



The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756
Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/2962/17

Date: 17th May 2017

Re:- Adams News 6 Cold harbour Lane SE5 9PR

Dear Sir/Madam

Police are in possession of an application from the Southwark's Trading Standards Service for a review of the above premises licence under Section 51 of the licensing act 2003.

The review application details a number of Breaches of the premises licence and a number of offences with regard to Duty evaded alcohol, consumer protection act and possible offences in regard to the employment of an illegal immigrant.

When granting an individual or a company a Premises licence, the licensing committee must have trust in that individual or company that they will run the premise well and comply with the operating schedule as agreed when applied for.

The conditions are there for the promotion of the licencing objectives, in particular for me are the conditions relating to the prevention of crime and disorder. Not only do we have a premises allegedly operating in contravention of these conditions, but it alleged that the premises themselves are actually committing acts of criminality.

In my opinion there is no place for a premises that is operated in such a way, one that is putting the public's health at risk and quite possible having a negative impact on anti-social behaviour and crime and disorder.

Police fully support the application by Trading Standards for the review of the premises licence and the recommendation that the licence is revoked.

Yours Sincerely

PC Ian Clements 362 MD
Southwark Police Licensing Unit
Tel: 0207 232 6756

From: Legassick, Bill
Sent: Thursday, May 18, 2017 6:30 PM
To: Regen, Licensing
Cc: Masini, Bill
Subject: Licence Review - 6 Coldharbour Lane

Licensing

The Environmental Protection Team fully support the Trading Standards review for 6 Coldharbour Lane having regards to the Licensing Act objective – The prevention of public nuisance.

This service has no relevant records of public nuisance being caused directly by the premises. The warden service has dealt over the last six months on two separate occasions with persons linked to alcohol related ASB. Information has been obtained that the Metropolitan Police have dealt with substantial problems with the on-street population in Camberwell and that the worst offenders seem to have moved to Peckham.

In the past this area has been a street nuisance hot-spot is due to a local street population of vulnerable persons, many with addiction issues, who are:-

- street, drinking
- begging,
- rough sleeping, and
- causing anti-social behaviour (public urination, violence, nuisance gatherings).

Southwark Environmental Protection Team consider that the main reasons for the development of the street nuisance hot-spot in Camberwell are:-

- The provision of high strength lagers (the preference of street drinkers and addicts) from nearby licensed premises.
- Proximity to the Maudsley and Kings hospitals which include Accident & Emergency services and both alcohol and drug high dependency units, which are health services frequently used by the vulnerable persons who make up SE London's street population.
- The length of the opening hours of nearby licensed premises with some premises being open serving alcohol 24/7.

Before the hearing, I may have further information that I wish to be included in this representation.

Bill Legassick
Principal Environmental Health Officer

Postal address: Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | PO Box 64529 | London | SE1P 5LX.

Office address (By appointment only) : Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

Tel: 020 7525 4253 | Fax: 020 7525 5705 | e mail: Bill.Legassick@southwark.gov.uk

visit: <http://www.southwark.gov.uk/air-quality>



Please consider the environment - do you really need to print this email?

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 **PC MARK MCKAY**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 240927**

This statement (consisting of: **3**..... pages 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 anything in it which I know to be false, or do not believe to be true.

Signature: Date: 19/5/2017

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

I am PC Mark MCKAY 192MD and I am the dedicated ward officer for Camberwell Green, Southwark Borough. I am making this statement to highlight issues related to street drinking and the role responsible off-licences can play in tackling this entrenched issue. This statement is to be used at the licensing review into Adams News, of 6 Coldharbour Lane, SE5. I am happy to attend the hearing if necessary.

Background

I joined Camberwell Green Safer Neighbourhood Team in September 2015. It was immediately obvious street drinking was a serious and entrenched issue in the ward. Areas where it has been an acute problem include the junction of Denmark Hill and Coldharbour Lane where there is also a short alleyway, Milkwell Yard. In this area there are several off-licences within a fifty-yard-stretch of high street. This area has gained notoriety for alcohol-related anti-social behaviour as it has historically proved especially prevalent here. Street drinkers will buy low-priced super-strength alcohol then congregate in groups of up to eight or nine outside shops. They will drink until they are drunk, shout, swear, fight, drop litter and generally cause harassment, alarm and distress to the public. The group has been large enough to block the pavement to pedestrians. This is extremely distressing for members of the public, which include parents walking their children to the nearby Crawford Primary School. They will also venture into Milkwell Yard to urinate, often just yards from people's homes - Milkwell Yard is an alleyway with a dead-end and is the sole entrance to a handful of residential flats. This makes it an extremely undesirable and disgusting place for people to live. When I first joined the team almost two years ago, encountering street drinkers at this location was a daily occurrence. Our interactions would almost always inevitably lead to officers seizing alcohol from drunken street drinkers who then become angry and aggressive. Staff at Paddy Power, in Coldharbour Lane, also raised concerns about street drinkers loitering outside the shop front. Many have consequently been banned from entering the bookmakers. In Valmar Road, about fifty yards along Coldharboue Lane, drinkers can congregate and drink quite literally on the front doorstep of houses.

Historically, Camberwell Green has also been a hot-spot for street drinking. About ten years ago extensive

Signature: Signature witnessed by:

-----Original Message-----

From: Legassick, Bill

Sent: Tuesday, May 23, 2017 11:23 AM

To: Mills, Dorcas

Subject: Addition information as mentioned in my representation

Dorcas

Please can you please add this statement as part of my representation and I have requested PC McKay to attend as a witness.

Bill Legassick

Principal Environmental Health Officer

Postal address: Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | PO Box 64529 | London | SE1P 5LX. Office address (By appointment only) : Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

Tel: 020 7525 4253 | Fax: 020 7525 5705 | e mail: Bill.Legassick@southwark.gov.uk

visit: <http://www.southwark.gov.uk/air-quality>

Continuation of Statement of **PC MARK MCKAY**

collaborative work between this team and partner agencies made serious inroads to curb the number of street drinkers on the green. However, while the numbers of drinkers may have reduced, entrenched pockets remain. Again, there are several off-licences around Camberwell Green, Camberwell Church Street, Camberwell Road and Camberwell New Road. There are also hostels around the green which house alcoholics. Camberwell Green and Denmark Hill are also transport hubs for bus and overground rail services. This means they are high footfall areas with large transient populations. The Peabody Estate lies on the eastern side of Camberwell Green. Access into the estate is through an open vehicle entrance. Like Milkwell Yard, street drinkers use the Peabody Estate as a location to urinate and hide from public view. This causes significant distress to residents. In July 2016, Camberwell Green re-opened after extensive renovation work. This included installing three benches in a newly-pedestrianised area adjacent to blocks A, B & C. Again, they would drink until they were drunk. They would also shout and fight amongst themselves. This was distressing for residents living in these blocks as the noise was sometimes so loud it could heard through closed windows. In May 2016 these benches were removed, though picnic benches in the green remain. *MM*

The high concentration of hostels housing those living chaotic lifestyles and off-licenses selling cut-price alcohol has the potential to create a perfect storm of alcohol-fuelled anti-social behaviour. While the situation is not as severe as it once was, street drinking remains entrenched around Camberwell Green and Coldharbour Lane. As a result, tackling street drinking and related anti-social behaviour has been a ward priority for Camberwell Green since at least September 2015, though I'm told it has been a priority for years before this. *MM*

In November 2006 Southwark Council made the borough an alcohol controlled zone under the Criminal Justice and Police Act 2001 to combat alcohol-fuelled violence and associated anti-social behaviour. This meant council wardens and police can confiscate alcohol from anyone causing a nuisance in public, while those failing to comply could be arrested and fined up to £500 on conviction. *MM*

In April 2016 BBC Two broadcast a documentary presented by journalist Louis Theroux on alcoholics at King's College Hospital, in Denmark Hill. This involved Theroux interviewing street drinkers in Coldharbour Lane and Camberwell Green. This provides a fitting illustration of how severe and entrenched an issue street drinking remains in Camberwell. *MM*

Many street drinkers are alcoholics. Due to this, it is not enough to tackle the issue through enforcement. We also signpost street drinkers to support services when we interact with them. Only with effective intervention is it possible to break the cycle of addiction, which for too many is the underlying cause of their behaviour. *MM*

Progress since 2015 *MM*

Previously, alcohol would be seized and fixed fines issued, but interactions were not consistently recorded. This approach was a short-term 'quick fix' with limited long-term impact as drinkers would return to congregate in hot spot areas. Starting in November 2015, Camberwell Green Safer Neighbourhood Team has worked in close-partnership with Southwark Council to address ongoing alcohol-related anti-social behaviour. Joint-enforcement operations and council warden reports have proved effective in painting a comprehensive picture and identifying

Signature:



Signature witnessed by:

Continuation of Statement of **PC MARK MCKAY**

ringleaders among the street drinking population. Joint patrols and operations took place in November 2015, March 2016 and April 2016. Intelligence from these operations, local knowledge and community feedback enabled us to adopt a targeted and systematic enforcement approach. This meant formally recording every time alcohol was seized with a set escalation process followed. Our team also adopted innovative and previously-untried police powers under the 2014 Anti-Social Behaviour, Crime and Police Act. MM

First time offenders received verbal warnings and fines were issued to those already warned. Community Protection Notices (CPNs) warnings, and CPNs were issued to repeat offenders as a mid-level enforcement intervention. To be eligible for a CPN an individual's behaviour must have had a detrimental impact on the quality of life of people in the community and be of a persistent nature. This was evidenced from statements taken from residents, businesses and a school's head teacher. Conditions on an individual's behaviour within a marked area would be applied to CPNs. Breaching a CPN is a criminal offence in itself. This meant those who breached one could be charged and be made the subject of a Criminal Behaviour Order (CBO), which replaced Anti-social Behaviour Orders (ASBOs). Conditions attached to a CBO could make it a criminal offence for an individual to enter a marked area regardless of their behaviour. This meant persistent offenders could be arrested for entering Camberwell whether they were drinking or not. Applying for a CBO is an extreme measure and has been applied to just two street drinkers in Camberwell so far, in September and November 2016. MM

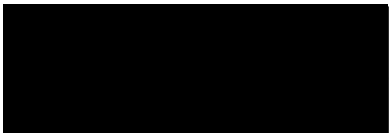
This approach has had a positive impact with interactions with street drinkers falling significantly, especially around Coldharbour Lane. However, the number of interactions on Camberwell Green has slightly increased, though they are mostly different individuals than those who gathered around Coldharbour Lane. That said, the overall number of interactions is down on a year-by-year comparison. Street drinking can also be a seasonal issue. The true test will be whether drinkers begin to gather around Coldharbour Lane again as warmer weather takes hold. MM

The off-license's role MM

Under Section 141 of the 2003 Licensing Act it is an offence to sell alcohol to someone who is drunk. Despite this, many off-licenses make their trade through sales of alcohol to intoxicated street drinkers. Selling super-strength and low-priced alcohol sold by the can is a sales technique which appears to deliberately target street drinkers. It is irresponsible. Licence holders at off licenses can adopt a responsible approach to business by not selling these drinks at all. MM

Alcohol-fuelled anti-social behaviour like shouting, low-level fighting and public urination are not the most serious crimes - far from it. However, there can be a significant detrimental impact on the quality of life of law-abiding residents forced to endure this behaviour. Everyone has the right to respect of their private and family life. This includes living without being disturbed by drunken raucous behaviour. Off licenses have a role to play in helping the police and partner agencies achieve this. This means abiding by relevant legislation and their licensing conditions. Failure to do so makes it that little bit harder for police officers and employees of other agencies to tackle alcohol-related anti-social behaviour. MM

Signature:



Signature witnessed by:

Witness contact details

Home address: **C/P CAMBERWELL POLICE STATION 9 WREN ROAD,**

Postcode: **SE5 8QU**

Home telephone number Work telephone number **02072326316**

Mobile/pager number Email address: **MARK.MCKAY@MET.POLICE.UK**

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth: **31ST AUGUST 1987**

Former name: Ethnicity Code (16+1): **W1** Religion/belief:

Dates of witness non-availability **SEE CARMS**

Witness care

- a) Is the witness willing and likely to attend court? **Yes.** If 'No', include reason(s) on **MG6.**
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): **MD 240927 MARK MCKAY** Station: **CAMBERWELL**

Time and place statement taken: **1800 camborwell**

MEMO: Licensing Unit

To Licensing **Date** 19 May 2017

Copies

From David Franklin **Telephone** 020 7525 5800

Email david.franklin@southwark.gov.uk

Subject Adams News 6 Coldharbour Lane SE5 9PR

I make this representation with regards to the review application of the premises licence submitted by the Trading Standards for Adams News 6 Coldharbour Lane SE5 9PR.

My representation is based on the licensing objectives for the prevention of crime and disorder, prevention of public nuisance and the protection of children from harm.

I am concerned with the number and diversity of alleged criminal offences witnessed by Trading Standards officers highlighted in their review application, in particular that the premises has breached numerous licence conditions on more than one occasion and kept smuggled goods on the premises.

Additionally it is of concern that Mr Iqbal is associated with other premises, both in and outside Southwark, and it is alleged he has committed or been involved in criminal acts at these premises that directly related to the sale of alcohol under the Licensing Act 2003.

In addition Council records show that these premises have been subject to other legislative interventions such as the enforcement of trade waste and littering offences and food related offences.

It seems clear that Mohammed Javed Iqbal, who is both the premises licence holder and DPS for Adams is unwilling to cooperate with authorities in their investigations of criminal acts and is undeterred by previous enforcement action at other premises, he seems to show a total disregard to the consequences of selling alcohol responsibly and to adhering to premises licence conditions or promoting licensing objectives.

I am of the opinion that Mr Mohammed Javed Iqbal is not capable of running a licensed premises and promoting the licensing objectives and that the premises will continue to operate contrary to the terms and conditions of their premises licence. I am of the opinion that removing Mr Iqbal as the DPS will not address these problems as he is the owners of the premises and premises licence holder and will have a controlling factor over ant new DPS.

I therefore support the Trading Standards review of this premises licence.

David Franklin
Licensing Authority as a Responsible Authority

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Wednesday, May 17, 2017 12:24 PM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: Adams News, 6 Coldharbour Lane, London, SE5 9PR

To whom it may concern:

Re: Adams News, 6 Coldharbour Lane, London, SE5 9PR

This representation is made in respect of the following licensing objective(s):

- The prevention of crime and disorder
- Prevention of public nuisance
- Public safety

On behalf of the Director of Health and Wellbeing (incorporating the role of Director of Public Health) for Southwark (a responsible authority under the Licensing Act 2003) I wish to express my concerns over the alleged issues with the management of the above premises. These include;

- Breaches of Premise Licence conditions - Condition 336 no personal licence holder present / Condition 225 – Fire extinguishers not maintained / Condition 311 – No notice displayed asking customers to leave quietly / Condition 340 alcohol sales after midnight not being made through a secure window
- Duty evaded alcohol offered for sale and bearing counterfeit trade marks and “Duty stamp” – Duty Stamp Regulations 2006 and the Trade Marks Act 1994.
- Employment of an illegal immigrant
- Illegal unsafe novelty lighters – Consumer Protection Act 1987

Among the issues outlined above, the sale of counterfeit alcohol is a public health concern. Since the products may not be genuine their contents can potentially be very harmful.

Public health fully supports this licence is reviewed by the Licensing Sub-Committee.

If you have any further questions, please do not hesitate to contact me.

Yours faithfully,

Carolyn Sharpe
on behalf of Professor Kevin Fenton, Director of Health and Wellbeing (incorporating the role of Director of Public Health)

Carolyn Sharpe | carolyn.sharpe@southwark.gov.uk | 02075250025
Public Health Policy Officer (People & Health Intelligence), London Borough of Southwark, 160 Tooley Street, London SE1 2QH