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Our reference: MD/21/ 2959/17

Date: 11th May 2017

Dear Sir/Madam

Re: Pushparani Arulrajah, Best Food & Wine 171 Queens Road SE15 2ND

Police are in possession of an application from the above to transfer the premises licence ref 834717.

The above premises was subject of an application for a review of the premises licence under the licensing act 2003.

On Thursday the 4th May 2017 the licensing subcommittee were set to hear evidence from the responsible authorities regarding a catalogue of breaches of the premises licence, and evidence of a number of criminal offences. The recommendation from all responsible authorities involved was that the premises licence be revoked.

On the 3rd May 2017 the day before the licensing sub committee hearing an application was received from Pushparani Arulrajah to transfer the premises licence.

Under the licensing act 2003 an application to transfer the premises licence can become effective immediately. This then puts the applicant in the place of the premises licence holder, until either the licence is granted and the transfer is completed or the application is refused or withdrawn.

In effect if the review hearing were to go ahead then the review would be on the actions of the previous premises licence holder.

On the day of the hearing I was also given a copy of a lease agreement between the applicant for the transfer and the current premises licence holders.

I note that the lease was between the current premises licence holder Naresh Kumar & Paramjit Kaur and two individuals as detailed on the lease Ajanthini Arularajah & Geethanjali Arularajah.

The applicant for the transfer gave their name as Pushparani Arulrajah. Whilst the surname appears to be the same, the applicant for the transfer and those detailed on the lease agreement don't seem to me the same people.

I also note that the lease agreement had not been signed by the new tenants and therefore cannot be accepted as a full and proper lease agreement.

Of concern to the Police is that the landlord for the premises known as best Food & Wine remains to be the current premises licence holder Naresh Kumar. This would in my opinion still give Mr Kumar overall control of the premises.

As I write this report It is not clear if the lease agreement is full and proper, there has been no other documentation provided that this transfer is full and proper.

I believe that in this case there are exceptional circumstance as to why this transfer should be refused, under the grounds that it would undermine the prevention of crime and disorder licensing objective.

The premise licence is subject to a review in relation to the prevention of crime and disorder. The application to transfer the licence was submitted a day before the hearing, in my opinion, to circumvent the licensing hearing process.

The lease provided on the day has not been signed by the new tenants, and ultimately, control of the premises still remains to be the current premises licence holder.

Submitted for consideration

Ian Clements PC 362MD

Southwark Police Licensing Unit

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