

Heron, Andrew

From: Regen, Licensing
Sent: 05 October 2018 08:29
To: O'Gorman, Sinead
Cc: Heron, Andrew
Subject: FW: Re:

PERSON 1

Kirty Read

Processing Manager
Southwark Council | Licensing | Regulatory Services
Tel: 0207 525 5748 | **Fax:** 020 7525 5705
EHTS Helpline: 020 7525 4261 | **Call Centre:** 020 7525 2000
Email: licensing@southwark.gov.uk

In future if you wish to submit an application, a quicker way would be to [apply online](#)

Postal Address:

Licensing Team | 3rd Floor, Hub 1 | PO Box 64529 | London | SE1P 5LX

Visitor's Address:

160 Tooley Street | London | SE1 2QH

From: [REDACTED]
Sent: Thursday, October 04, 2018 4:22 PM
To: Regen, Licensing
Subject: Re:

Sent from Samsung Mobile

----- Original message -----

From: [REDACTED]
Date: 2018/10/04 16:04 (GMT+00:00)
To: licencing@southwark.gov.uk
Subject:

I refer to the Notice of Application for the review of a Premises licence of Half Moon Food and Wine at 14 Half Moon Lane SE24 9HU.

I find this Application untoward and totally inapt. It is undeserved, aggravating and disagreeable. I have known Mr. Gangadeen since he first arrived here nearly 12 years ago. He has almost 40 years of experience in his business during which time he has never been in any kind of trouble or any accusation wrongdoing. This Notice of Application is to review his licence on the basis that his shop is associated with crime and disorder and harming children by underage selling. I understand that the young lady who was trying to buy tobacco products in this case looked to be easily over 20. What crime or disorder is associated in this shop?

Mr Gangadeen is known by me to offer credit to some customers and even to deliver to those who are ill or otherwise indisposed. When reviewing this Application it is only fair and equitable to take into consideration the positive and generous aspects of Mr. Gangadeen's activities in his shop.

I wish this letter to be taken into your consideration and that this review will end positively for Mr.

Gangadeen so that he may continue to helpfully and positively serve the community as he always has.

Yours faithfully

A black rectangular redaction box covering the signature of the sender.

Sent from Samsung Mobile

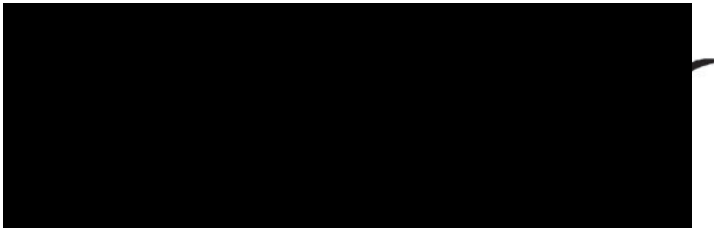
**Representation Regarding:
Premises Licence Review for Half Moon Food & Wine SE24 9HU**

Date: 26.09.18

To whom it may concern,

I am writing with regard to the application for the review of the premises licence for Half Moon Food and Wine (SE24 9HU). I was shocked to learn of the proceedings being brought against this establishment and would like to offer this statement in support of Mr Gangadeen's good character. As a daily visitor to Half Moon Food and Wine I have never witnessed any criminal activity by Mr Gangadeen or his team and would question any assertion that this premises is associated with crime or disorder. Indeed during the six years I have lived in this area I have only known Mr Gangadeen and his team to be trusted and valued members of the Herne Hill community.

Your Kindly,



PERSON 3

Dear Sir/Madam,

October 14th 2018

1. I am one of the committee members of the Herne Hill Forum (HHF), a successful amenity group which has been running for about 14 years so is well known and respected throughout the neighbourhood.
2. We have been requested by local trader Mr Ken Gangadeen of AK Food & Wine to support him in respect of the upcoming review of his premises licence. That review has been sought by Mr Ray Moore on behalf of Trading Standards on the grounds of
 1. “the prevention of crime and disorder” and
 2. “the protection of children from harm”.

HHF is aware that these are two of the four grounds for objecting to the grant of or withdrawal of a premises licence under the Licensing Act 2003 .

3. HHF endeavours to support all of our traders as part of a thriving community. Accordingly I have been asked to review the evidence prior to HHF making any comment. I requested the evidence from Trading Standards and received it in the form of 15 sheets of paper stapled together comprising
 1. a copy of the application for the review (3 sheets)
 2. supporting documents (12 sheets)
4. I would like to start with some preliminary comments about the quality of the information in those documents as evidence. They are not presented in any chronological sequence, there is no narrative to outline any case, and the whole presentation seems to be very much on the basis “lets throw as much mud as possible and see how much sticks”. As a rate payer, whilst applauding the fact that such applications may be made and reviewed to ensure they comply with the Licensing Act eg in order to keep our children safe, I am truly disappointed in the quality of the work that I, and others, are paying for through our rates as evidenced by this bundle.
5. In order to make some sense of the information therein, and to try to see the wood from the trees, I have constructed a chronological table of events (copy attached in spread sheet format).

Some points to note:

1. Mr Ken Gangadeen has been trading for 11 years, 10 without any adverse findings in respect of his licence.
2. 3 test visits have been carried out by Trading Standards in the last 12 months, 2 of which he failed and for which he received a written warning in December 2017. The third, and most recent on 28 August 2018, he passed, having properly checked the ID of an under age test female and declined to sell her the requested cigarettes.
3. There have also been a further 2 allegations of improper sales of alcohol and/or tobacco which have been provided by the Met Police based solely on information received from unnamed third parties. The first allegation was on 15 November 2017 and resulted in one of the test purchases in 2 above. The more recent was on 29 August 2018 and related to incidents one month and 2 months earlier.
4. The request for review is citing these latter 2 incidents as grounds for the review. We do not

understand why so much time has passed since these incidents before a review was requested, particularly as in the interim Mr Gangadeen had passed another test visit perfectly!

6. Looking at the evidence presented in relation to the grounds of the review, which as noted above are namely :

- (i) “the prevention of crime and disorder” and
- (ii) “the protection of children from harm”.

- The incidents being cited were not part of a properly organised Trading Standards test purchase but simply a follow up by the Met Police who had tried, post event, to get evidence from Mr Gangadeen's own CCTV to corroborate the allegation. This was only partially successful because of the lapse of time.
- Unlike in the test cases we have no idea whether the test subjects were actually under 18, or clearly looked like they were under 18, because no supporting evidence is presented.

7. To sum up:

- After 10 years of trading without breaching the Licencing Act , there have been 3 test purchases by Trading Standards in the last 12 months, 2 of which Mr Gangadeen failed , following which he received written warnings, and are now last year's history.
- On August 28th this year he passed a further test case , having asked the prospective purchaser for identification; but there was also an allegation by an undisclosed person, made via the web, who appears not to have been interviewed; but nonetheless this allegation of two breaches was investigated by the police who have admitted that they could find no relevant CCTV footage for one of the allegations (a“gift” of a bottle of cider), and for the other one that they did find footage (sale of a tobacco pouch) but no statement is made as to whether the footage supported the allegation, or otherwise.

All in all, I do not believe that the flimsy evidence put forward by Trading Standards merits a review of Mr Gangadeen's licence.

8. Whilst I accept that Mr Gangadeen's record is not squeaky clean, it is also clear that despite not having not passed two earlier tests by Trading Standards, the fact that he passed the most recent test in August indicates that he has listened to advice and warnings given, and now as a matter of course, requests ID to check the age of the prospective customers.

9. So the panel now have to decide whether to

- (i) Dismiss the application for review of the licence in its entirety, given that the hard evidence in respect of the two incidents on which this application is based is so very inadequate; or
- (ii) Revoke the licence for the sale of tobacco and alcohol for , say , one year , significantly reducing Mr Gangadeen's turnover and thereby risk putting him out of business, which in our view would be an overly harsh judgement. As the panel will be aware hardly a week goes past now small businesses failing because of the current harsh trading conditions. Moreover the panel may not be aware that a business a few doors away from A K Food and Wine closed down a couple of months ago simply because of these hard trading conditions.

10. If the panel feel that neither of those options is entirely appropriate may I suggest, (if it is possible and you consider it appropriate) , a third option, namely that Mr Gangadeen's

licence be renewed with conditions, for example, that he implements the policy that Trading Standards have previously suggested to him, i.e. that he asks for, and checks, the ID of anyone who appears to be under 25 and places signage in his shop to that effect.

The contents of this representation have been considered and approved by the Officers of of the Herne Hill Forum, and will also be put to the Committee of the Herne Hill Forum this evening. If and when approved I will confirm that is indeed the case, with a copy of the minutes shortly after.

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

Heron, Andrew

From: Regen, Licensing
Sent: 02 October 2018 07:57
To: Heron, Andrew
Subject: FW: Half Moon Food and Wine

Kirty Read
Processing Manager
Southwark Council | Licensing | Regulatory Services
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Visitor's Address:
160 Tooley Street | London | SE1 2QH

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

From: [REDACTED]
Sent: Monday, October 01, 2018 4:32 PM
To: Regen, Licensing
Subject: Half Moon Food and Wine

Dear Sir,

I understand that a Notice of Application for the review of a premises licence has been issued to Half Moon Food and Wine. I am writing to vouch for the owner of Half Moon Food and Wine. Ken and his staff are scrupulous about checking ID and not selling alcohol to under aged children. As the parent of three young adults/teenagers, I am all too aware of the problem of shops selling alcohol to under aged children but Half Moon Food and Wine is certainly not one such shop.

Ken provides a valuable service to the local community; he came to my daughter's rescue when she was being harassed by a man at the bus stop outside his shop. He is friendly and courteous and makes time to help elderly and disabled shoppers.

There are plenty of drug and alcohol misuse problems locally; illegal drugs are openly consumed and traded on Winterbrook Road near the junction of Half Moon Lane for example. I would respectfully suggest that Southwark Council use their limited resources tackling antisocial and illegal behaviour such as this rather than harassing a hard working shop keeper who provides a much needed service to all of us.

Yours faithfully

[REDACTED]

Heron, Andrew

From: Beswick, Claire on behalf of Regen, Licensing
Sent: 03 October 2018 11:52
To: Heron, Andrew
Subject: FW: Contact form for: Licensing Team

Fyi

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

From: www.southwark.gov.uk Website [<mailto:noreply@southwark.gov.uk>]
Sent: Wednesday, October 03, 2018 11:10 AM
To: Regen, Licensing
Subject: Contact form for: Licensing Team

A visitor to the www.southwark.gov.uk website has used the Email Us facility to send you an email from a contact on a webpage.

Contact Name: Licensing Team
Page Name: How to lodge a representation Page Type: Content Page
Link: <http://www.southwark.gov.uk/admin/system/ShowEntity?entity=bridge%3A%2F%2Fsouthwark-internet%2Fmodules%2Fm.Content~%2F~%2F.Entry%2F2224>

Senders Email Address: [REDACTED]
Message:

Dear Licensing,

I am emailing you in reference to the application for the review of the premises license for Half Moon food and wine on Half Moon Lane, Herne Hill, SE24 9HU.

I was very surprised to see that the council have started proceedings against this business and would like to state my support of Ken Gangadeen, his loyal staff and establishment. My family and I have lived at [REDACTED] 9HN, just yards from Ken's shop, since 2013. In the past 5 years, Ken and his staff have become our friends and is a shop that we trust and use on a daily basis. The shop provides a personal service for every day items, in contrast to the big chain supermarket convenience stores that dominate Herne Hill centre. I often see and partake in conversations with Ken and his many loyal regulars and I believe that he adds a great deal to the local community. My family and I always feel safe when visiting the shop and believe they actively discourage anti social behaviour, in an area that suffers from that problem to quite a high degree.

Kind regards

[REDACTED]
[REDACTED]
[REDACTED]