



Notice of Hearing

Licensing Sub-Committee

Date: FRIDAY, 20 JANUARY 2017

Time: 2.00 PM

Venue: COMMITTEE ROOM 6 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE UB8
1UW

**Meeting
Details:** Members of the Public and
Press are welcome to attend
this meeting

Councillors on the Sub-Committee:

Dominic Gilham, Chairman of Licensing
Committee (Chairman)

Jazz Dhillon

Teji Barnes

Published: Wednesday, 18 January 2017

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This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CIId=352&MID=2730#A12763>

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HILLINGDON LONDON

ADDENDUM SHEET

Item: 1 Page: 3	Location:
<i>Amendments/Additional Information:</i>	<i>Officer Comments:</i>
Statement from Pc Darren Bates identifying visits to Lotus Wines on the 7 th January, 11 th January and the 13 th January 2017.	Statement Submitted by Police Authority
Item: 2 Page: 7	Location:
<i>Amendments/Additional Information:</i>	<i>Officer Comments:</i>
Statement from Pc Alex Lawson a forensic evidential images officer identifying findings on a visit made on the 13 th January 2017 and producing exhibit ACL/1	Statement and exhibit ACL/1 Submitted by Police Authority
Item: 3 Page: 9	Location:
<i>Amendments/Additional Information:</i>	<i>Officer Comments:</i>
Statement from PC Darren Bates identifying a visit to Lotus Wines on the 17 th January 2017	Statement Submitted by Police Authority

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WITNESS STATEMENT

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

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Statement of: Darren BATES PC 102 XH

Age if under 18: Over Occupation: Police officer

This statement (consisting of _____ 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: *[Handwritten Signature]* Date: 13/01/2017

On Saturday 07 January 2017 at about 1725 hours I was on duty in plain clothes in the company PC 272XH who was also in plain clothes. We attended Lotus Wines 761 Uxbridge Road Hayes to carry out a licence check on the premises. As we walked up to the premises I saw the person I know to be Jasmeet Singh LAMBA DOB 01/01/1991 serving a black male customer. As part of the premises licence conditions I know LAMBA is supposed to be excluded from the premises and not to be working. I walked into the shop with PC 272XH and walked up to the counter. There were three persons behind the counter at the time Jasmeet LAMBA being the one closest to the till. He stood up and served me as I bought a packet of chewing gums. I gave him the money, he took the money off me and placed the 60 pence in change I gave him in the till.

Myself and PC 272Xh then identified ourselves as police officers and informed all in the shop that I was there to carry out a licence check at the premises. I requested Jasmeet stay where he was and I took a photo of him on a job issue mobile phone, I produce this as my exhibit DOB/1. I informed Jasmeet that he should not be in the store let alone working, he looked in disbelief and said something like "I'll leave then". I informed him that it was too late now and that he had breached the licence conditions.

I spoke to the other two males at the store, the first Manmit SINGH DOB 13/05/1987 (Licence no – LBHIL30008) who is a personal licence holder at the store and the person in charge at the time of the visit. I requested he provide me a copy of the premises licence so that I may inspect it and I may point out the breach of Jasmeet LAMBA's presence to him, the licence could not be found. I pointed out that this was also a breach of the licence conditions to SINGH and that this would be reported for both of these.

I then spoke to the person I now know to be Sandip PATEL DOB 10/06/1985 who was also in the enclosed area behind the counter, I asked for his details and his address. PATEL gave me his name without hesitation but stumbled when he attempted to give me his address which made me suspicious of him. I asked PATEL several questions about his immigration status which led me to believe that possibly he had immigration issues. I contacted Manchester immigration centre and provided them the details I was given. I was informed that PATEL was to be arrested and detained for having no valid leave to remain in the UK and for overstaying, I arrested PATEL for immigration offences.

Witness Signature: *[Handwritten Signature]*

Signature Witnessed by Signature:

Continuation of Statement of:

I did not complete any paper work with regard the breaches due to the arrest I had made. On the way out of the store I informed SINGH that the two breaches of licence conditions would be dealt with. I asked him did he know how to use the store CCTV he stated no. I requested that he make a download of the store CCTV for the past 24 hours and that he make that available for a colleague to collect on Monday. I made sure he understood my request and double checked this with him before I left the store. I believe that the CCTV would show evidence of LAMBA, and PATEL all of that day and perhaps the day before working at the premises.

At 1300 hours 11/01/2017 I was on duty in plain clothes in the company of PC 372XH, we attended Lotus Wines and spoke to Manmit SINGH who was the only person I the premises and serving behind the counter. I asked Manmit about the CCTV footage I had asked him to get downloaded on the 07/01/17. He stated that there was a problem with the system and he was waiting for someone to sort it out. I pointed out that failure to get this sorted was another breach of the premises licence conditions. I then filled in the notification off offences that I had found when I visited on 07/01/17. Two offences were pointed out to Manmit SINGH;

- 1. Section 57 (7) failure to produce a premises licence certified copy.
- 2. Section 136 (1) carrying on or attempting to carry on a licensable activity on or from any premises and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on.

Namely item 17 of the conditions in the premises licence, Jasmeet Singh LAMBA should be excluded from the premises and all operational activities at all times.

I issued a copy of the notification of offences and handed it to Mr SINGH. I also requested that he get the CCTV sorted and reminded that if he did not I would be also dealing with this as a breach of licence conditions as listed on the premises licence.

On Friday 13 January 2017 at 1500 hours I attended Lotus Wines in the company of PC 1389 CO LAWSON. PC LAWSON is a Forensics Evidential Imaging Officer attached to Hillingdon Borough. I Entered the store and spoke to the person I know to be Manmit SINGH DOB 13/05/1987. I asked if he had downloaded the CCTV that I had requested from him on 07/01/17 and 13/01/13. Manmit stated that he had not got the CCTV and that he had informed the owner Aamir LAMBA who had not got it done. I requested PC LAWSON take a look at the system for me to ascertain if he could get the footage I wanted, I assisted PC LAWSON doing this. PC LAWSON discovered that on 09 January 2017 at 1127 hours the system was formatted. This meant that the evidence or footage that had been recorded prior to that time and date had been deleted.

I explained to PC LAWSON that when I attended on the 07 January the CCTV monitor and all the cameras seemed to be working. When I viewed that monitor on the seventh I could see moving footage of myself my colleague and all person in the shop. I asked PC LAWSON if the system could have been working correctly and recording at that time. PC LAWSON stated that in his experience CCTV systems either work or don't work. Meaning that the fact it was working on the monitor on the 07 January showing moving footage he has no reason to believe it should not have been recording also. The CCTV system has no off on record button they record all the time. When the memory is full the system just over writes the oldest recorded item whether that's 30 days or 40 days depending on the size of the memory

Witness Signature: *[Handwritten Signature]*

Signature Witnessed by Signature:

Continuation of Statement of:
and just keeps going in a loop recording and overwriting the oldest recorded data with the new footage.

PC LAWSON showed me footage from the cameras in the shop of when the system was formatted on the 13 January at 1127 hours, the system had started to record from the instance the formatting was completed. I could see the DPS Mr Aamir Singh LAMBA was behind the counter. There was an unknown male stood on a chair assessing the port for the CCTV system. The system had audio also and I heard the male in question say to LAMBA the CCTV was fixed.

I can only conclude from the expertise of PC LAWSON that the male in question had re-formatted the CCTV to wipe the footage that I had requested. I had requested this to prove two things.

1. That his son Jasmeet LAMBA had been working there all day
2. That the male I arrested for immigration offences was also working there in the shop this was a separate offence connected to HRMC.

I believe that Aamir LAMBA had got the CCTV formatted to prevent me from viewing the footage and proving these offences.



Witness Signature: 

Signature Witnessed by Signature:

WITNESS STATEMENT

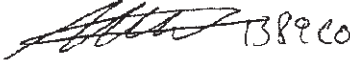
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Alex LAWSON**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer P234934**.....

This statement (consisting of: ... **1** ... 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: 13/01/2017

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

I am Police Constable Alex Lawson shoulder number 1389CO.

I am attached to Hillingdon Borough as a Forensic Evidential Images Officer for the directorate of Forensic Services, West area hub 2, Visual Images identifications and detections office.

I am competent in the retrieval and extraction of CCTV from a variety of Digital Video recorders.

On the 13th of JANUARY 2016 at approximately 1520hrs I accompanied PC Darren BATES P231823 to LOTUS WINES, UXBRIDGE ROAD, HAYES to assist with a CCTV system to see if data could be retrieved. This was in relation to a licensing investigation.

I checked the time shown on the DVR against the BT talking clock. At 15:29:20 on the BT clock, the DVR unit showed 16:38:16. The date was correct.

Data from the 7th of JANUARY was requested, and when entering the playback menu, I was unable to select the data requested. I checked the hard drive status as I could not see a "recording" indication anywhere on the OSD (On Screen Display). The hard drive was recording and had data stored on it, however free space was shown. The hard drive was set up to record automatically by default with no schedule. This would mean that when the unit is powered on, it will automatically start recording unless the unit had been powered down.

PC BATES informed me that when he had attended on the 7th he could see the cameras in operation as they were when we attended today. Based on the information available to me, I have no reason to believe that the CCTV system would have not been recording during his previous visit.

In the Hard Drive system options it showed that the device was formatted on the 9th of JANUARY 2016 at 11:27:23.

Signature: 

Signature witnessed by:

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WITNESS STATEMENT

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

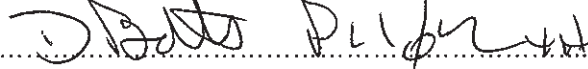
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Statement of: Darren Bates PC 102 XH

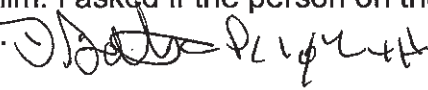
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police officer

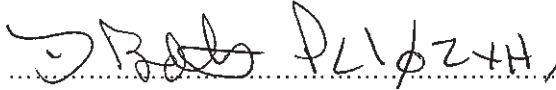
This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature:  Date: 17/01/2017

On Tuesday 17 January 2017 at about 1115 hours I was on duty in plain clothes in the company of PC WARES 310XH. We were in an unmarked police car outside Lotus Wines 761 Uxbridge Road Hayes. I could see the owner and person I know to be Mr Aamir Singh LAMBA DOB 01/01/1954, Aamir was sat behind the counter in the store at the time I saw him, I could see no other persons in the shop or behind the counter. I had the knowledge that Aamir was supposed to attend a hearing for a licence review on Friday 20 January about the premises. But he had put in a request to get the review postponed because he was supposed to get an operation on 12 January 2017. The operation apparently would have made him unable to attend the hearing, or so the request maintained. I saw a female walk into the store and then a few seconds later attend the front counter where I saw Aamir stand up serve the female before she walked out. I would say I was about ten metres away sat outside the premise in a car, the daylight was very good I had no obstructions and I could see clearly through the glass shop door and into the shop.

I then walked into the shop with PC WARES, I presented myself to Aamir, and identified as a police officer. I asked Aamir several questions about the fact he was supposed to have had an operation on the 12 January. He stated something like "It was cancelled and I have to go back on possibly the 31 January for an X-ray". I enquired about that and explained that if an operation was supposed to take place on 12 January surely x-ray's would have been done already. Aamir was very vague and could not give a reasonable explanation. I believe that possibly Aamir had not been booked in for an operation in the 12 January, that he just had a hospital appointment and was attempting to postpone the hearing. I requested to see Aamir personal licence that was on display behind him. I asked if the person on the photo was him, he stated it was. Licence number LBHIL3268.



Witness Signature: 

Signature Witnessed by Signature:

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