



## APPENDIX C

### POLICE

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/21/3238/18

**Date:** 15<sup>th</sup> October 2018

### **Re:- Half Moon Food & Wine, Half Moon Lane, London SE24 9HU**

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 Breaches of the premises licence and a number of offences with the sale and supply of alcohol and tobacco to children under 18.

The police fully support the review application and have information that will be supplied direct to the licensing subcommittee, which we would consider restricted and should not be disclosed.

In my opinion there is no place for a premises that is operated in such a way, one that is putting children at risk and continued to do so after previous cautions.

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

Yours Sincerely

**PC Graham White 288 MD**  
Southwark Police Licensing Unit  
Tel: 0207 232 6756

**Heron, Andrew**

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**From:** Stanley, Matthew  
**Sent:** 11 October 2018 18:23  
**To:** Regen, Licensing  
**Cc:** Heron, Andrew; Tear, Jayne; Shapo, Leidon  
**Subject:** License review, Re: 14 HALF MOON LANE, LONDON, SE24 9HU

To whom it may concern:

**Re: 14 HALF MOON LANE, LONDON, SE24 9HU**

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 make representation in respect of the above.

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

- ☒ Protection of children from harm

According to correspondence from Mr Ray Moore, supplied to public health, these premises has received allegations of the following:

- Sale of tobacco pouch and filters to a 16 year old girl on 18<sup>th</sup> July 2018.
- Supply of alcohol to the same 16 year old girl, without request for payment.
- Background of previous accusations of sales of alcohol and tobacco to minors, with advice provided to the premises by Trading Standards prior to July 2018 regarding compliance with appropriate practice regarding avoidance of sales of alcohol and tobacco to minors.

The Children and Young Persons Act 1933, as amended by the Children and Young Persons (Protection from Tobacco) Act 1991 states the following:

*Condition 488 “(1) The premises license 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 license must ensure that the supply of alcohol at the premises is carried out in accordance with the age verification policy. (3) The policy must require individuals who appear to the responsible person to be under 18 year 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 (a) a holographic mark; or (b) an ultraviolet feature.”*

It appears that this premises is not appropriately adhering to the above policy. The sale of alcohol to minors by this premises poses a potential harm to young people due to unregulated and illegal sales of alcohol and tobacco below the legal age limit. Use of alcohol in young people has been identified by research to have a negative effect on the health of young people, including effects on acute and chronic health problems, effect on brain development and mental health, in addition to increasing the risk of sexual risk taking and other drug use. These risks are outlined in a systematic review entitled ‘*Impact of Alcohol Consumption on Young People*’ published by the department for children, schools and families authored by D Newbury-Birch Accordingly (available at <http://dera.ioe.ac.uk/11355/1/DCSF-RR067.pdf>).

**Recommendations**

- ☒ Public Health would support Trading Standards request for revocation of this license on the premise that the documented sale of alcohol and tobacco to persons that are underage poses a significant potential risk to the health of minors – accordingly, pending further investigation, I recommend that this license is rejected until licensing services are assured that the management of this establishment has appropriate mechanisms in place in order to prevent any further risk to the health of children and young people from harm.

- ☞ Were the sub-committee to decide to re-instate this license at any point, conditions that are recommended to be considered in order to prevent children from harm in future are as follows:
- Successful adherence to rules outlined in Children and Young Persons Act 1991 regarding sales of alcohol and tobacco to minors, regularly tested through test purchasing of tobacco and alcohol.
  - Establishment of Challenge 25 policy.
  - Low threshold for withdrawal of license if the premises is found to be guilty of selling alcohol or tobacco to minors following reinstatement of the license.

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

Yours sincerely,

Matthew Stanley

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

**Dr Matthew Stanley**

Senior House Officer | Public Health Division

Place and Wellbeing Department | London Borough of Southwark

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## **SAFEGUARDING**

For the attention of the Licensing Committee:

### **Re: AK Food & Wine Ltd 14 Half Moon Lane.**

On behalf of Children's Social Care for Southwark (a responsible authority under the Licensing Act 2003) I wish to make a representation in respect of the above.

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

- the protection of children from harm

### **General Comments**

This representation is in support of the application by Ray Moore on behalf of Trading Standards.

- A member of the public complained to the Police that on **4<sup>th</sup> November 2017** the shop had sold a large quantity of alcohol to her 15 year old son and his friends.
- On **14<sup>th</sup> December 2017** when a test purchase was undertaken Mr Gagadeen sold alcohol to a minor.
- On **19<sup>th</sup> December 2017** Mr Gagadeen was given a simple caution.
- **On the 8<sup>th</sup> March 2018** the Police raised further concerns that the shop was selling alcohol and tobacco to minors.
- At a further test purchase on **27<sup>th</sup> March 2018**, Mr Gagadeen sold tobacco to a minor.
- On **27<sup>th</sup> March 2018** Trading Standards gave further advice to Mr Gagadeen about Challenge 25.
- On **12<sup>th</sup> June 2018** Mr Gagadeen accepted a second simple caution.
- On **30<sup>th</sup> June 2018** it is alleged that the shop had supplied alcohol to a minor.
- Again on **18<sup>th</sup> July 2018** Mr Gagadeen sold tobacco to the same minor, this was captured on CCTV.

In summary, from the chronology noted above it would be reasonable to believe Mr Gagadeen is aware of his responsibilities under Challenge 25, yet he continues to supply alcohol and to tobacco to minors, one as young as 14.

It would therefore lead us to believe that Mr Gagadeen has little regard for his duty to safeguard children under relevant legislation and procedures.

### **Recommendations**

- I would therefore support the recommendation to revoke the licence.

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

Yours faithfully,

Eva Simcock  
LADO/Quality Assurance Manager/Children's Social Care  
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# MEMO: Licensing Unit

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**To** Licensing Unit                      **Date** 15 October 2018

**Copies**

**From** Jayne Tear                      **Telephone** 020 7525 0396                      **Fax**

**Email** jayne.tear@southwark.gov.uk

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**Subject** Re Half Moon Food and Wine, 14 Half Moon Lane, London, SE24 9HU

Application to review the premises licence

I write with regards to the above application to review the premises licence submitted by Southwark Trading Standards Unit as a responsible authority under the Licensing Act 2003.

The application is submitted under the prevention of crime and disorder and the protection of children from harm licensing objectives and the grounds for the review are concerned with:

**Prevention of Crime and disorder & Protection of Children from Harm**

- Sale of tobacco pouch and filters to a 16 year old girl on 18th July 2018 at approximately 16:00 hours by Mr Gangadeen (and filters at 15:00 hrs?) Supply of alcohol (bottle of cider) to the same 16 year old girl by person unknown who was working in the shop for "clothes and food". (alcohol was given to girl without request for payment)
- Unknown person supplied alcohol on 30/06/2018 – also identified on CCTV by DC Bernard LAPCHA working in shop on 18/07/2018.
- Test purchasing of alcohol using a 17 year old male volunteer on 14/12/2017 – test purchasing operation can of fosters lager sold to him by the owner (PLH and DPS) Mr Ken Gangadeen
- 27/03/2018 – test purchasing operation using a 17 year old apprentice. Cigarettes sold by Mr Ken Gangadeen
- Offences committed under the licensing act 2003 and other related legislation

The premises is an off licence/grocery that is currently licensed for supply of alcohol 'off the premises' on Monday to Saturday from 08:00 to 23:00 and on Sunday from 10:00 to 22:30. There are no closing times stipulated on the premises licence.

The current licence holder and designated premises supervisor (DPS) is Ken Joseph Gangadeen. Mr Gangadeen has been the licensee and DPS since 04/07/2007.

A trading standards officer visited the premises on 27/3/2018 to advise Mr Gangadeen of his responsibility regarding underage sales and best practise. Despite this Mr Gangadeen continued to sell alcohol to underage persons.

On 19/12/2017 Mr Gangadeen Formally interviewed and signed a simply caution for the sale for both himself and the company.

On 12/6/2018 – Mr Gangadeen formally interviewed again and signed a simple caution for the sale of tobacco to a minor.

I have no faith in the current management either licensee or DPS Mr Ken Gangadeen to promote the licensing objectives. I submit this representation under the prevention of crime and disorder and the protection of children from harm as it is clear that there is no responsible licensee or DPS in control

of the management of alcohol sales at the premises and as such several breaches of the licensed conditions and other criminal offences have been committed.

I therefore fully support Trading Standards in asking for the licence to be revoked.

Jayne Tear  
Principal Licensing officer  
In the capacity of the Licensing Responsible Authority