



Haverling

L O N D O N B O R O U G H

LICENSING SUB-COMMITTEE NEW TASTY CHICKEN - REVIEW

AGENDA

10.30 am	Tuesday 4 April 2017	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Dilip Patel (Chairman)
Jody Ganly
Linda Trew

**For information about the meeting please contact:
Richard Cursons - 01708 432430
richard.cursons@onesource.co.uk**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

AGENDA ITEMS

1 **APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive

2 **DISCLOSURE OF INTERESTS**

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

3 **CHAIRMAN'S ANNOUNCEMENT**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 **REPORT OF THE CLERK** (Pages 1 - 6)

Procedure for the hearing – Licensing Act 2003

5 **APPLICATION TO REVIEW THE PREMISES LICENCE FOR NEW TASTY CHICKEN** (Pages 7 - 38)

This application to review a premises licence made by PC Oisin Daly on behalf of the Metropolitan Police under s.51 of the Licensing Act 2003 for New Tasty Chicken, 7 Station Chambers Victoria Road Romford RM1 2HS

Andrew Beesley
Head of Democratic Services

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LICENSING SUB-COMMITTEE

4 April 2017

REPORT

Subject Heading:

Procedure for the Hearing
Licensing Act 2003

Report Author and contact details:

Richard Cursons – Democratic Services
Officer
01708 432430
richard.cursons@onesource.co.uk

REPORT OF THE CLERK

PROCEDURE FOR THE HEARING: LICENSING ACT 2003 (REVIEW OF LICENCE)

This is a hearing to consider an application for a review of a licence under section 51 of the Licensing Act 2003. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

1. Membership of the Sub-Committee:

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.2 A member of the Licensing Committee will be excluded from hearing an application where he or she:
 - 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
 - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
 - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;

1.2.4 has a personal interest in the application.

2. Roles of other participants:

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

3. Location and facilities:

- 3.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 3.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

4. Notification of attendance:

- 4.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

5. Procedural matters:

- 5.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 5.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

Introduction of the application:

The party requesting the review will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

Documentary evidence:

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

Representations:

- The Chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points on which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the party requesting the review of the licence
- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local Environmental Health Authority;
- the Local Weights and Measures Authority;

- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party whose premises is the subject of the licence review.

At the discretion of the Sub-Committee the above order may be varied.

Cross-Examination:

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only where it is necessary to assist it in considering the representations or application.

Relevance:

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

The prevention of crime and disorder;

Public safety;

The prevention of public nuisance; and

The protection of children from harm.

6. Failure of parties to attend the hearing:

- 6.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

7. Adjournments and extension of time:

7.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:

- Review of premises licences following closure orders made under the Licensing Act 2003 where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.
- Other reviews of premises licenses where the Sub-Committee must make a determination within 28 days of the end of the statutory consultation period.

8. Sub-Committee's determination of the hearing:

8.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.

8.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.

8.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

9. Power to exclude people from hearing:

9.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:

- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
- that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

10. Recording of proceedings:

10.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

11. Power to vary procedure:

- 11.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.



Havering
LONDON BOROUGH

Licensing Officer's Report



LICENSING SUB-COMMITTEE

REPORT

4 April 2017

Subject heading

New Tasty Chicken
7 Station Chambers Victoria Road
Romford RM1 2HS
Premises licence review application
Paul Jones, Licensing Officer
Town Hall Main Road Romford
licensing@havering.gov.uk
01708 432692

Report author and contact details

This application to review a premises licence is made by PC Oisín Daly on behalf of the Metropolitan Police under s.51 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 21st February 2017.

Premises' location

New Tasty Chicken is located in Romford's town centre within the ring road; it is therefore located in Havering's special policy area. Although the ground floor premises at this location are commercial there are residential properties above the commercial outlets. It is not known whether the first floor of this premises is residential.



Details of the application

PC Daly's application is based upon the following grounds:

- The premises have shown a disregard for its licence conditions
- Police have no faith in the ability of the premises licence holder to manage the premises

Comments and observations on the application

Upon submission of the application the licensing authority advertised the application appropriately further to the requirements of regulations 38 and 39 of *The Licensing Act 2003 (premises licences and club premises certificates) Regulations 2005*.

Summary

There were no representations made against or in support of this application.



Part A

Premises licence number

2244

Part 1 – Premises details

Postal address of premises

**New Tasty Chicken
7 Station Chambers Victoria Road Romford RM1 2HS**

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Late night refreshment

The times the licence authorises the carrying out of licensable activities

Sunday to Saturday – 23:00 to 02:00

The opening hours of the premises

Sunday to Saturday – 12:00 to 02:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Not applicable

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Mr Amer Khan
16 Montague House 527 Green Lanes Ilford IG3 9RH
07545 426022 / newtastychicken@gmail.com**

Registered number of holder

Not applicable

1 of 5

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Not applicable

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Not applicable

Mandatory conditions

1. If at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 2 – conditions consistent with the operating schedule

1. The CCTV system shall be in operation at the premises at all times when the premises are used for licensable activities. Recordings shall be kept for 31 days and shall be made available for inspection by Police and Council officers at all reasonable times.
2. No alcohol shall be available on the premises.
3. All drinks shall be served in plastic bottles or cans.
4. Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms to ensure compliance with current British Standards.
5. All fire escapes/escape routes shall be clearly marked and kept free from obstructions at all times.
6. All customers shall be asked to respect the surroundings and behave in an orderly manner.
7. Signs shall be installed to remind customers to respect neighbours and leave quietly.
8. Patrons shall be discouraged from congregating outside the premises.
9. Waste generated by the premises shall be dealt with appropriately.
10. Regular checks and maintenance shall be carried out on all ventilation, extraction systems and filters to ensure that smells or odours or noise caused in connection with a licensable activity shall not be perceptible at or within the site boundary of any residential property.
11. Refuse receptacles shall be cleaned regularly with disinfectant.
12. The premises licence holder shall ensure the footpath immediately outside the front of the premises and that of a distance of 50 metres each side of the premises is kept clear of refuse emanating from the premises by regular inspection both during and immediately after the operating hours.
13. Staff shall have appropriate instruction, training and supervision to ensure children are protected from harm at all times.
14. There shall be enough staff on the premises to ensure the protection of children from any form of harm befalling them.

2 of 5

1. A properly specified and fully operational CCTV system shall be installed or the existing system maintained to a satisfactory standard. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as ‘identification standard’ of all persons entering and/or leaving the premises. All other areas of risk identified in the operational requirement shall have coverage appropriate to the risk.
2. The installation or upgrading of any CCTV system shall comply with current best practice. In addition the documentation listed below shall be included in a system file which should be readily available for inspection by the relevant authority:
 - site plan showing position of cameras and their field of view
 - code of practice
 - performance specification e.g. storage capacity, image file size, IPS for each camera and purpose of each camera position
 - operational requirement
 - incident log
 - maintenance records including weekly visual checks
3. To obtain a clear head and shoulders image of every person entering the premises on the CCTV system persons entering the premises should be asked to remove headwear unless worn as part of religious observance.
4. The CCTV system shall incorporate a recording facility and all recordings shall be securely stored for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system shall comply with other essential legislation and all signs as required shall be clearly displayed. The system shall be maintained and fully operational throughout the hours that the premises are open for any licensable activity. For premises using a video recording system the cassette tapes shall be used on no more than 12 occasions to maintain the quality of the recorded image.
5. The positions of all CCTV cameras shall be clearly shown on a set of plans which should form part of the system file. Any alteration to the system should only be carried out after consultation with and written approval of Havering Police and the Licensing Authority.
6. The premises shall have a waste bin inside and staff shall regularly keep the area within the curtilage of the premises clear of litter and collect any refuse.
7. A bi-lingual Turkish/English speaker shall be present at all times the premises is open to the public in order to minimise the risk of misunderstanding due to language difficulties.
8. There shall be no supply of late night refreshment after 02:00 including home deliveries.
9. The premises licence manager shall be present at all times during the provision of licensable activity on the premises.
10. CCTV footage shall be made available upon demand to the Police, authorised officers of the licensing authority and Home Office (UKBA) Immigration Officers.

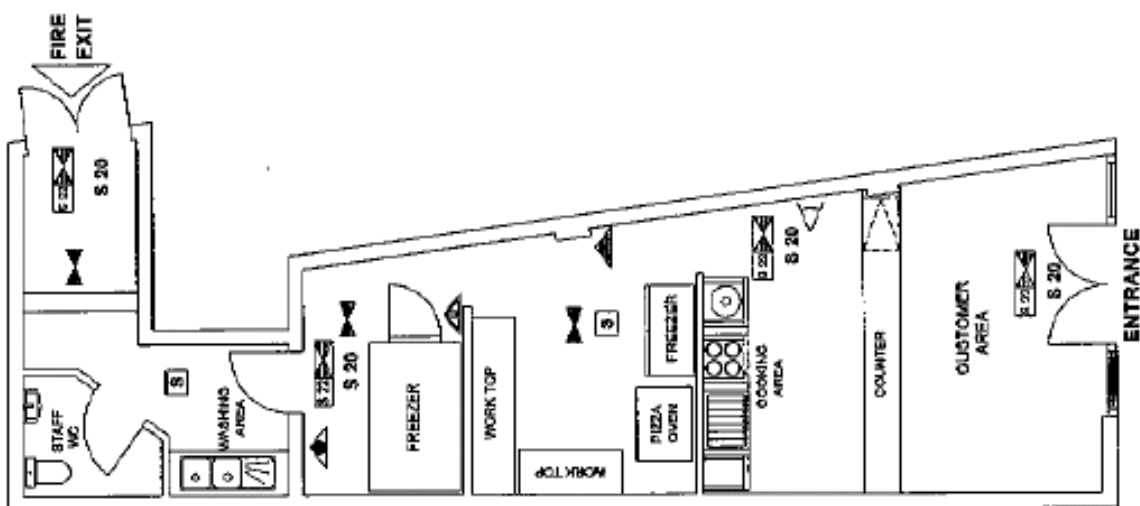
11. The premises licence holder shall maintain written records of all training for staff further to the protection of children from harm.
12. No person under the age of 16 shall be permitted to be present on the premises after 23:00.
13. The premises licence holder shall produce to a Police Officer or Home Office (UKBA) Immigration Officer proof of full compliance with the *Home Office Full Guide For Employers On Preventing Illegal Working In The UK* October 2013 or any subsequent issue. This proof shall be provided within 24 hours of the request having been made.
14. The premises licence holder shall maintain on the premises a contemporaneous written record of hours worked at the premises by all persons. Such record shall as a minimum cover the previous four working weeks and shall be produced on demand to a Police Officer or Home Office (UKBA) Immigration Officer.
15. The premises licence holder shall ensure that the CCTV system is operating on a daily basis and not less than weekly shall ensure that it is recording and storing images for a minimum of 31 days. Details of each check shall be recorded in the incident book.
16. Customer seating in the premises shall be closed to the public at 23:00 and taken out of use.
17. Last orders for food to be eaten in the premises shall be provided to customers no later than 22:45.
18. Notice shall be clearly displayed by the server and entry door stating that customer seating closes promptly at 23:00 and that no food may be eaten on the premises after that time. The notices must also state that the last orders for food to eat on the premises must be given to customers by 22:45 daily and that no orders will be accepted for consumption on the premises after that time.
19. The premises licence holder shall join and remain a member of any local Best Bar None or Pubwatch scheme where one exists. The premises licence holder or premises' manager shall attend each meeting.
20. All staff training shall be undertaken by a competent external trainer for a minimum of one year from 30th November 2016. All staff shall be trained on induction and given refresher training at a minimum of quarterly intervals. Such training shall cover:
 - understanding and complying with licence hours and conditions
 - operating the CCTV system ensuring it is working and recording, downloading CCTV images for Police and authorised officers on request and calling the CCTV engineer
 - acknowledging customers on entry, taking orders in turn and explaining cooking/service times and delays
 - monitoring customer conduct while waiting in the shop and ensuring customers leave the premises promptly after service
 - monitoring the outside of the shop and asking customers not to loiter and to leave the shop/area quietly
 - ensuring the outside area/frontage is kept tidy, swept at close and bins emptied regularly
 - the protection of children from harm

Annex 3 – conditions attached after a hearing by the Licensing Authority – contd.

21. The premises licence holder shall join the town centre radio scheme and ensure that the radio is used during permitted hours. Staff shall be trained in its use.
22. One SIA licensed door supervisor shall be on duty at the premises from 23:00 to close of business on Friday and Saturday nights.
23. The premises licence holder or manager shall undertake an ongoing risk assessment which shall be conducted on a daily basis to identify any need for an SIA licensed door supervisor to be on duty during permitted hours from 23:00 taking into account any information received from the Police.
24. All door supervisors shall record in the premises' incident book their name, licence number, date and times of attendance, signature and, if employed by a security company, the company's name and address.
25. An incident book shall be kept at the premises and made available to the Police or authorised officers of the council which shall record the following:
 - (a) all crimes reported
 - (b) lost property
 - (c) all ejections of customers
 - (d) any complaints received
 - (e) any incidents of disorder
 - (f) any seizure of drugs or offensive weapons
 - (g) any faults in the CCTV system
 - (h) door supervisor attendance details
 - (i) any visit by a relevant authority or emergency service

Annex 4 – premises plans

Full premises plans are held by the Licensing Authority of the London Borough of Havering. The plans reproduced below are not to scale:





Part B

Premises licence summary

Premises licence number

2244

Premises details

Postal address of premises

New Tasty Chicken
7 Station Chambers Victoria Road Romford RM1 2HS

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Late night refreshment

The times the licence authorises the carrying out of licensable activities

Sunday to Saturday – 23:00 to 02:00

The opening hours of the premises

Sunday to Saturday – 12:00 to 02:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Not applicable

Name, (registered) address of holder of premises licence

Mr Amer Khan
16 Montague House 527 Green Lanes Ilford IG3 9RH

Registered number of holder

Not applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Not applicable

1 of 2

State whether access to the premises by children is restricted or prohibited

Restricted

2 of 2

COPY



Havering
LONDON BOROUGH

Copy of Application



TOTAL POLICING

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 **PC Oisin DALY**

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 club premises, or if none, ordnance survey map reference or description:

NEW TASTY CHICKEN, 7 STATION CHAMBERS, VICTORIA RD, ROMFORD, RM1 2HS

Post town: ROMFORD **Post code:** (if known) RM1 2HS

Name of premises licence holder or club holding club premises certificate (if known):

MR Amir KHAN

Number of premises licence or club premises certificate (if known):

2244

Part 2 – Applicant details

I am:

Please tick Yes

- | | | |
|----------|--|-------------------------------------|
| 1 | an individual, body or business which is not a responsible authority
(please read guidance note 1 and complete (A) or (B) below) | <input type="checkbox"/> |
| 2 | a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
| 3 | a member of the club to which this application relates (please complete section (A) below) | <input type="checkbox"/> |

PROTECTIVE MARKING

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

Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:					First Names:				
I am 18 years old or over <input type="checkbox"/>									
Current postal address if different from premises address:									
Post town:					Post code:				
Daytime Tel. No.:					Email: (optional)				

(B) DETAILS OF OTHER APPLICANT (fill in as applicable)

Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in as applicable)

Name and Address:	
PC Oisin DALY, C/O ROMFORD POLICE STATION, MAIN RD, ROMFORD, RM	
Telephone Number (if any):	01708 779162
Email address: (optional)	oisin.daly@met.pnn.police.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 type="checkbox"/>
3	The prevention of public nuisance	<input type="checkbox"/>
4	The protection of children from harm	<input type="checkbox"/>

Please state the ground(s) for review: (please read guidance note 2)

The prevention of crime and disorder:

The venue has shown a disregard for its licence conditions and police have no faith in the ability of the premises licence holder to manage the premises

PROTECTIVE MARKING

Please provide as much information as possible to support the application: (please read guidance note 3)

On the 30th November 2016 the premises licence for the above was reviewed by police.

The two pressing issues were the failure of the venue to provide police with adequate CCTV and the employment of illegal workers at the venue.

As a result several conditions were added to the premises licence in order to help reduce, prevent and detect crime.

On the 07th of February 2017 at approx 21:30hrs the UK Border Agency executed a warrant under the immigration act at the premises, during the course of this they found a Pakistani male employed at the premises who did not have the relevant entitlement to work in the UK. As a result civil proceedings have been initiated against the premises.

The UKBA found a significant amount of waste in a back alley to the premises.

Police attended the venue outside of licensable hours to view CCTV but there was no persons on premises who could operate CCTV, police then requested CCTV, relevant paperwork for employees, doorstaff records and a copy of the contract for the town link radio from the premises licence holder. CCTV was delivered to the police station, the footage provided was not compatible with any programs available to licensing officers and there was no programs provided to police along with the footage which would have allowed it to be viewed. No paperwork was provided to police, the agent for the premises licence holder has stated that he is in Pakistan. Police have had email contact with the premises licence holder from a generic New Tasty Chicken email address.

The pertinent conditions in relation to CCTV are as follows:

Annex 2:

1. The CCTV system shall be in operation at the premises at all times when the premises are used for licensable activities. Recordings shall be kept for 31 days and shall be made available for inspection by Police and Council officers at all reasonable times.

Annex 3 following hearing on 30th November:

1. A properly specified and fully operational CCTV system shall be installed or the existing system maintained to a satisfactory standard. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. All other areas of risk identified in the operational requirement shall have coverage appropriate to the risk.

2. The installation or upgrading of any CCTV system shall comply with current best practice. In addition the documentation listed below shall be included in a system file which should be readily available for inspection by the relevant authority:

- site plan showing position of cameras and their field of view
- code of practice
- performance specification e.g. storage capacity, image file size, IPS for each camera and purpose of each camera position
- operational requirement
- incident log
- maintenance records including weekly visual checks

3. To obtain a clear head and shoulders image of every person entering the premises on the CCTV system persons entering the premises should be asked to remove headwear unless worn as part of religious observance.

4. The CCTV system shall incorporate a recording facility and all recordings shall be securely stored for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system shall comply with other essential legislation and all signs as required shall be clearly displayed. The system shall be maintained and fully operational throughout the

PROTECTIVE MARKING

hours that the premises are open for any licensable activity. For premises using a video recording system the cassette tapes shall be used on no more than 12 occasions to maintain the quality of the recorded image.

5. The positions of all CCTV cameras shall be clearly shown on a set of plans which should form part of the system file. Any alteration to the system should only be carried out after consultation with and written approval of Havering Police and the Licensing Authority.

10. CCTV footage shall be made available upon demand to the Police, authorised officers of the licensing authority and Home Office (UKBA) Immigration Officers.

The pertinent conditions relating to employee documentation are as follows:

13. The premises licence holder shall produce to a Police Officer or Home Office (UKBA) Immigration Officer proof of full compliance with the Home Office Full Guide For Employers On Preventing Illegal Working In The UK October 2013 or any subsequent issue. This proof shall be provided within 24 hours of the request having been made.

14. The premises licence holder shall maintain on the premises a contemporaneous written record of hours worked at the premises by all persons. Such record shall as a minimum cover the previous four working weeks and shall be produced on demand to a Police Officer or Home Office (UKBA) Immigration Officer.

The pertinent conditions relating to Town link radio are as follows:

21. The premises licence holder shall join the town centre radio scheme and ensure that the radio is used during permitted hours. Staff shall be trained in its use.

The pertinent conditions relating to door staff records are as follows:

24. All door supervisors shall record in the premises' incident book their name, licence number, date and times of attendance, signature and, if employed by a security company, the company's name and address.

25. An incident book shall be kept at the premises and made available to the Police or authorised officers of the council which shall record the following:

- (a) all crimes reported
- (b) lost property
- (c) all ejections of customers
- (d) any complaints received
- (e) any incidents of disorder
- (f) any seizure of drugs or offensive weapons
- (g) any faults in the CCTV system
- (h) door supervisor attendance details
- (i) any visit by a relevant authority or emergency service

The venue is situated within a Cumulative Impact Zone in one of the busiest night time economies in East London. There have been violent incidents in the venue in the past and there have been failings involving CCTV on those occasions which have resulted in suspects not being identified.

The venue have employed illegal workers in the past and have been found to have done so again. The ability of the staff at the venue to manage the premises should be done in line with adequate training and concern for the licensing objectives.

Some eleven weeks after a review of the premises licence the venue have again been found to have inadequate training in place, unusable CCTV, a lack of documentation for their employees and have been employing illegal workers at the venue.

PROTECTIVE MARKING

It is the opinion of the police that the venue have shown an absolute disregard not only for the police but for the decision of the licensing sub committee at the hearing of the 30th November. The venue exists in a high risk area and police believe that the venue presents a risk to the public by not promoting the licensing objectives, specifically the prevention of crime and disorder. There have been clear breaches of the licence and in employing illegal workers they defraud HMRC and exploit vulnerable persons by paying them less than the minimum wage. In the case of East Lindsay Council V Abu Hanif t/a Zaras restaurant at the high court Mr Justice Jay highlights these points.

It is the opinion of the police that there are no additional conditions which would mitigate the risk to the public from this venue. Police respectfully ask that the sub-committee give serious consideration to the revocation of the licence for this venue.

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

(Please tick yes)

PROTECTIVE MARKING

	Day		Month		Year			
If yes, please state the date of that application:	3	0	1	1	2	0	1	6

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

Representations in relation to CCTV, crime and disorder and illegal workers. Those representations were based on different incidents to those recorded in this application.

PROTECTIVE MARKING

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 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature:		Date:	21/02/2017
Capacity:	Applicant		

Contact name (where not previously given) **and postal address for correspondence associated with this application:** (please read guidance note 6)

PC DALY, LICENSING DEPT, ROMFORD POLICE STATION, MAIN RD,

Post town:	ROMFORD	Post code:	RM1 3BJ
-------------------	---------	-------------------	---------

Telephone Number (if any):

01708 779162

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

Oisin.Daly@met.police.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Retention Period: 7 years
MP 321/12

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2: Criminal Justice Act 1967, s.9: Magistrates' Court Act 1980, s.5B

Statement of Philip Schinkel..... URN: [] [] [] []

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: H.M. Immigration Officer.....

This statement (consisting of: ... 2 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: 08/02/2017.....

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

I am arrest trained immigration officer 1558 based at the ICE Team, East London (Stansted). On Tuesday 7th February 2017 I was on duty in full PPE uniform and received a briefing from the designated officer in charge IO T. Leach. A warrant was executed by OIC Leach at approximately 21.24 hours on "New Tasty Chicken" 7 Station Chamber, Victoria Road, Romford, RM1 2HS under Paragraph 17(2) of Schedule 2 of the 1971 Immigration Act (as amended).

IO entered the premises and as I did so saw a counter running along the width of the shop. In front of the counter was a white woman who appeared to be a customer and who was being served by an Asian male. This man was stood behind the counter next to the till. He was wearing a wooly hat, grey gillet and was approximately five feet seven inches tall and had a dark beard. It was clear to me that he was working in the shop and serving the woman at the counter. I opened the gate in the counter and went to the rear of the premises to the litchen to check for any other workers on the premises; there was one other who was dealt with by IO Alderson. I returned to the front counter and spoke with the male serving. He was initially speaking to IO Leach and denied working at the premises, but claimed to be "Helping out". He subsequently gave me his personal details as Adeel AHAMAD, PAK, b.16/02/1988. AHAMAD initially claimed that he had claimed asylum in the UK, but a search of Home Office records found this to be false and I therefore arrested him, under para 17(1) of Sch. 2 of the 1971 Immigration Act, as amended, as a person liable to removal. I subsequently asked him questions in relation to his employment and reproduce parts of the interview below and attach a copy of my PNB and exhibit this as PDS/01.

- Q. How long have you worked here?-----
A. Two days.-----
Q. Who owns the business?-----
A. No idea.-----
Q. Who gave you the job?-----
A. Mr Afzal Aqeel.-----
Q. How much paid? -----
A. £5 per hour.-----
Q. Free food as well? -----
A. Yes.-----
Q. Aqeel ask to see any documents?-----
A. Yes but it was my second day and I was going to give it to him.-----
Q.What going to show him?-----
A. I just got my fingerprint letter-----

At this stage the subject produced on his phone a letter from the Home Office requesting that he provide biometric details. This letter was dated October 2016 and was in relation to his rejected application for leave outside the rules.

Signature: Signature witnessed by:

Continuation of Statement of Philip Schinkel

This statement was completed at 00:50 hrs on the 8th February 2017 in the arrest office of ICE Team, East London (Stansted), Enterprise House, Bassingbourn Road, Stansted Airport, Essex, CM24 1SA. All times recorded are as per my watch.-----

Signature: Signature witnessed by:

Not Disclosable

Home address:

Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Best time of contact

Male / Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1) Religion/Belief:

DATES OF WITNESS NON-AVAILABILITY:

Witness care

- a) Is the witness willing and likely to attend court? Yes No If 'No', include reason(s) on MG6. What can be done to ensure
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? (*youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case*)
Yes No If 'Yes' submit **MG2** with file in anticipated not guilty, contested or indictable only cases.
- d) Does the witness have any particular needs? Yes 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 leaflet 'Giving a witness statement to police — what happens next?' Yes No
- c) I consent to police having access to my medical records in relation to this matter: Yes No N/A
- d) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- e) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings (if applicable) Yes No N/A
- f) 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:

This tear off section to be completed and handed to the witness

UKBA – Contact Details

The officer dealing with your case/taking this statement is:

Officer: _____ Rank & Number: _____

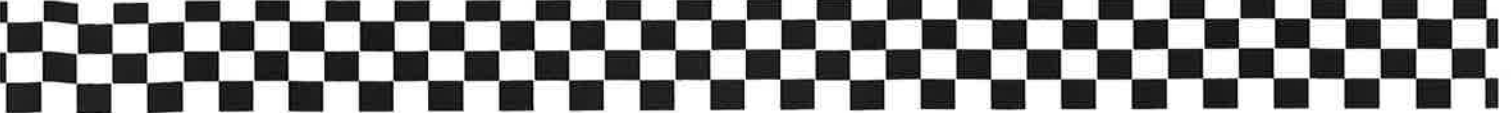
Office: _____

Telephone: _____

Contact E-Mail: _____

Reference No: _____

The officer dealing with your case can help but may not always be available.



Thank you for coming forward. We value your help and we will do everything we can to help you.

The criminal justice system cannot work without witnesses. They are the most important element in bringing offenders to justice. Now you have made a statement, you may be asked to give evidence in court.

Is there anything else I can do?

Yes. It is important to tell UKBA:

- if you have left anything out of your statement or if it is incorrect
- if your address or phone number changes (trials collapse every day because witnesses cannot be contacted in time)
- dates when you may not be able to go to court. Please contact the officer dealing with your case to update this information as soon as it changes. It is needed when the trial date is set.

Will the suspect (the defendant) or the defence lawyer be given my address?

No, your address is recorded on the reverse of your witness statement and the defendant or their solicitor only receives a copy of the front. Also, witnesses are not usually asked to give their address out loud in court. The defendant or their solicitor is normally told the names of any witnesses.

What will happen to my statement?

If a suspect is charged over this incident, your statement and all the other evidence will be passed to the Crown Prosecution Service (CPS). CPS is responsible for prosecuting people who have been charged with a criminal offence in England and Wales. Although they work closely together, UKBA, the police and CPS are separate organisations.

Who will read my statement?

Everyone involved with the case will read your statement (e.g. UKBA, the police, CPS, defence and the magistrate or judge).

What if someone tries to intimidate me?

It is a criminal offence to intimidate (frighten) a witness or anyone else helping the UKBA in an investigation. If you are harassed or threatened in any way before, during or after the trial, you should tell the police immediately and inform the UKBA officer dealing with your case.

Will I be told what is happening in the case?

UKBA and CPS are improving procedures to keep victims and witnesses up to date with what is happening but it is not always possible to do this in every case. Remember, you can contact UKBA at any time if you have questions or concerns.

You will be contacted if you are needed to go to court (but it may be some time after you gave your statement, as cases take time to prepare). Victims of crime are usually told:

- if a suspect is charged
- about bail and what happens at court
- if the case does not proceed for any reason.

Witnesses who are not victims of the crime may not be contacted again if:

- the suspect admits the offence and is cautioned or pleads guilty at court
- there is not enough evidence to prosecute the suspect
- no suspect is identified

Will I have to go to court?

You will only have to go to court if the defendant either:

- denies the charge and pleads 'not guilty' or
 - pleads guilty but denies an important part of the offence which might affect the type of sentence they receive.
- If you are asked to go to court, the prosecution and defence lawyers will ask you questions about your evidence. You will be able to read your statement to refresh your memory first. If you have given a statement and are then asked to go to court to give evidence, you must do so.

You will be sent

- a letter telling you when and where to go
- an explanatory leaflet.

What will happen if I don't go to court?

If you have any problems or concerns about going to court, you must inform the officer dealing with your case as soon as possible. If you have to go to court but there is reason to believe that you will not go voluntarily, the court may issue a witness summons against you. If you still fail to attend without good reason you may be found 'in contempt of court' and arrested.

Where will the case be heard?

Most cases are heard in the magistrates' court. More serious crimes are heard in the crown court before a jury.

Who can help?

Every court has a free and confidential Witness Service and you can contact them before the trial. Their trained volunteers offer:

- information on what happens in court
- emotional support and someone to talk to in confidence
- someone to be with you in court when you give evidence
- a visit to the court before the trial, including where possible, a look around a court room so you know what to expect.

The officer dealing with your case will be able to provide you with contact details.

The Witness Service does not discuss evidence or give legal advice.

Extra Help is available to support vulnerable or intimidated witnesses. If the CPS lawyer thinks that a witness qualifies for this help, known as 'Special Measures', he/she will ask the court for permission to use them. The Witness Service, police or UKBA will tell you what is available and the police or CPS will be able to discuss your needs.

Victim Support and Witness Service

The Victim Support scheme operates from a number of locations across the UK, and their volunteers are specially trained to provide free and confidential information, support and advice.

All victim and witnesses will be offered support from Victim Support's Witness Service, which is **independent**, confidential and free. This support will include someone to talk to, a quiet place in which to wait and a chance to see the court before the day of the trial. Although the Witness Service volunteers will explain the court process to you, they cannot discuss the specific details of the case.

**Victim Support Helpline
0845 30 30 900**

Daly Oisin P - KD

From: New Tasty Chicken <newtastychicken@gmail.com>
Sent: 11 February 2017 17:59
To: Daly Oisin P - KD
Subject: Re: New Tasty Chicken

Hi Just confirm

We are on the way to the Police station
To drop off the required CCTV footage
Just stuck in traffic

Thank you

On 10 Feb 2017, at 17:08, <Oisin.Daly@met.pnn.police.uk> <Oisin.Daly@met.pnn.police.uk> wrote:

Hello,

Can you please provide me with the following by the 17th February 2017 by delivery to Romford Police Station marked for my attention:

CCTV from the 06th February 2017 at 2300hrs until the 07th February 2017 at 0100hrs, all cameras
CCTV from the 07th February 2017 at 2100hrs until the 08th February 2017 at 0100hrs, all cameras
All staff Training files
All employment records of staff employed at the premises including records of identity documents
Staff working hours records since the 15th January
A copy of the contract for a town centre radio link
Doorstaff records and register

Can you please provide within 24hours:

Proof of compliance with the home office guidelines on preventing illegal working

Regards,

Oisin Daly

PC 364KD

Licensing Officer - Metropolitan Police - Havering

Police Licensing Team e-mail:

kdmailbox-.licensingenforcementteam@met.pnn.police.uk

Direct 01708 779162 or 01708 432781 Fax 01708 432554 Met Phone 712804
Address - ROMFORD POLICE STATION 19 MAIN ROAD, ROMFORD, ESSEX RM1
3BJ or 5th Floor, Mercury House, Mercury Gardens, RM1 3SL

Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.

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Daly Oisin P - KD

From: GRAHAM HOPKINS <gtlicensingconsultants@googlemail.com>
Sent: 12 February 2017 21:35
To: KD - Licensing; KD Mailbox - Licensing Enforcement Team
Subject: New Tasty Chicken

Dear PC Daly,

Following receipt of your email to Mr Amer Khan at New Tasty Chicken we spoke to his silent partner also named Mr Khan. The partner does not have any involvement with the day to day running of the shop although we understand that he arranged for the requested CCTV footage to be delivered to the Police Station last night.

Mr Amer Khan has been in Pakistan seeing his very sick mother for the past week or so and is likely to be there for about another two weeks. We understand that he keeps his records at his Accountants.

Can you please advise if your requests are due to alleged "incidents" at the premises or are part of a routine compliance check?

Kind regards,

Graham Hopkins
GT Licensing Consultants 07810 826778

--

Graham Hopkins



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