



APPENDIX B

The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/192/21

Date: 3RD September 2021

Dear Sir/Madam

Re: H&G Cuisine 5a Westmoreland Road SE172AX

Police are in possession of an application to review the premises licence for H&G Cuisine 5a Westmoreland Road

Police support this application to review the premises licence on the grounds of the prevention of crime and disorder and prevention of public nuisance licensing objectives.

As detailed in the application, the premises is having a significant impact on the lives of local residents. A majority of the evidence is provided by these residents in the way of noise complaints and complaint of anti-social behaviour associated with the operation of the premises.

On the 29th April 2021 at 21.05 Police attended the premises and found it to be operating in contravention of the then corona virus regulations. This is evidenced by the service of a prohibition notice by PC Ducker of the Night Time Economy Team.

Prohibition notice issued after police found 7 people inside the restaurant watching football. The DPS said they were waiting for take always but there was no sign of food being cooked and we viewed the CCTV for an hour before our arrival showing the same customers had been there then. He then tried to say that some of the people in the venue are working which is clearly not the case.

Southwark has over 1400 licensed premises, during this global pandemic a vast majority of our licensed premises followed the guidelines and regulations imposed by the government to protect the public and their staff. On this occasion the premises licence holder opened his premises to the public when it should have been closed, exposing them and the wider community to the possibility of becoming infected with this deadly disease.

This is not the behaviour of a responsible licence holder.

Working for a safer Southwark

I submit this evidence in support of the review application, further evidence may be forthcoming and will be submitted in due course.

Submitted for your consideration.
Yours Sincerely

PC Ian Clements 2362AS
Southwark Police Licensing Unit



MEMO: Licensing Unit

To Licensing Unit Date 4 September 2021
From Jayne Tear
Email jayne.tear@southwark.gov.uk

Subject Re: H & G Cuisine, 5a Westmoreland Road, London, SE17 2AX
- Application to review the premises licence.

I write with regards to the above application to review the premises licence submitted by Marta Gruca under the Licensing Act 2003. The application is submitted under the prevention of crime and disorder; the prevention of public nuisance and public safety licensing objectives and the grounds for the review are stated in the application as follows:

'The premises keeps breaking its licence, they are open after 11.30 many days of the week. People are gathering outside, drinking alcohol and shouting. The customers are parking illegally on street and pavement where they should not be parking. The music coming of the place is loud. Many cars are stopping by for very short time, they are passing by packages and leaving. I'm resident of the street and feel unsafe walking alone on the street.

Examples with dates and reference numbers of authorities:

11 July - 00:30

There are loud people outside. I called Noise team, they called me back and referred me to the License team. 1297144 ref num noise team

Sunday 25 July

23:02 loud music people drinking outside speaking loudly on the phone. 23:55 the place is still open. Sent email to Justin from licensing

Sunday 1 August

23:45 the place is open people doing drug dealing behaving loud drinking outside Premises. Contacted met police BOS-35991-21-0101-B20. CAD 1215 02/08/21 Ref number

Friday 6 August

People outside drinking, customers in the car driving on a pavement, the bar is still open at 23.50. Called noise team at 23.03. 1303158 ref number 958590 Tyron ref number noise team.'

My representation is based on the Southwark Statement of Licensing policy 2021- 2026 and relates to the licensing objective for the prevention of crime and disorder and the prevention of public nuisance.

There have been 9 complaints this year to the licensing unit regarding noise, antisocial behaviour from patrons of the premises and also allegations that the premises was operating past the licensed hours granted. Licensing officers have been investigating the complaints. I attach a copy of a log of complaints received by the licensing unit and also a log of the visit notes from officers.

On 06 August 2021 at 00:01 a licensing officer visited the premises and witnessed the premises open past the licensed hours. A warning letter was sent to the licensee regarding this. A copy of the warning letter is attached to this representation.

Following this a full inspection was carried out by a licensing officer at the premises on 25 August 2021 and on that occasion the premises was found to be compliant.

I may provide further supporting information to this representation at a later stage.

Southward's Statement of Licensing Policy 2021 – 2026 can be found on the following link:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

Jayne Tear
Principal Licensing officer
In the capacity of the Licensing Responsible Authority

Alhaji Turay
H&G Cuisine
5a Westmoreland Road
London
SE17 2AX

Licensing Unit
Direct Dial - 02075255718
Facsimile - 020 7525 5705
Email:
Licensing@southwark.gov.uk

17 August 2021

Ref: M/875322

Dear Sir/Madam,

RE: THE LICENSING ACT 2003 – H&G Cuisine, 5a Westmoreland Road, London, SE17 2AX

I write to inform you that on the 06 August 2021 at 00:01, a visit was made by Charlie Jerrom, Licensing Enforcement officer and a colleague from the Night time Economy police team, the premises was witnessed to be operating beyond the closing hours stated on your licence.

This potentially constitutes a contravention of either the licences issued under the Licensing Act 2003 by this Council in respect of the premises operation; or of other related legislation.

In particular, I would advise you that Section 136 (1) (a) of the Licensing Act 2003 states that:

A person commits an offence if -

- (a) He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or
- (b) Knowingly allows a licensable activity to be so carried on.

This Service warns you that should any further breach be reported to us we will give consideration to the appropriate legal action to be taken. You should understand that this could lead to legal proceedings being taken.

Southwark Council - Regulatory Services, Licensing team, Hub 1, 3rd Floor, PO Box 64529, SE1P 5LX
Switchboard - 020 7525 5000 Website - www.southwark.gov.uk
Strategic Director of Environment and Leisure- Caroline Bruce

I would make clear that it is the practice of the Council's Licensing Unit to send officers to visit premises to check to see if unauthorised activities are being provided. Licensing officers will gain admission to the premises in the same way as ordinary members of the public, and will not necessarily make themselves known to the staff or the licence holder at the time of the visit.

You should also understand that where other Services have interest in the matters noted we will be notifying them of this recent visit. You may receive follow-up visits from them.

Information and online applications can be found using the following link:

<https://www.southwark.gov.uk/business/licences/business-premises-licensing>

Please ensure you act promptly on this letter. If you require advice or assistance on how to comply with the matters raised, please contact us on the telephone number given above.

Yours faithfully,

Charlie Jerrom
Licensing Enforcement Officer
Charlie.jerrom@southwark.gov.uk

H&G Cuisine, 5a Westmoreland Road, London, SE17 2AX – Licensing representation part 2 – VISIT NOTES

adate	desc	aofficer	adtext
23/02/2020	1:56NTE Visit	Farhad Chowdhury	23/ 2/2020 1:56 FRC closed
30/10/2020	21:30 NTE Visit	Richard Kalu	Visit to premises to premises with Farhad Chowdhury Ray Moore from Trading Standards and NTE Police. Words of advice given to operator of premises. No further action undertaken.
30/10/2020	21:30NTE Visit	Farhad Chowdhury	30/10/2020 21:30 FRC joint visit with the Police and TS met Mr Alhaji Turay, premises open had 10 people inside and two children lot of alcohol on tables. One customer came out of the premises he got angry with us and started to swear at us and Police as he thought that we came to throw them out he said it's not f***ing 10pm why are you here he was very angry and had two children with him and he left. PC Lynch tried to calm him down, we then spoke to Mr Turay he said he was the DPS and he has a new licence. We did no go inside we then left.
05/11/2020	20:12 NTE Visit	Farhad Chowdhury	5/11/2020 20:12 FRC Due to government announcement that non-essential shops should be closed from 5th November 2020 - Monitoring doors closed lights on windows blacked out cannot see inside.
15/07/2021	Visit to premises	Justin Williams	Attended premises I spoke with a member of staff called [REDACTED] informed of complaint and explained to her that the staff need to adhere to the premises licence conditions. I also warned her that it is the responsibility of the management to ensure that their customers are not disturbing local residents by congregating and causing a public nuisance. I also reminded the staff member that the premises licence only permits the premises to play recorded music up until 11pm. Any recorded music played after this time would be a breach of the premises licence.
25/08/2021	Visit to premises	Justin Williams	Spoke to Mr Turay about recent complaints he alleged that the complaints were coming from Ibbs Bar on Arnside street because he wants to put his business out of business because there is competition. He explained that a lot of local businesses in the area the Pie & Mash shop have been supportive of him. Mr Turay also alleged that there is another bar called Legacy on Camberwell road and that the owner of Ibbs owns that because when Ibbs closes their customers are directed to Legacy bar. A full inspection was carried out, see INU and premises was found to be compliant CCTV in good working condition, door alarm activated, staff training records, incident records etc. advised Mr Turay to ensure he keeps a record of everything and document it, I also advised him to ensure that his customers leave the area quietly and not to congregate outside.

H&G Cuisine, 5a Westmoreland Road, London, SE17 2AX – Licensing representation part 3 - COMPLAINT LOG

refno	rdate	catg	detail	ioff	cmpname
956188	12/07/2021	L72 Public nuisance	Licensing	JUW Justin Williams	Anonymous Customer
956266	12/07/2021	L72 Public nuisance	Public nuisance complaint- please see actions - nosie team	JUW Justin Williams	[REDACTED]
957533	26/07/2021	L72 Public nuisance	see action noise	JUW Justin Williams	[REDACTED]
958145	02/08/2021	L72 Public nuisance	see action	CAJ Charlie Jerrom	[REDACTED]
958162	02/08/2021	L72 Public nuisance	see action	CAJ Charlie Jerrom	[REDACTED]
958163	02/08/2021	L72 Public nuisance	see action	CAJ Charlie Jerrom	[REDACTED]
958284	03/08/2021	L72 Public nuisance	Public nuisance complaint- please see actions	CAJ Charlie Jerrom	[REDACTED]
958798	09/08/2021	L72 Public nuisance	see action	CAJ Charlie Jerrom	[REDACTED]
959324	16/08/2021	L72 Public nuisance	see action	JUW Justin Williams	[REDACTED]