



**METROPOLITAN
POLICE**

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 Graham White

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:

Foodlink, 98-100 Wyndham Road,

Post town:	London	Post code: (if known)	SE5 0UB
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Name of premises licence holder or club holding club premises certificate (if known):

Sohail Khan

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

870142

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:	
Metropolitan Police, Southwark Police Station, 323 Borough High Street, London SE1 1JL	
Telephone Number (if any):	██
Email address: (optional)	██

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 type="checkbox"/>
4	The protection of children from harm	<input checked="" type="checkbox"/>
Please state the ground(s) for review: (please read guidance note 2)		
<p>On Friday the 3rd July 2020 at about 19.58hrs, police executed two search warrant at Foodlink, 98-100 Wyndham road & 108 Wyndham road, London SE5 issued by Croydon magistrate's court. The licence holder and designated premises supervisor ██████████ was in the premises behind the counter with two other people employed at the premises which included ██████████ the DPS thather owns ██████████ ██████████ was asked along with ██████████ to come out from behind the counter so that they could be searched and the area behind the counter searched. Solhail immediately became aggressive and obstructive he refused to come out to be searched and had to be pulled out along with his brother ██████████ ██████████ kept shouting at the officers "don't touch me" and trying to pull away from them to make a phone call on his mobile phone having already been told he was not allowed to make any calls.</p> <p>PC O'Mohoney from the Licensing and Nighttime economy team informed ██████████ that she was an officer from Licensing and asked him if he was the DPS, which he confirmed that he was. She then asked him what his name was and he replied, "You know what I ain't going to answer no questions".</p>		

PROTECTIVE MARKING

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

█████ kept on walking around and refusing to stay in the one place and trying to be obstructive. █████ had to this point been compliant with police and co-operative then █████ shouts over to him "Don't give nothing don't answer no questions don't give nothing". He then tries to walk towards the door before being stopped by police.

Police searching the private basement storage area found twelve wraps of what is believed to be a cocaine and heroin mix this was subsequently tested and found to contain Cocaine and Opiates. Under the counter, the searching officer found a hammer and a large bread knife when this was pointed out that these appeared to be kept there to use as a weapon.

█████ then got up, tried to lean over the counter, and had to be told yet again that either he sit down or he would be cuffed. He was also calling out to people as they were passing the shop.

PC O'Mohoney asked █████ if he was the DPS and he replied "No comment". She asked him if he had a Personal Licence and he replied, "I don't want to answer questions". She then explained that, as I was unable to ascertain if he was the DPS or if he had a Personal Licence, I would be issuing a Notification of alleged offences under the Licensing Act 2003. She then asked if anyone who was, working in the shop had a Personal Licence to which she received no comment. She also asked █████ if he had a Personal Licence and he replied, "I am not answering questions".

█████ was then spoken to by an officer regarding the drugs they had found at the premises. He was fully cautioned and shown the drugs and █████ replied "No comment" to all the officers' questions. He was asked again about having a personal licence and refused to answer without a solicitor. He was then asked him if he had the training records for the two people that were working in the shop and he refused to answer. This was a breach of conditions

342 - That all staff concerned with the supply of intoxicating liquor undergo a recognised training scheme for such duties.

843 - That staff training shall be recorded stating that each employee understands that alcohol and cigarettes are not to be purchased from customers and or a door to door sales person.

He was then asked Solhail if he could show me the CCTV which he also refused to do. It was pointed out again that this was also a condition on his Premises Licence.

340 - That an approved CCTV be installed both inside and out and a recording shall be kept for 31 days.

He was also asked if he could produce a Premises Licence, which he refused to do. He also refused to show me where the Summary Licence was on display.

At 20:43 hours, I issued a Notification of alleged offences and it was fully explained to Solhail Khan. He was requested to sign to acknowledge receipt of the form, which he refused to do so, and a copy and left the premises.

The premises has previously been the subject of a number of licensing visits, which include weapons being found behind the counter.

All three males found working at the premises including the licence holder and his brother are currently still under investigation for possession of a controlled drug.

On Thursday the 9th July 2020, officers from the Licensing and Night Time economy team in the company of Southwark Trading standards carried out another Licensing inspection. Officers again found a number of Breaches of the licence.

- Condition 101 - Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence
- Condition 336 - A personal licence holder shall be on the premises at all times that intoxicating liquor is supplied.
- Condition 342 - That all staff concerned with the supply of intoxicating liquor undergo a recognised training scheme for such duties.
- Conditions 345 - A refusal book will be kept at the premises and maintained at all times.
- Condition 341 - The adoption and implementation of a recognised Proof of Age scheme.

PROTECTIVE MARKING

- Condition 344 - That any person who appears to be under the age of 21 will be asked to sign a universally recognised form of ID. (ie proof of age card, passport or photo driving licence), before being allowed to purchase alcohol.
- Condition 488 - (1) The premises licence 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 licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. (3) The policy must require individuals who appear to the responsible person to be under 18 years 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.
- Condition 847 - That the licensee to adhere to a Challenge 25 policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age. The following proofs of age are the only ones to be accepted: a) proof of age cards bearing the Pass hologram symbol, b) UK Photo Driving licence c) Passport Notices will be prominently displayed at the entry and point of sale stating that CCTV is in use, challenge 25 is operated and the provisions of the licensing act regarding underage and proxy purchases and sales.

The person in the shop produced a refusals book. In the book was an entry for February 2020. The employee had only worked at the premises for one month and admitted to officers that [REDACTED] who he described as his boss had instructed him to put this entry in the book. This was a fraudulent entry placed in to seem that the premises was complying with the licence conditions and acting responsibly. This shows a clear attempt to deceive the police and council.

Officers served another Notification of offences to the premises and reported the matter to Southwark Council Licensing team with a view to a prosecution being considered.

CCTV was requested in writing and a USB memory stick supplied to the premises for the visit on the 3rd July 2020 and the previous seven days.

- Condition 340 - That an approved CCTV be installed both inside and out and a recording shall be kept for 31 days.

Police attended the premises again on the 15th July 2020 to collect the CCTV that had been requested and [REDACTED] was present and stated that the CCTV was not working for the period requested. This is a breach of the licence as they have failed to provide the CCTV. It also shows [REDACTED] has a controlling interest in Foodlink and had control of 108 Wyndham road which a search warrant was issued for being used for unlawful purposes.

PC O'Mahoney has carried out four licensing inspections on the premises previously and on three occasions weapons have been found under the counter and on two occasions no personal licence holder was present. On all visits a number of breaches of the licence have been found.

October 2014 the premises licence was subject to a Section 53a review under the previous management after a very serious assault whilst the premises were operating in breach of the licence. [REDACTED] has held the Freehold to the premises since 2012, which he purchased from [REDACTED] owns a number of properties, which have had Council and police enforcement action against due to poor management, and breaches of the licence. He is also the owner of 108 Wyndham road which had a warrant executed on the same day as Foodlink and was believed being used as a brothel with links to human trafficking but advertising as Massage parlour.

[REDACTED] was prosecuted under planning legislation and the Proceeds of Crime Act in April 2019 in relation of the conversion of 98-100 Wyndham road from a public house to a shop and 6 flats without planning permission. [REDACTED] had failed to comply with a planning notice, which constitutes an offence and continued to receive rent from the properties in breach of the notice. The application was for the sum of £25,175.00. Failure to pay a confiscation order can result in a prison sentence of up to 5 years. He was convicted and a confiscation order was issued on the 18th May 2019 for £18,000.

[REDACTED] has shown a disregard for Licensing, planning and criminal law. He failed to comply with a court search warrant and was obstructive to that search. We request that the licence be revoked as [REDACTED] has a controlling interest in the property even if the Licence holder and DPS is changed. He has previously leased out the business and then evicted them reclaiming control. We maintain that any change in management would only be administrative and not any substantial change in control.

We submit this review under the Protecting children from harm, Public Safety, Crime and Disorder Licensing objectives as controlled drugs were found within the premises, and weapons being kept under the counter and the licence was being breached on a number of occasions.

PROTECTIVE MARKING

Have you made an application for review relating to this premises before? (Please tick yes)

	Day		Month		Year			
If yes, please state the date of that application:	2	6	1	1	2	0	1	4

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

The Metropolitan Police submitted a review under Section 53a of the licensing Act 2003, After an argument started between a group of males and staff at the premises. The males were ushered out of the premises. One of the staff members leaves the shop with a long object possible a bat or iron bar and swings it at the males. A fight happens and the staff member receives multiple stab wounds to arm and back.
The licence was revoked on the 23rd December 2014.

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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:	
Capacity:	Police Licensing Officer		

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

Southwark Police Station, 323 Borough High Street

Post town:	London	Post code:	SE1 1JL
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Telephone Number (if any):

[Redacted]

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

[Redacted]

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.



Notification of alleged offences under the Licensing Act 2003

Venue Name: Foodlink REF: (CAD/CRIS etc.) 4960
 Address: 98-100 The Windmill WYNHAM ROAD
SE5 OUB Date: 3/7/20 Time: 20:23
 Details of person in charge at the relevant time: Sohail KHAN 09/08/92
 DPS Personal Licence Holder

Summary of alleged offences identified

- Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence.
- Section 57 (7) Failure to produce a premises licence or a certified copy.
- Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- Section 109 (8) Failure to produce a TEN to a police officer.
- Section 135 (4) Failure to produce a personal licence to a police officer.
- Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y No)
- Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y No)
- Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y No)
- Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- Section 146 (1) Selling alcohol to an individual aged under 18.
- Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

Details of alleged offence(s) including relevant Cad and Crime report details:
335 - 342 - No staff training records available
345 - No refusal book 340 CCTV unavailable
843 - Staff training records unavailable

Issuing officer: PC Maria O Mahoney 232115 Print: PC O Mahoney 232115

I acknowledge receipt of this form: (venue) Refused

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001



Notification of alleged offences under the Licensing Act 2003

Venue Name: Foodlink REF: (CAD/CRIS etc.) 4960

Address: 98-100 Wyndham Road

SES PUB Date: 09/07/00 Time: 11:15

Details of person in charge at the relevant time: [REDACTED]

DPS Personal Licence Holder

Summary of alleged offences identified

- Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence.
- Section 57 (7) Failure to produce a premises licence or a certified copy.
- Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- Section 109 (8) Failure to produce a TEN to a police officer.
- Section 135 (4) Failure to produce a personal licence to a police officer.
- Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y No)
- Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y No)
- Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y No)
- Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- Section 146 (1) Selling alcohol to an individual aged under 18.
- Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

Details of alleged offence(s) including relevant Cad and Crime report details:

101 - [REDACTED] - not authorised by a Personal Licence Holder to sell alcohol

336 - no personal licence holder on premises

342 - [REDACTED] has not received training on supply of intoxicating liquor

345 - Refusal book has been updated fraudulently

341 344 488 847 499

Issuing officer: P. Ahmad Maher 2321AS Print: P. O'MAHONEY

I acknowledge receipt of this form: (venue) [Signature]

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

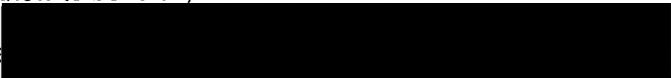
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Statement of: PC Maria O'MAHONEY 2321AS

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 2 page(s) 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 in it anything which I know to be false, or do not believe to be true.

Witness Signature



Date: 07/07/2020

Before writing this statement I have viewed my BWC footage which I exhibit as MVO/1 and MVO/2.

I am a Police Officer attached to the Night Time Economy Team and part of my duties include checking that licensed premises adhere to their licence conditions. On Friday the 3rd July 2020 I was on duty in plain clothes and was taking part in a pre-planned operation to execute a Section 8 warrant on FoodLink 98-100 Wyndham Road SE5 0UB as intelligence that had been received linking the premises to allegations of prostitution and slavery.

At 19:58 hours we entered the premises there were two males behind the counter on the right at the front of the shop. I now know these males to be Solhail KHAN date of birth [redacted] who is the Licence Holder and Designated Premises Supervisor and his brother [redacted]. It was explained to Solhail KHAN that we had a warrant to search the shop and the warrant was read out to him by PS SMITH. Solhail was also given a copy of it. Whilst the warrant was being explained to Solhail he continually interrupted the officer and talked over the top of him. Solhail KHAN was asked along with his brother to come out from behind the counter so that they could be searched and the area behind the counter searched. Solhail immediately became aggressive and obstructive he refused to come out to be searched and had to be pulled out along with his brother Tehmoor. Solhail kept shouting at the officers "don't touch me" and trying to pull away from them to make a phone call on his mobile phone having already been told he was not allowed to make any calls.

It was then pointed out to Solhail that I was an officer from Licensing. I introduced myself and asked him if he was the DPS which he confirmed that he was. I then asked him what his name was and he replied "You know what I ain't going to answer no questions". Solhail kept on walking around and refusing to stay in the one place and trying to be obstructive. He had to be told several times to stop walking around or he would have to be placed in handcuffs. Tehmoor had to this point been compliant with police and co-operative then Solhail shouts over to him "Don't give nothing don't answer no questions don't give nothing". He then tries to walk towards the door before being stopped by police. It was explained to Solhail several times that he was being detained under the warrant. He just continued to argue with officer's talk over the top of them and walking around trying to distract the officers.

Witness Signature:



Signature Witnessed by Signature:

Continuation of Statement of:

Police searching the private basement storage area found twelve wraps of what is believed to a cocaine and heroin mix. Which is exhibited as MJA/01 and sealed in exhibit bag MPSA66791697.

Under the counter the searching officer found a hammer and a large bread knife when this was pointed out that these appeared to be kept there to use as a weapon. Solhail replied "what weapons it's a bread knife".

Solhail then got up and tried to lean over the counter and had to be told yet again that he either sat down or he would be cuffed. He was also calling out to people as they were passing the shop.

I asked Solhail if he was the DPS and he replied "No comment". I asked him if he had a Personal Licence and he replied "I don't want to answer questions". I explained that as I was unable to ascertain if he was the DPS or if he had a Personal Licence I would be issuing a Notification of alleged offences under the Licensing Act 2003. I then asked if anyone who was working in the shop had a Personal Licence to which I received no comment. I also asked [REDACTED] if he had a Personal Licence and he replied "I am not answering questions".

Solhail was then spoken to by an officer regarding the drugs they had found at the premises. He was fully cautioned and shown the drugs and Solhail replied "No comment" to all the officers' questions.

After they had finished with the questions I asked Solhail again if he has a Personal Licence as this was a condition on the Premises Licence.

336 - A personal licence holder shall be on the premises at all times that intoxicating liquor is supplied.

Solhail replied that he was not going to answer without a solicitor. I explained that it was a requirement that he produces his Personal Licence to a Police Officer when required to do so. He then stated he had a Personal Licence but he did not have it with him. I then asked him to confirm his name so that I could check this and he replied "No comment". I then explained that as he was unwilling to give me his name that I can only assume that he does not have a Personal Licence and that I will be issuing him with a Notification of alleged offences. I did try to explain to him that it was in his interest to answer any questions regarding the Premises Licence but he continued to refuse.

I then asked him if he had the training records for the two people that were working in the shop and he refused to answer. This was a breach of conditions

342 - That all staff concerned with the supply of intoxicating liquor undergo a recognised training scheme for such duties.

843 - That staff training shall be recorded stating that each employee understands that alcohol and cigarettes are not to be purchased from customers and or a door to door sales person.

I then asked Solhail if he could show me the CCTV which he also refused to do. I pointed out again that this was also a condition on his Premises Licence.

Witness Signature: .. [REDACTED]

Signature Witnessed by Signature:

Continuation of Statement of:

340 - That an approved CCTV be installed both inside and out and a recording shall be kept for 31 days.

I also asked if he could produce a Premises Licence which he refused to do. He also refused to show me where the Summary Licence was on display.

At 20:43 hours I issued a Notification of alleged offences and fully explained the Notification to Solhail. I asked him to sign to acknowledge receipt of the form which he refused to do so. I gave him a copy and left the premises.

I have worked on Night Time Economy and Licensing for four years and regularly inspect licensed premises I have always found that staff and owners are very helpful and polite. This is my third visit to FoodLink and on each occasion there has been an assortment of weapons under the counter including a meat cleaver and a baseball bat. The staff are always obstructive and uncooperative. But on this occasion I was shocked to have to experience such aggressive and obstructive behaviour from a Designated Premises Supervisor. He went out of his way to prevent me from conducting a licensing check to the point of refusing to even confirm his name and encouraging the other staff to refuse to engage with police resulting in his brother having to be arrested as he refused to provide his name and address.

In my opinion FoodLink and the people that work there are not suitable to operate a licensed premises and do not meet the licensing objectives. I believe that they are a danger to members of the public especially keeping knives and other weapons under the counter. Their complete refusal to engage with police and help with the investigation of crimes. Solhail KHAN did not appear to know any of the conditions of his Premises Licence and was unaware that he was obliged to show his Personal Licence when required to do so by a Police Officer which makes him unsuitable to be either a DPS or a Personal Licence holder.

Witness Signature:

[Redacted Signature]

Signature Witnessed by Signature:

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of: PC Maria O'MAHONEY 2321AS

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 2 page(s) 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 in it anything which I know to be false, or do not believe to be true.

Witness Signature: [Redacted] Date: 09/07/2020

Before writing this statement I have viewed my BWC footage which I exhibit as MVO/3 and MVO/4.

I am a Police Officer attached to the Night Time Economy Team and part of my duties include checking that licensed premises on the borough adhere to their licence conditions.

On Thursday the 9th July 2020 I was on duty in plain clothes in the company of PC Jonathan DUCKER and Trading Standards Officer Ray MOORE. We were conducting a follow up licencing inspection on FoodLink 98–100 Wyndham Road SE5 0UB as I had attended there on the 3rd July 2020 and found there was a number of breaches of the Premises Licence conditions and that the Designated Premises Holder (DPS) and Licence Holder Sohail KHAN had been obstructive throughout my visit refusing to answer any questions regarding the Premises Licence or the show me a Personal Licence.

At 09:35 hours we entered the shop and approached the counter where [Redacted] date of birth 25/06/1986 was working. I asked him if he was in charge and he confirmed that he was. I identified myself as a Police Officer showing Mr [Redacted] my warrant card as did PC Ducker and Ray MOORE identified himself as a Trading Standards Officer and explained that we there to conduct a licencing inspection. I asked Mr [Redacted] if he had a Personal Licence he did not appear to know what this was. I then asked if he had any ID and he produced his Home Office card. He then said his boss would not be back in the shop until after 18:00 hours. There were two further members of staff [Redacted] who were sat in the storeroom at the back of the shop eating. They said that neither of them worked behind the counter and that they just stocked the shelves and that neither of them had a Personal Licence. We asked Mr [Redacted] if he could get in contact with his boss as we needed to speak to him as there was no Personal Licence holder on the premises and this was a breach of the Premises Licence condition.

336 - A personal licence holder shall be on the premises at all times that intoxicating liquor is supplied.

Mr [Redacted] said he would phone his boss and when we enquired who it was he said [Redacted] was told that we were conducting a inspection and he stated that he would make his way to the shop.

Witness Signature: [Redacted]

Signature Witnessed by Signature:

Continuation of Statement of:

Ray MOORE has then checked the staff records book to see who has been authorised to make alcohol sales by a Personal Licence Holder and none of the staff who were in the shop had been authorised. This is a breach of condition

101 - Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence

There were no staff training records for [REDACTED] and when question about "Challenge 25" and the selling of alcohol he stated he did not know what it meant. He also said that he had not received any training regarding the sale of alcohol. He was then asked how long he had worked in the shop and he said one month and that he had never worked at the premises before. [REDACTED] was then asked about the "Refusal register" which is a log kept of when people have been refused a sale of alcohol. It showed that he [REDACTED] had signed the book with a date of 05/02/2020 stating he had refused to make a sale of alcohol. [REDACTED] was shown the book with his entry signature and the date. He was why it was dated the 05/02/2020 and [REDACTED] stated that he had made the entry 2 or 3 days ago as "[REDACTED] told me I had to".

These were the Premises Licence condition breaches

341 - The adoption and implementation of a recognised Proof of Age scheme

342 - That all staff concerned with the supply of intoxicating liquor undergo a recognised training scheme for such duties.

344 - That any person who appears to be under the age of 21 will be asked to sign a universally recognised form of ID. (i.e. proof of age card, passport or photo driving licence), before being allowed to purchase alcohol.

345 - A refusal book will be kept at the premises and maintained at all times.

488 - (1) The premises licence 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 licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. (3) The policy must require individuals who appear to the responsible person to be under 18 years 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.

4AG - A Challenge 21 policy shall be implemented at the premises requiring that any customers attempting to buy alcohol at the premises who appear to be under 21 years old to any staff involved in the sale of alcohol shall be requested to produce valid photographic ID (comprising of a passport, full driving licence and / or proof of age standard scheme (PASS) accredited card) that proves that they are over 21 years old.

Witness Signature [REDACTED]

Signature Witnessed by Signature:.....

Continuation of Statement of:

847 - That the licensee to adhere to a Challenge 25 policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age. The following proofs of age are the only ones to be accepted: a) proof of age cards bearing the Pass hologram symbol, b) UK Photo Driving licence c) Passport Notices will be prominently displayed at the entry and point of sale stating that CCTV is in use, challenge 25 is operated and the provisions of the licensing act regarding underage and proxy purchases and sales.

At 11:15 hours I issued [redacted] with a Notification of alleged offences under the Licensing Act 2003 explaining it to him what breaches of the Premises Licence conditions we had found.

I also made a request for CCTV for the dates the 26th June 2020 through to the 4th July 2020 for all cameras covering the premises. The letter was addressed to Sohail KHAN and given to [redacted] along with a USB stick marked 10 which he signed for.

This is the fourth time I have carried out a licensing visit at this premises. On three of the visits weapons have been found under the counter. On the last two occasions there has not been a Personal Licence holder present. On every visit there have been a number of breaches to Premises Licence conditions. I have now also been made aware that as well as staff not receiving any training on the sale of alcohol they have also been told to make false entries in the Refusals book. I do not believe that the either [redacted] or [redacted] Sohail KHAN are fit persons to run a licences premises. I have concerns that they are asking staff to falsify records and that they cannot ensure that their staff have even basic training regarding alcohol sales.

Witness Signature: [redacted]

Signature Witnessed by Signature:

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC Maria O'MAHONEY 2321AS

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 2 page(s) 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 in it anything which I know to be false, or do not believe to be true.

Witness Signature

[Redacted Signature]

Date: 15/07/2020

Before writing this statement I have viewed my BWC footage which I exhibit as MVO/5.

On Wednesday the 15th July 2020 at 15:15 hours I attended Foodlink 98-100 Wyndham Road London SE5 OUB along with PC Jonathan DUCKER. I had made a written request for a copy of CCTV on the 09/07/2020 for the period covering 26/06/2020 to 04/07/2020 providing a USB stick.

As we approached Foodlink [Redacted] was standing outside. I showed Mr [Redacted] my warrant card and told him that I had come to collect the CCTV that I had requested. Mr [Redacted] stated that he did not have the CCTV for those dates as it was not working at that time and he has had new CCTV installed. I asked him if it had been saved onto the old hard drive and he said no as it had not been working.

I collected the USB stick and left the premises informing him that I would be reporting him for failing to provide CCTV.

[Large handwritten signature]

Witness Signature:

[Redacted Signature]

Signature Witnessed by Signature: