

[Insert details including name and address of licensing authority and application reference if any (optional)]

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Ray Moore (On behalf of Trading Standards)

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Mr Jayesh PATEL (Premises License Holder and Designated Premises Supervisor) Eurotraveller Hotel 18 Amelia Street	
Post town London	Post code (if known) SE17 3PY

Name of premises licence holder or club holding club premises certificate (if known) Mr Jayesh PATEL
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Number of premises licence or club premises certificate (if known) 10858
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Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Southwark Council – Trading Standards Ray MOORE Principal Trading Standards Enforcement Officer Regulatory Services 3 rd Floor Hub 1 PO Box 64529 London SE1P 5LX
Telephone number (if any) 0207 525 0816 / [REDACTED]
E-mail address (optional) Ray.moore@southwark.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

Prevention of Crime and disorder / Public Safety / Prevention of Public Nuisance :-

As a responsible authority under the provisions of the Licensing Act 2003 Trading Standards has applied for a review of this license under the above licensing objectives. These matter concerns activities taking place at licensed premises operated by the Premises License Holder and Designated Premises Supervisor for this premises, Mr Jayesh PATEL.

Mr Jayesh PATEL owns the Eurotraveller Hotel in the London Borough of Southwark at 18 Amelia Street, London, SE17 3PY. On Friday 16th October 2020 Ray MOORE was working PC Mark Lynch from the Police Night-time economy Team. The police had received complaints that a nightclub was operating in the basement of the Eurotraveller Hotel at 18 Amelia Street, SE17 3PY. At this time, under the then regulations relating to restrictions during the Coronavirus pandemic licensed premises were not allowed to open after 10pm and nightclubs, music and dancing etc. was also prohibited. The regulations in force at the time relating to these matters

were the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020 (SI 2020 No 1104). Several visits had been made previously after 10pm but although the lights appeared to be on down the stairs the doors were locked. On this occasion at 22:02hrs the doors were opened and a couple of people left. At this point Ray MOORE and PC Mark LYNCH took the opportunity to enter the premises showing their officers authority to the door person as they entered and went down the stairs. Once down the stairs the very small basement room was packed with people who were not seated but up and dancing. Mr MOORE asked the owner of the nightclub business, Mr Rajal VALENCIA, to get security to ask people to leave which he did. The premises license is in the name of the owner of the hotel, Mr Jayesh PATEL. The following night, Saturday 17th October 2020 Ray MOORE and PC mark LYNCH returned at 20:45 hours and gained access to the basement club. Once again it was packed contrary to the then grounds for which the premises was operating...i.e. as a seated service with a suitable COVID risk assessment in place. Mr MOORE counted 48 people in the premises. The premises license, under normal times when operating as a venue for music and dance is restricted to a maximum of 50 people. Mr MOORE and PC Lynch went into a small kitchen area with Rajal VALENCIA and he told him that he was going to issue him with a Prohibition Notice to close the premises given the breaches of the then regulations relating to business closures and restrictions. Mr MOORE asked him about his COVID risk assessment which he said he had started but not completed. Within 10 minutes security had cleared the premises. Mr MOORE gave him prohibition notice number RAY/110 and asked that he engage with the Health and Safety team to ensure the venue was run in a COVID compliant manner. The following week on Friday 23rd October 2020 Ray MOORE returned with PC Maria O'MAHONEY and a Health and Safety Officer, Mr FARHAD CHOUDARY. Some tables had been removed but the music was still quite loud.

It was then an offence under Regulation 15(1) to operate after 10pm under the provisions of the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020. It is worth noting that music and dancing was prohibited under those regulations at the time. The CCTV had not been working at the time of these visits. Mr Rajal VALENCIA said they had re-opened 4 weeks earlier but there was not CCTV available for this period contrary to license conditions 288 and 289 although at this time these conditions had been dis applied for a period. These matters could amount to contraventions of the licensing objectives relating to both Public Safety and Public Nuisance.

On Friday 18th December 2020 Ray MOORE from the Trading Standards Team at the London Borough of Southwark and Charlie JERROM from the Licensing Team at the London Borough of Southwark went to the premises trading as Eurotraveller Hotel at 194-202 Old Kent Road, London, SE1 5TY. Mr JERROM had asked to meet the Premises License Holder, Mr Jayesh PATEL, in relation to an incident he had witnessed there on Saturday 28th November 2020. This was during the period that has been commonly referred to as the “second lockdown” during the Coronavirus Pandemic. At the time the emergency legislation relating to business closures was the Health Protection (Coronavirus, Restrictions) (No 4) (England) Regulations 2020 (SI 2020 No 1200). On that date Mr JERROM had visited the premises accompanied by two members of the Police Night Time Economy Team, PC Jonathan DUCKER and PC Mark LYNCH. They had become aware of activity happening within the hotel and upon entering discovered an illegal casino being operated with customers consuming drinks on the premises contrary to these regulations. Consumption of drinks on the premises was an offence at the time under Regulation 15(1). It is also worth noting that casinos were also required to be closed at this time by virtue of Regulation 16(1). Furthermore this casino operation was not licensed under the provisions of the Gambling Act 2005. It should be noted that this illegal casino was operating within the bar area of a Chinese restaurant run within Mr PATEL’s licensed premises. It should be noted that at the time of the visit made on 28th November 2020 the CCTV system required under conditions 288 and 289 on the license had been removed. Although at this point in time the Government had suspended the application of conditions on premises licenses for a period, the removal of the CCTV system could impact on issues of public safety and public nuisance relating to the premises.

Mr JERROM and Mr MOORE had arranged to meet Mr PATEL at 17:00 Hours. They asked that he step out into the street owing to the fact that virus levels were high in the London area at the time and they didn’t want to enter premises unnecessarily. In the street Mr JERROM handed Mr PATEL both a Prohibition Notice and a Fixed Penalty Notice for the drinking on the premises on 28th November 2020. This £1000 Fixed Penalty Notice was paid for by Mr PATEL on 24th December 2020. There was also potential for breaches of the licensing objectives “Public Safety” and “Public Nuisance” with the running of a business of this nature from a licensed premises.

As a Premises license Holder for the premises Eurotraveller Hotel at 18 Amelia Street, Se17 3PY Mr PATEL does not appear to have undertaken the responsibilities for

running these premises licenses seriously and this authority is therefore asking the licensing panel to revoke the premises license.

Supporting papers to be submitted.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**



Signature

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Date 15th January 2021

.....

Capacity Trading Standards Officer acting on behalf of Southwark Council

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Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.