

From: Moore, Ray <Ray.Moore@southwark.gov.uk>
Sent: Tuesday, September 12, 2023 3:56 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; ARKA LICENSING <[REDACTED]>
Cc: Forrest, Yemisi <Yemisi.Forrest@Southwark.gov.uk>
Subject: Application for a new premises license, Mr Rajenthiran PRATHEEPAN T/A "Star One Supermarket", Units 1 & 2 Northchurch, Dawes Street, London, SE17 2AQ Ref: 881022

Trading Standards are in receipt of an application for the above premises by Mr Rajenthiran PRATHEEPAN for a new premises license. His wife Mrs Janani PRATHEEPAN put in for a new premises license in 2019 which was refused at the Licensing Sub Committee on 21st January 2020. This premises had previously had its premises license revoked by the Licensing Subcommittee.

Trading Standards, as a responsible authority, are putting in representations with respect to this application under all the licensing objectives. The following is from the previous representations put in by Trading Standards in relation to Mrs PRATHEEPAN's application. Current business rates show that the business rates are as follows:-

26-APR-2019 to (open)

Liabile Parties

J/S Mr Rajenthiran & Mrs Janani Pratheepan, Mr Pirasanna Siva

Property Address

1-2 Northchurch, Dawes Street, London , SE17 2AQ

Trading Standards representations in relation to the last application:-

"As a responsible authority under the Licensing Act 2003, Trading Standards are in receipt of an application from Janani PRATHEEPAN for a new premises licence in respect of the above address and respond accordingly with representations made under the Licensing Objectives. Trading Standards are objecting to this new application on the basis of the licensing objectives "the prevention of crime and disorder". It should be noted that trading standards originally brought a review for this premises that was heard at the licensing subcommittee on 23rd April 2018. The panel revoked the license and this revocation was appealed by the then Premises

License Holder, Mr Murugesu KUNAPALAN. There was an attempt to transfer the license in an application made by the premises license holders brother, Mr Murugesu SUDARAPALAN dated 11th July 2018. The police put in objections to this attempt to transfer the license and the application to transfer the license was withdrawn prior to any hearing on the matter. Police objections to the transfer attached pdf. In a letter dated 26th July 2018 the appeal put in by the solicitors of Mr Murugesu KUNAPALAN (Hartley Bain Solicitors) formally withdrew the appeal. Pdf of Notice of decision for 23rd April 2018 attached. On 28th August 2018 this authority received an application for a new premises license from Murugesu SUDARAPALAN. This is the brother of the previous premises license holder who holds a personal license with Kingston and Sutton shared Environmental Service, personal license number 18/00588/LAPERK. It should be noted that this individual has a spent previous conviction for selling counterfeit vodka that was injurious to health from an off license trading as "Esher Wines" on Esher High Street, Esher, Surrey. I produce a press article relating to this prosecution from 2009 taken by Surrey Trading Standards. <https://www.getsurrey.co.uk/news/local-news/esher-wines-owner-fined-selling-4823570> pdf attached. Mr Ray MOORE from the Trading Standards Team visited the premises on Tuesday 11th September 2018 accompanied by a licensing officer, Mr Justin WILLIAMS, and two police officers from the Night Time Economy Team, PC Mark LYNCH MD 296 and PC Jonathan DUCKER MD491. The premises is now split into two separate businesses but the one previously trading as KG2P (now "Star One Supermarket") takes up the right hand side of the store as you enter. One man was behind the counter in this section with no one else working there. This is the person that Ray MOORE recognised as the previous premises license holder and owner of the business, Mr Murugesu KUNAPALAN. The alcohol was still on the shelves; behind the counter and in the chiller units but covered with sheets, although clearly visible in gaps. Mr MOORE took pictures of this and took details from Murugesu KUNAPALAN. He confirmed that he was Mr Murugesu KUNAPALAN, that he was the owner of the business and that it was his brother that had applied for a new premises license for the business. He also confirmed that he leased the premises from the London Borough of Southwark. Mr MOORE took pictures of the set up in the business and gave Mr KUNAPALAN a notice to get the alcohol removed from the shop within the next 24 hours as it did not have a premises license and that the previous license ceased to apply when the appeal against revocation

was dropped on 26th July 2018. This matter was heard by the by the Licensing Sub Committee on 12th November 2018 and the application was refused.

On 24th May 2019 the current applicant applied for a new premises license for this premises. It was discovered that the lease for the premises was still with the person whose license had previously been revoked, Mr Murugesu KUNAPALAN. On 5th June 2019 Ray MOORE from the trading standards team visited the premises and noted the following:- "Visit wrt new application. Spoke to applicant on phone.... he e-mailed me a copy of a business management agreement limited to less than 2 years and with a unilateral exit clause. Spoke with traders solicitor and advised that he and his client should withdraw application. New applicant also had issues with licensing sub committee in Tower Hamlets. Gave until Friday 14th June to withdraw application. Clients solicitor.. Phone number: [REDACTED]" The issue that arose was that the lease for the premises with the London Borough of Southwark remained with Mr Murugesu KUNAPALAN. An unsigned sub lease was produced. See attached pdf. This effectively allowed Mr KUNAPALAN to unilaterally take back control of the business. A search of the Land Register for 8th November 2019 showed that the lease is still with Mr KUNAPALAN and there has been no attempt to transfer. There is therefore no change from when the current applicant applied for a new license in May of 2019. This application should therefore be refused by the subcommittee as the controlling mind of the business is still Mr KUNAPALAN. See attached land registry record for 8th November 2019."

If the applicant can produce a lease that does not give Mr KUNAPALAN access and control over the premises then we can discuss conditions.

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment, Neighbourhoods and Growth

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