
None

Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable

Annex 4 - Plans

Due to the size of the plans in respect of this premises, it has not been possible to reproduce them in this space. However, for the avoidance of doubt, the authorised layout of the premises is as shown on drawing as submitted to the licensing authority in support of the application. Original copies of the plan(s) are held on file by the licensing authority, and may be inspected at our offices on appointment.

Representation to support the Review brought by Metropolitan Police Licensing for:

Aachis Masala Chennai, 3 Brighton Road, South Croydon CR2 6EA

Mr Ravichandran Nattuselvam applied for the licence to be transferred in April 2019. There are two Premises Holders on the licence, Mr Ravichandran Nattuselvam and Mr Aravindaiah Priyadharshan Rajarajan. Mr Ravichandran Nattuselvam is the Designated Premises Supervisor.

On Monday 4 July 2022, I visited the premises with the police licensing team after an incident that had occurred at the premises at approximately 02:45 hrs that same morning.

Mr Ravichandran Nattuselvam confirmed that the first floor of the premises had been hired out for a 50th Birthday Party. He had made a note of the person who made the booking. Mr Ravichandran Nattuselvam stated that the attendees of the party were of a similar age of around 50 years old.

Mr Ravichandran Nattuselvam had recommended SIAs to the hirer and stated that 5 had been on duty during the party, the names and telephone numbers were made available to the police licensing team. Mr Ravichandran Nattuselvam confirmed that the number of guests was approximately 200 with the party commencing at 23:00hrs.

CCTV had been recording. Mr Ravichandran Nattuselvam confirmed that the camera positioned outside of the premises stopped working on Friday 1 July and he states that this was reported it to a private maintenance company.

Upon walking around the premises, it became evident the hirer was not as an individual, but was a promoter who had brought along their own drinking podiums and promotional material.

There were several safety issues within the premises which gave concern and I spoke with the London Fire Brigade. These included:

3 locations where fire extinguishers were removed from the wall and were subsequently located in a locked room.

1 fire escape blocked internally with black bags of rubbish. This was the escape route from the first level to the ground.

1 fire escape blocked outside by a large amount of cardboard, building materials, oil and other rubbish which was collectively from several businesses over approximately 100 meters.

Breach of licensing conditions:

Annex 2, Condition 5

Promoted Events –

The Metropolitan Police Service must be given at least 14 day's notice of all forthcoming events and have received an MPS Promotion/Event Risk Assessment (Form 696) 14 days in advance of any event.

The Metropolitan Police have advised that they had not received any notification from the premises regarding promotional events.

The non-compliance of conditions are compromising the Public Safety and Public Nuisance Objectives which are detailed on the following pages.

Public Safety Objectives:

The event was held without adequate checks of the person hiring the premises and it was subsequently noted that the same person had hired the venue for a number of promotional events over several Sunday evenings.

CCTV footage showed the guests to be approximately 20s to 30s in age which is contrary to the information provided. Mr Ravichandran Nattuselvam did not appear to have put in place any additional security checks or measures and appears to have wholly handed control of his premises over to a promoter.

Safety issues within the premises regarding escape routes and missing fire extinguishers have been passed to FSR (Fire Safety Regulations), who are part of LFB (London Fire Brigade). They will conduct their own investigation based on the information provided.

Kay Jones
Croydon Council
Environmental Health Practitioner / Licensing Compliance
Sustainable Communities
Food & Safety Team
6th Floor, Zone A
Bernard Weatherill House
8 Mint Walk
Croydon CR0 1EA

A6

Pollution Team,
Sustainable Communities
Floor 6, Zone A
Bernard Weatherill House,
8 Mint Walk,
Croydon, CR0 1EA
pollution@croydon.gov.uk

Licence Representation

This representation is made by the Pollution Team as a responsible authority under the Licensing Act 2003.

It concerns issues relating to the prevention of public nuisance.

Details of this representation

This representation is intended to provide additional information to the Licensing Committee about the Pollution Teams involvement with Aachis Masala Chennai, 3 Brighton Road South Croydon CR2 6EA.

Complaints about noise from the premises:

Since 27/09/2021, we have received a large number of complaints from 7 different local residents about the premises.

September 2021

First complaint received from complainant 1 claiming that the venue was holding loud parties on Sunday Night/Monday Morning.

October 2021
An investigating officer visited the restaurant and spoke to a manager about the complaint. The manager was happy for the officer to pass on the owner's mobile number to complainants so they could call direct when they are affected by the restaurant. This way they could see how the music/parties were affecting local residents and may help the pollution team as we don't have an out of hour's service anymore.

November 2021
The team received another complaint from Complainant 1 in November 2021

December 2021
I emailed complainant 1 in early December 2021 to see how things had been. Complainant 1 said it had improved but there had been a couple instances where they had been disturbed by the restaurant. I was aware that they could email licensing to ask about a possible review of their license/operation hours.

April 2022

The team did not hear anything else until late April 2022 and then more complainants were coming in from mid May 2022.

May 2022

The team had another 4 residents from different households complain to us about the restaurant.

I received an email from police licensing to say that this site will be added to their list for a visit. I received further emails to say that this site was not visited. I asked if it could be as it's tough for us to witness anything with no out of hour's service.

June 2022

The pollution team received another complaint from the manager of a residential living home opposite the restaurant on Brighton Road. The manager was concerned with the behaviour of patrons and the parties being held at Chennai. The manager highlighted that residents were being disturbed at all hours of night into morning, patrons were parking in their private car park, staff from the restaurant were parking their car park, cars were blocking entrances, littering, urinating, vehicles beeping horns and general screaming, shouting & arguments. The manager had already had a meeting with the owner to express concerns.

An investigating officer visited Chennai on 28th June 2022 to speak to the owner. The owner was not there, staff were asked to contact the officer to discuss the issues.

July 2022

An investigating officer visited the residential living home on Friday 1st July 2022 and met the manager who spoke about the recent disturbances. Residents showed video footage of patrons outside making noise and pictures of cars blocking the driveway. The manager was informed that we would be speaking to the owner to discuss all of the issues raised in the meeting. We asked the manager to let us know how the following weekend went and if there were any issues. We now know that there some serious problems over that weekend.

The investigating officer called the owner and discussed all of the issues that were raised. The owner made constant reassurances that there would not be any issues and that they would be on top of it. The manager claimed that they had spent £2-3,000 on sound proofing in the function room within the last 3weeks. The officer said they would be in contact to arrange a time to visit the restaurant to look at these measures put in place.

Concerns of the Pollution Team

The pollution team as a responsible authority take the view that this premises will continue to cause a public nuisance and affect local residents. We received many complaints of loud music and excessive noise and behaviour of patrons leaving the venue. We have given the licensee more than enough opportunity to control the noise at the venue and take a responsibility for patrons. The assurances from the licensee to control the noise from the venue have proven inadequate as we are still receiving more complaints from residents living within close proximity to the venue.

We have also seen an escalation in the severity of incidents too. I ask the committee to consider the complaints and the problems that this venue is causing on a regular basis under the public nuisance objective.

Completed by: Joe Mesure
Position: Pollution Enforcement Officer
Date: 14 July 2022

A6

To whom it may concern

I am writing to make a representation under the Licensing Act 2003 regarding the license review of Aachis Masala Chennai, 3 Brighton Road, South Croydon CR2 6EA.

Background (pre-pandemic)

I purchased and moved into [redacted] in [redacted]. My living room window looks out over Brighton Road in both directions. My bedroom window is large and wide (the width of the entire wall), and facing [redacted] the premises under review. I had no problems for the first 9 months living here.

In the summer of 2019, I began to notice a series of loud parties nearby. At first the music wasn't intrusive, but when the parties finished there was significant noise on the street as the patrons left, usually at around 4am. On one occasion, the patrons refused to end the party, parked their cars across the width of the road, and played music, with dancing happening between two lines of cars. This caused significant disruption as, in addition to the music, buses and other vehicles honked their horns while attempting to pass.

The music from these parties proceeded to increase in volume over the next 12 months, particularly on hot evenings, to the point where it significantly disrupted my sleep. At the time, these parties were happening once every 2-3 weeks, with several parties during a bank holiday weekend, or on special occasions such as the finals weekend of Wimbledon.

I started to complain to the council's noise pollution department during this time. At first I called the noise control service, but the people throwing the parties figured out that the noise control officers stopped working at 2am, and started to turn the music up at 2:01am. Because of the direction my window faces, I was kept awake by the quieter music, but it couldn't be heard from the street, so there was little that could be done. I have since learned that there is a side door in the premises, intended for use as an emergency exit, which smokers were leaving open to go outside for a cigarette. This is why the music was targeted directly at my window, and couldn't be heard from the street.

The council was limited in what it could do at the time. They asked me to keep them informed, and let me know the options, but as the premises was licensed to hold late parties up to 12 times per year, they were within their rights. I understand they also visited the premises, but couldn't determine the source of any excessive noise. I have since learned that sound equipment is brought in by the hiree for each party.

I began to look into the option to review their licence, but as all venues were closed from March 2020 this ceased to be an issue. A very peaceful year followed. As awful as the pandemic was, this was one silver lining.

I now know that the current owner bought the premises immediately prior to the pandemic, and changed the name from Aachis Masala to Chennai Dosa. He made this purchase at an unfortunate time, but on the condition that the licence allowed him to host late night functions.

Background (post-pandemic)

After the pandemic restrictions on venues were lifted, the parties restarted. At first these were only on Sundays, but were louder than they had been previously. I restarted my complaints to the noise pollution team, and they sent a letter to the owner. This resulted in two things - the parties switched to Fridays (which is more reasonable) and the owner passed on his direct number, so I could call him if there was a problem.

The parties then increased in regularity, first adding Sundays again, then Tuesdays, and sometimes Wednesdays or Thursdays. By March 2022 they were taking place at least 4 times per week, sometimes up to 7. I was calling the owner at least twice a week. Most of the time he answered, but it was clear there was little he could do beyond asking the hirees to close the emergency exit door. He didn't have the skills or resources to enforce any noise reducing measures, or even to keep the offending door closed (it would often open again minutes after being closed). Noise control officers were no longer carrying out night shifts (the most crucial time for them to be working) so the loud music started from midnight or earlier.

The volume also increased significantly. On one Sunday it was so bad that the windows in my bedroom were shaking. When I called the next day, the owner said he had expressed concern at the size of the amps that were being brought in, but couldn't (or wouldn't) do anything about it. He made several comments about the race of the hirees, saying "you know what they are like", as if I shared his views, which made me uncomfortable. The parties would generally finish by 2:30am, but at least once a week they would carry on until 4am.

I met with the owner, who gave me a bottle of wine by way of apology and made the offer of a free dinner in the restaurant. He told me he was going to install soundproofing and, while this has started to make a difference, I understand it has not yet been finished and has minimal impact on the louder amplified music. Eventually he agreed to give notice to the Sunday parties and, while this is a good start, it was 4 weeks notice and didn't address the other midweek parties. I started looking into the process for a licence review again, and requested a copy of the current licence.

Most Recent Issues

At 3:30am on Sunday 3 July, I was woken up by very loud music. I called the owner at 4am and he didn't answer. I tried calling again at 4:30am. This time he answered, and explained to me that it was not at his premises. He said that an unknown group had broken into the premises next door and were holding a rave in the courtyard. He said he had been alerted to it by the arrival of an unmarked white van earlier in the evening, and had decided to close his own premises early as a result. I can't be sure, but I remember seeing that van earlier and thought it was the same van I had seen unloading sound equipment into his premises in previous weeks. I don't know that was definitely the case, though. The party eventually disbanded at 5:30am, causing a significant amount of noise and disruption.

That day I noticed a police car attending the scene of the rave. Later that evening, the gate had been closed with police tape and a camera had been installed. I ran into the owner in the Tesco [redacted] my flat and he reminded me that the following week was the final Sunday party, and promised that all parties would stop at 2:30am at the latest.

At 2:30 am on Monday 4 July I heard the music (which had been quite loud for a few hours) finally stop. Very soon afterwards I heard screaming and yelling, both in the street and what I think was from inside the venue. I was considering whether to call the police, when I heard a police siren approaching. Watching out the window, I saw the police car arrive, an officer got out, took a look at the entrance to the venue, got something out of his car boot, and strode in. Over the next hour or so, many more police vehicles arrived. At one point I counted 11 police vehicles and an ambulance.

For most of the next day, a police car was parked outside the entrance of the venue. I was in meetings for most of the day and was going to go down and give them this background and information after my last meeting, but they left as I was putting my shoes on.

There have been no parties since. It's been a peaceful week. The lack of sleep was having an impact on my work and personal life, and I was constantly tired. A week of quiet nights has improved that situation significantly.

Licensing Objectives

I believe the above information primarily addresses the licensing objective of the prevention of public nuisance. I am aware that I am not the only person to have complained about this, although I am one of few directly affected by the music due to the positioning of my window in relation to the emergency door at the premises. The extreme levels of noise for the majority of the night, 4-7 nights per week is a pattern that cannot continue. This, combined with the noise and behaviour of patrons as they leave the venue, and their habit of parking cars along the entire length of the street, is an undeniable nuisance that shouldn't be allowed to continue.

In addition to this, there are public safety and criminal concerns, but these have not directly affected me. I believe information regarding these should be provided by the police, and I understand this process is underway.

Current Licence

I believe there are several issues with the current licence that are exacerbating the situation outlined above. The venue is a restaurant in an area that contains many residential dwellings. This licence, which I understand has been in place for over 30 years without review, reads as if it is for a nightclub in an industrial area.

The licence currently covers parties until 2am, 7 days per week, with a closing time of 2:30. Putting aside the fact that this is not being followed (with music playing until at least 2:30), this is inappropriate. The regular parties on Sunday and Tuesday nights are an extreme nuisance, given that the majority of the population is required to be at work on weekday

mornings. As mentioned above, this has had an impact on the quality of my work on more than one occasion.

The licence also makes no reference to noise level. As mentioned previously, the council's noise control team is limited in its ability to address these concerns, and I cannot imagine the licence envisaged the extreme sound equipment being used when it was first issued.

There is an exception for pre-planned events with pre-invited guests, where they are allowed to carry on indefinitely. This is impractical, as there is no way to prove that guests were pre-invited, particularly given that most invitations can be distributed via the WhatsApp groups of the event promotors, making anyone a pre-invited guest.

Finally, the 12 events per year that can go on for an extended period of time are frustrating as they can happen unexpectedly. If they must stay in place, there should be a requirement to notify neighbours of this in advance.

I don't believe that the owner has any ill-intentions in holding these parties, and has occasionally accommodated my feedback, but as they have become a central feature of his business model he is unlikely to rectify the situation without a change to his licence.

Conclusion

The current situation at the premises under review should not and cannot be allowed to continue. The venue is primarily a restaurant, and should be treated as such. In line with the licences held by the majority of restaurants in the area, an end time of 11pm should apply, with exceptions for private functions (not promotor-led events) that are limited to weekends, end by 2am, and are required to adhere to local noise regulations. By no means should promotor-led events be allowed in the premises.

The conclusion above is reasonable and measured, and in line with precedent. I have been as tolerant as I can over the past 3.5 years, but the constant throb of bass music until the small hours of 4-7 mornings per week, with the only solution being to call the owner in the hope that he has the will and ability to do something about it, is something that no one should have to go through. It has seriously impacted my work, my personal life, and my right to the quiet enjoyment of my own home, and that I appreciate the opportunity to have that taken under consideration in this review.

Please feel free to contact me if I can provide any further detail or information. I can be reached at this email address, or at [redacted]

Best wishes

[redacted]

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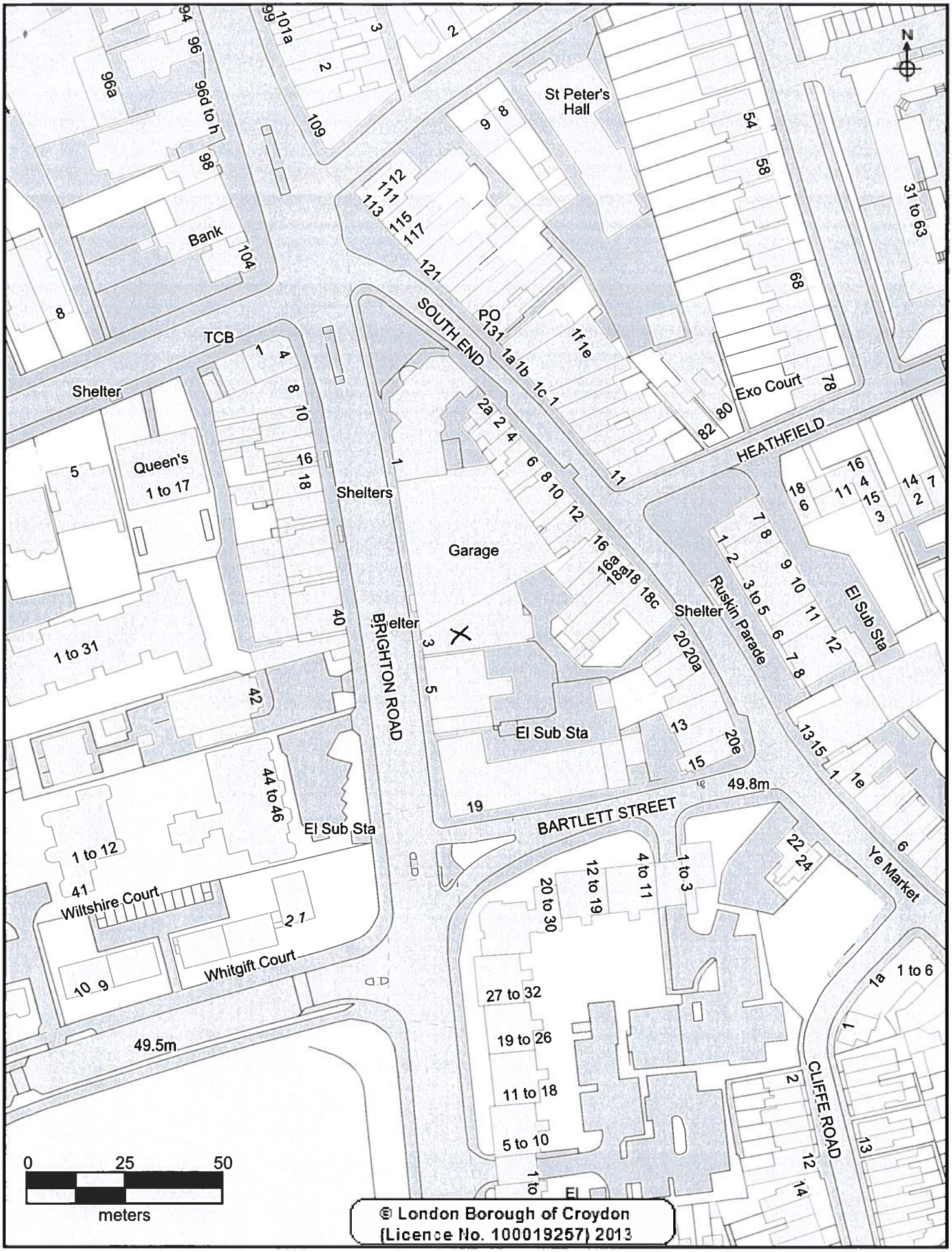

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