

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 **IAN C.R.WARES** Wt No **P193105** URN:

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

This statement (consisting of: ... **7**..... 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: **2nd November 2016**.....

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

This statement is made in relation to a Licensing Review Hearing application submitted by the Metropolitan Police Service, regarding a premise known as Lotus Wines, 761 Uxbridge Road, Hayes, UB4 8HY.


I am the above named officer and I currently hold the role of Police Licensing officer for the Metropolitan Police Service posted to the Hillingdon Police licensing department a role that I have held for the past four and half years.

On Wednesday 12th October 2016, I was carrying out visits of licensed premises with Pc Emly Mitchell who is also from the police licensing department, we were also in the company of Ms Kiran Seyan from Hillingdon Trading Standards and Mr Nick Alford who is a counterfeit expert from a company called Surelock, Global Investigators.

At about 11.45hrs we attended Lotus Wines, 761 Uxbridge Road, Hayes, UB4 8HY. On entering the premises we found one male in the premises sitting behind the counter, I recognized this male as Mr Amarjeet Singh a male that used to work in the premises, I am also aware that this male is not permitted to work in this premises and this is a condition of the premises licence.

(Annex 3 – Conditions attached after a hearing by the licensing authority, Para 17 – The premises licence holder shall exclude Mr Ulgeet Singh and his spouse, Mr Jasmeet Singh and his spouse Mr Amarjeet Singh and his spouse from the premises and all of its business and operational activities including all licensable activity at all times).

I identified myself to this male by showing him my warrant card and informed him that we were there to carry out a licensing inspection. I then asked Mr Amarjeet Singh why he was working behind the counter and he stated that he was only covering for Mr Aamir Singh Lamba as he had to pop out for a couple of minutes, he

Signature:  Signature witnessed by:

Continuation of Statement of **IAN C.R.WARES Wt No P193105**.....

was informed that it was a condition on the licence that he was prohibited from working in the premises. I then asked Mr Amarjeet Singh if he was a personal licence holder and He stated that he was not and when asked to produce some id he produced his driving licence to which a copy was made. The fact that Mr Amarjeet Singh was in the premises by himself constitutes a **breach of condition 8 in Annex 3 of the premises licence.**

Mr Amarjeet Singh then phoned Mr Aamir Singh Lamba who returned to the premises about 10 minutes later. On speaking to Mr Aamir Singh Lamba I notice that there was a strong smell intoxicating liquor on his breath, I asked him if he had been drinking and he said it was from the night before, I then asked him if he had driven to the premises.

He stated that he had taken the bus. I asked Mr Aamir Singh Lamba why Mr Amarjeet Singh was working in the shop when he was not allowed to do so; he replied that he had only gone out for a few minutes. I then informed Mr Aamir Singh Lamba that I wanted to view his CCTV to see how long and how often Mr Amarjeet Singh had been in the premises, Mr Aamir Singh Lamba stated the CCTV was defective, I then asked how long it had been defective for and he stated for about the last 4 to 5 days. **Breach of condition 3 Annex 3 of the premises licence.**

I then carried out a full licensing inspection which was recorded on a Form 695 – Record of visit to a licensed premise. During the inspection Seventeen (17) x Bottles of Jack Daniels were examined by Mr Nick Alford from Surelock as they showed signs of being counterfeit, these bottles were seized by Ms Kiran Seyan from Trading Standards so that further enquiries could be made. Whilst seizing this alcohol Ms Seyan asked Mr Aamir Singh Lamba to produce invoices for the Jack Daniels, Mr Aamir Singh Lamba was unable to do this.

Breach of condition 14 Annex 3 of the premises licence.

Incident/Refusals Log.

I then asked Mr Aamir Singh Lamba to show me his incident/ refusals log as having a log is a condition of his premises licence and states the following in **Annex 3 – Para 12 of the premises licence.**

An incident log shall be kept at the premises and shall be made available to Police and Authorised Officers of the Council on request. The incident log shall be used to record any incidents, dates and times and the name of staff member involved.

Incidents can include but not limited to:

- a. All crimes reported by the premises to the Police;
- b. Any incidents of disorder/anti-social behaviour;
- c. Any faults with the CCTV system and details about remedial action/repair;
- d. Any refusal of age restrictions;

Signature:



Signature witnessed by:

Continuation of Statement of **IAN C.R.WARES Wt No P193105**.....

e. Any visit by an authorised officer or emergency services

On inspection of the Incident/Refusals log which commenced in June 2016 when Mr Aamir Singh Lamba was given the new premises licence, it was found to have no entries of any kind in the log. Where there should have been an entry made when the CCTV system became defective. There was another incident on the 4th October 2016 when PCSO Maxine Ward from the local policing team saw two male school children in school uniform standing near the premises one of the males was holding a single cigarette, these males ran off when the officers approached them, she was then approached by a member of the public who stated that he had witnessed a male staff member in Lotus Wines sell a single cigarette to the school boy. The officer entered the premises and challenged the staff member who stated that he did sell a cigarette to a male but he was an adult. Crimint Report No XHRT00321036 completed by the officer who has completed a statement which is attached to the review papers. This incident was not recorded in the log book.

At the completion of the inspection I informed Mr Aamir Singh Lamba that I had found the following breaches of his licence under Section 136(1) LA 2003 – 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.

- 1/ Defective CCTV.
- 2/ Allowing a person who is excluded from the premises in the premises and allowing him to work in the premises
- 3/ Not being able to produce invoices for a quantity of alcohol that was seized as it is believed to be counterfeit.

At 12.22hrs I issued Mr Aamir Singh Lamba with a Form 694 – Notification of alleged offences under the Licensing Act 2003, which he signed and accepted. I then asked Mr Aamir Singh Lamba when he last sold alcohol in the premises and he informed me that it was at about 10.30 that morning. I then informed him that due to the licensing breaches that had been found I was going to issue the premises with a closure notice – under Section 19 of the Criminal Justice and Police Act 2001, I explained to Mr Aamir Singh Lamba that under this closure notice he did not have to close his premises but if he or any of his staff sold any alcohol whilst the notice was in place, they may be committing an offence under Section 136 of the Licensing Act 2003. I then issued him with the Form B699 closure notice which he signed and an instruction page explaining the notice was also issued with the notice.

On leaving the premises Mr Aamir Singh Lamba asked me if his son Jasmeet Singh Lamba could work with him in the premises, I then explained that he could not as this is stated on the premises licence.

It is my opinion even although Mr Aamir Singh Lamba has done a personal licence course and a Designated

Signature:



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Continuation of Statement of **IAN C.R.WARES Wt No P193105**.....

Premises Supervisors course he does not have a good understanding of the Licensing Act and does not know what his conditions are on his premises licence.

On leaving the premises I again asked him if he understood the conditions of the Closure Notice and he seemed confused so I asked him to phone his licensing agent Mr Panchal, who I spoke to and asked him to explain it to Mr Lamba.

Later that day I received calls from Mr Aamir Singh Lamba and Mr Panchal informing me that the CCTV hard drive had been replaced and the CCTV is now working. I informed him that I would attend the next day to speak to him.

On Thursday 13th October 2016 at 11.57hrs Myself and Pc Mitchell attended the premises and spoke to Mr Lamba who stated that the CCTV had been replaced and handed me the remote mouse to look at the system, The CCTV monitor was showing that the cameras were working but I told Mr Lamba that it was for him to show me that the system was working, he stated that he did not know how to work it. I informed him that I would cancel the Section 19 Closure Notice, but I would be returning with a police video officer in a few days for him to examine the system. I then issued a Form 699c – Cancellation of Closure Notice.

On Thursday 20th October 2016, I attended the premises with Pc 1391CO Ian Woodbridge who is an Evidential Images Recovery Officer from the Visual Images, Identification & Detections Office. (VIIDO). On entering the premises we spoke to Mr Aamir Singh Lamba and another male who gave his name as Mr Sambhu Patel, Mr Patel was asked if he was working in the premises and he said that he was not, although he had access to the storeroom and behind the counter. I informed Mr Aamir Singh Lamba that we were there to examine the CCTV system and could he show us how it worked. Mr Aamir Singh Lamba was unable to find the mouse that is needed to operate the system. Fortunately Pc Woodbridge was able to use equipment that he had with him. Pc Woodbridge confirmed that it was a new system and that it had been recording images since the 12th October 2016, I then asked Mr Aamir Singh Lamba where his old hard drive was and he informed me that it had been taken away by the CCTV Company.

During this visit Mr Aamir Singh Lamba started to ask about the bottles of Jack Daniels that had been taken from his premises, he stated that he was a poor man and demanded the bottles back as he has done nothing wrong, and that he doesn't do anything like that. He was informed that there will be official tests carried out on the goods to ascertain as to whether they were counterfeit or Non Duty paid and if the test results come back that they are genuine, then the goods will be returned to him. He was also informed that further enquiries are being made and that there is a very high chance that he is going to be invited into the police station for a PACE

Signature:



Signature witnessed by:

Continuation of Statement of **IAN C.R.WARES Wt No P193105**.....

interview with regards to the licensing breaches found during the visit.

On Wednesday 26th October 2016 at about 14.05hrs I was in the company of Pc Emly Mitchell, when we attended the premises as we wanted to check some documentation, on our arrival we noticed a male standing outside the shop, smoking a cigarette as we entered the shop this male followed us into the premises and then went behind the counter and joined a male who was sitting behind the counter, again we identified ourselves as police licensing officers and showed our warrant cards. I then asked the male who was sitting behind the counter what his name was and he gave it as Mr Rashpal Singh. He stated that he worked there and produced his personal licence. Serial Number [REDACTED] issued by Harrow Council. I then asked the other male what his name was and he gave his name as Mr Sunny Singh from [REDACTED]. I then asked him if he worked in the shop and he stated that he did not and that he was only visiting his friend, I then asked if he had any identification and he stated that he did not.

I then told Mr Sunny Singh that I recognised him as Mr Jasmeet Singh LAMBA and asked him who his father was and he replied Mr Aamir Singh LAMBA the owner of the shop. I then asked him again if he was working in the shop and he stated that he helps out now and again. I asked him if he was working today and said that he was here seeing his friend but he did sell a bar of chocolate to a customer earlier. I then asked him if I could take his photograph and he agreed.

I then informed Mr Jasmeet Singh LAMBA that he was not allowed to be in the premises or allowed to work in the shop and that he was breaching the conditions of the premises licence, he stated that he did not know that he wasn't allowed to work in the shop and asked why he wasn't allowed to work there.

Breach of condition 17 Annex 3 of the premises licence.

I then informed Mr Rashpal Singh that I wanted to see a copy of the following documents:

- 1/ Incident Book for Lotus Food & Wine.
- 2/ Authorisation for staff to sell alcohol.
- 3/ Staff training register.

Mr Rashpal Singh started to look for the documents but did not know where to find them, Mr Jasmeet Singh LAMBA then started to search for the documents and found them in the folder next to the till, and I examined these documents and photographed them.

- 1/ Incident Book still had no entries entered in it.

I exhibit these photos as ICRW/1.

Signature:



Signature witnessed by:

Continuation of Statement of **IAN C.R.WARES Wt No P193105**.....

2/ Authorisation for staff to sell alcohol had the two names on it Aamir .S. Lamba and Amarjeet Singh both of who had signed the document and it was signed by Ulgeet as the DPS and dated 15/04/16.

I exhibit this photo as ICRW/2.

3/ Staff training register again was signed by Amarjeet Singh and Aamir Lamba and was signed by Ulgeet.

I exhibit this photo as ICRW/3.

Breach of conditions 9, 11 and 12 Annex 3 of the premises licence.

I then informed Mr Rashpal Singh that the police wanted a download from the CCTV system and he stated that he did not know how to download the system, I then told him that I wanted a copy of the images taken from 4pm on Tuesday 25th October 2016 until closing on that day and from 10am until 2.30pm on Wednesday 26th October 2016 and that I would attend the premises on Friday 28th October 2016 to pick it up. He agreed that this would be done. I then informed Mr Jasmeet Singh Lamba that he would have to leave the shop, which he did. We then left the premises and returned to the Licensing office at Uxbridge Police Station, on returning to my office I received a phone call from a Mr Panchal who is the licensing agent for Lotus Wines who asked what times we wanted the CCTV downloads and informed him the times required and he told me that it wouldn't be a problem.

On Friday 28th October 2016 at about 10.10hrs I attended the premises with Police Sergeant Karl Spour. On entering the premises we spoke to Mr Rashpal Singh, then handed me two memory sticks and informed me that it was the footage that I had requested. I took the memory sticks back to Uxbridge Police station and examined the images.

1. USB stick dated 25th October 2016 - show images from 4pm until closing time. These images show Mr Rashpal Singh working in the premises and they also show Mr Jasmeet Singh Lamba working in the premises, both males are taking turns sitting behind the till and on several occasions Mr Jasmeet Singh Lamba is seen serving alcohol to customers. Both males were seen to be in the premises for the duration of the CCTV footage.

I exhibit this memory stick as ICRW/4.

2. USB stick dated 26th October 2016 - shows images of the shop being opened in the morning by Mr Aamir Singh Lamba and another unknown male. They remain in the premises until they are relieved by Mr Rashpal Singh and Mr Jasmeet Singh Lamba, who remain on the premises until the police visit the premises.

I exhibit this memory stick as ICRW/5.

On Tuesday 1st November 2016, I received information from Ms Kiran Seyan from LBH Trading Standards informing me that the Seventeen bottles of Jack Daniels that had been seized had been tested and had come back

Signature:



Signature witnessed by:

Continuation of Statement of **IAN C.R.WARES Wt No P193105**.....

as genuine goods.

At 10.40am I accompanied Ms Seyan to Lotus Food & Wine, where we met Mr Aamir Singh Lamba, Ms Sayan explained to Mr Lamba that the Jack Daniels was genuine and returned the goods to him.

During the visit I asked Mr Aamir Singh Lamba if he could produce a copy of his Refusals Book, Training Records and Authorisation to sell alcohol. Mr Aamir Singh Lamba eventually located the documents and gave them to me, on examining these documents it was established that they were the same documents that I had examined during the previous visits. Again no entries had been entered into the incident log with regards to the previous visits by police. **Breach of condition 12 Annex 3 of the premises licence.**



Signature:



Signature witnessed by:

Witness contact details

Home address:
 Postcode:
 Home telephone number Work telephone number
 Mobile/pager number Email address:
 Preferred means 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? **No.** If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **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 Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) 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:

Statement taken by (print name): **Pc 310XH P193105 Ian Wares** Station: **Uxbridge**

Time and place statement taken:

CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001 APPENDIX 2

Date of the Closure Notice: 12/10/16 Time Served: 12.22 HRS

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: IAN C.R WARES P/3102

Signature: [Handwritten Signature]

Name (if applicable) and address of the affected premises:
LOTUS WINES, 761 UXBIDGE ROAD, UAYES, UB4 8HY

Alleged unauthorised use of the premises (section 19 (6)(a))

The officer serving this notice is satisfied that the above premises are being, or within the last 24 hours have been, used for the unauthorised sale of alcohol for consumption on, or in the vicinity of the premises. The specific details of the alleged use are:

SEVERAL BREACHES UNDER S136 LA 2003. 1) DEFECTIVE CCTV 2) PROHIBITED PERSON WORKING IN THE PREMISE 3) NO INVOKES FOR SEIZED ALCOHOL.

Grounds upon which the person serving the Notice was satisfied of the existence of such unauthorised use:

AS ABOVE

Steps that may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring (section 19 (6) (c))

RECTIFICATION OF ABOVE

Third party consideration (section 19.4)

Are there any other persons occupying the premises who need to be informed of this notice?

Yes/No (details) DPS ON PREMISES

If yes they must be issued with a copy of this form

Effect of section 20, Application for closure order.

A failure to take remedial action to prevent further or continued unauthorised use may lead to an application being made to a Magistrates court for a closure order under section 21 Criminal Justice and Police Act 2001.

The Person (if applicable) on whom the closure notice has been served:

Name MR AMIR SINGH LAMBA (DPS) P/L 

Signature X [Handwritten Signature]

Date 12TH OCTOBER 2016

To be handed to the venue with S19 Notice

1. EXPLANATORY NOTES

A police officer has decided to issue this closure notice under the terms of section 19 of the Criminal Justice and Police Act 2001 ("the 2001 Act"). The notice alleges that the said premise has been operating either without premises licence, or otherwise than in accordance with a premises licence. It also details the actions that may be taken by the owner or manager to end the unlicensed sale of alcohol to prevent it reoccurring. Please note that any such unauthorised activity may also constitute a criminal offence under section 136 Licensing Act 2003.

The purpose of this notice is to provide a warning to those responsible for the premises in order that swift remedial action can take place to rectify the unauthorised activity. If the problem continues, or appears likely to continue, the police may apply to the magistrate's court for an order to close the premises.

2. Section 19 of the 2001 Act- Closure Notices

Where a police officer, or an authorised officer from the local authority, is satisfied that any premises are being, or within the last 24 hours have been used for the unauthorised sale of alcohol, for consumption on, or in the vicinity of the premises, he may serve a notice under section 19(3) in respect of the premises. An "unauthorised sale of alcohol" includes a premises with a valid premises licence, but that is operating in breach of its licence conditions. Any person occupying another part of any building or other structure of which the premises forms part whom may have their access adversely affected by the application to the magistrate for a section 20, resulting in a possible issuing of a full closure (Sec 21) by the court must also be issued with a copy of this form.

3. Section 20 of the 2001 Act- Closure Orders

Your attention is drawn to section 20 of the 2001 Act. This provides that the police, or as the case may be the local authority, can take action against the said premises by applying to a justice of the peace at the local magistrates' court for a closure order if the unlicensed sale of alcohol (as alleged in this closure notice) is continuing, or there is a reasonable likelihood that the premises will be so used in the future.

The application for a closure order must be made not less than 7 days, and not more than 6 months, after the date on which this closure notice was served.

After an application for a closure order is made, the justice of the peace may issue a summons requiring the applicant, and also the person or persons on whom the closure notice was served, to attend a court hearing. At the hearing the court will consider the applicant's complaint against the said premises and decide whether a closure order should or should not be made.

In accordance with the Magistrates' Courts Act 1980 and the Human Rights Act 1998 you are entitled to be legally represented at the hearing and to make representations to the court before any decision is taken.

4. Appeals- Section 24 of the 2001 Act

An appeal against a decision by the magistrates' court to grant a closure order, or a decision to refuse an application for a closure order, can be made by an affected person to the Crown Court within 21 days.

5. Enforcement Powers and Offences- Section 25 of the 2001 Act

It is an offence for a person, without reasonable excuse, to permit a premises to be open in contravention of a closure order made by the magistrates court. Any person found guilty of such an offence will be liable to a fine not exceeding £20,000, or to imprisonment for a term not exceeding three months, or to both.

It is also an offence for a person who, without reasonable excuse, fails to comply with any other terms of a closure order made by the court, or does an act which contravenes those other terms. Any person convicted of this offence is liable to a fine not exceeding £5,000, or to three months imprisonment, or to both.

Police officers and authorised officers from the local authority have the power to enter the said premises at "any reasonable time", and do anything reasonably necessary to secure compliance with the closure order (for example, to board up the premises). However, when exercising this power, the constable or the officer must produce evidence of this authority to enter and also his identity before entering the premises, if asked to do so by the owner (or the occupier or the person in charge of the premises).

It is an offence for a person to intentionally obstruct police officers or authorised local authority officers from exercising these powers. Any person convicted of obstructing a police officer is liable to a fine not exceeding £5,000, or to one month's imprisonment, or to both.

Any person convicted of obstructing an authorised local authority officer is liable to a fine not exceeding £5,000.

**METROPOLITAN
POLICE****TOTAL POLICING**

Form 699C

**Cancellation of Closure Notice - Section 19(7) Criminal Justice and Police Act
2001****Details**

Name of Premises:	Lotus Food & Wine		
Address of Premises:	761 Uxbridge Road, Hayes UB4 8HY		
Premises Type:	Off Licence		
Day and Date of Visit:	Thursday 13th October 2016	Time Of Visit:	11.57 hrs.

Name and rank of person making the notice

PC 310XH Ian Wares - Police Licensing Officer

CAD Reference:

N/A

Alleged unauthorised use of the premises (section 19 (6)(a))

Several licensing breaches under Sect 136 of the Licensing Act 2003.

**The closure notice served under S19 Criminal Justice and Police Act 2001 as detailed above
is hereby cancelled with immediate effect (section 19(7))****Grounds for Notice cancellation**

Licensing breaches have been rectified.

Other persons occupying the premises who must be served with a copy of this cancellation

Mr Aamir Singh LAMBA (DPS)

Name and rank of person cancelling the notice

Pc 310 XH Wares Police Licensing Officer

Signed**Date**

13/10/16

Any other commentsThe premises was given a licensing visit by the police licensing team on Wednesday 12th october 2016, the following breaches were found.

1/Mr Armajeet Singh was working in the premises and under a condition on the premises licence he is prohibited to work at the premises.

2/ The CCTV at the premises was defective and had been for 4 to 5 days.

3/ Seventeen bottles of Jack daniels were siezed as they were believed to be counterfeit and the DPS was unable to prduce any invoices for the siezed alcohol.

13-10-16

RESTRICTED

**METROPOLITAN
POLICE**

Police Copy

Notification of alleged offences under the Licensing Act 2003

Venue Name: LOTUS WINES, # REF: (CAD/CRIS etc.) _____
 Address: 761 UXBRIDGE ROAD, HAYES, URBH 8HY
 Date: 12/10/16 Time: 12.07HRS
 Details of person in charge at the relevant time: MR AMIR SINGH LAMBA
 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:

- 1) SECT 136(1) - DEFECTIVE CCTV.
- 2) SECT 136(1) - PROHIBITED MALE SERVING IN THE PREMISE.
- 3) SECT 136(1) - UNABLE TO PRODUCE INVOICES FOR A QUANTITY OF JACK DANIELS 17 BOTTLE BELIEVED TO BE COUNTERFEIT.

Issuing officer: IAN C.R. WARES - POLICE LICENSING OFFICER Print: WARESI 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



METROPOLITAN POLICE

TOTAL POLICING

Licensing Act 2003 - Record of Visit to Licensed Premises

Details	
Name of Premises:	LOTUS WINES
Address of Premises:	761 UXBRIDGE ROAD, HAYES, UB4 8HY
Premises Type / Event:	OFF LICENCE
Date of Visit:	WEDNESDAY 12 TH OCTOBER 2016
Time Of Visit:	11.45 URS

Officers in Attendance	
1.	IAN WARES - POLICE LICENSING OFFICER CAD Reference:
2.	EMILY MITCHELL - " " CRIS Reference:
3.	MS KIRAN SEYAN - LBK TRADING STANDARDS. CRIMINIT Reference:
4.	MR NICK ALFORD - SURELOCK INVESTIGATORS. (GLOBAL COUNTERFEIT EXPERT)

Premises Details	
Is the Premises Licence Summary displayed and correct?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is the Designated Premises Supervisor (DPS) present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Record details of DPS personal Licence (include full name, issuing authority and lic No.)	
MR AAMIR SINGH LAMBA P/L N ^o [REDACTED]	
DPS Contact No.: [REDACTED]	
If No DPS is present provide details of person in charge: MR AMARJEET SINGH.	
Record details of personal Licence (include full name, issuing authority and lic No.)	
NO P/L - THIS MALE IS PROHIBITED FROM WORKING IN THE PREMISES.	
Is the full premises Licence or an endorsed copy available?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
What is the capacity of the premises if shown on premises licence?	N/A
How many persons present (rough headcount)?	N/A
What process is used to record customer numbers (clicker, tickets head count etc)?	
N/A	

Toilets and public areas	
Toilets	
Are the toilets regularly checked by staff?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there a Toilet attendant?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are the toilets covered by CCTV?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are the toilets and environs well maintained?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there any evidence of drugs use in this area? If yes detail evidence (drugs paraphernalia, or evidence obtained from drugs swipes or drugs itemiser)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Smoking area:	
Is there a designated smoking area?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is it covered by CCTV?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is it controlled by staff?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there a re-entry search policy?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Public areas:	
Is the ambient lighting in public areas adequate?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there a VIP area?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does CCTV cover public areas and dancefloor?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Do staff regularly clear glassware?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the premises use plastic drinkware?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there a cloakroom?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the premises have a Medical facility/room?	Yes <input type="checkbox"/> No <input type="checkbox"/>
What percentage of the premises is given over to seating and tables?	%

Premises Staff	
How many staff are on duty?	1
How many Personal Licence Holders on site?	1
Are staff training records available?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is there a trained first aider on duty?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
General attitude of staff	
Helpful <input type="checkbox"/>	Unhelpful <input checked="" type="checkbox"/>
Obstructive <input checked="" type="checkbox"/>	Other <input checked="" type="checkbox"/>

FOUND THE DPS TO HAVE A STRONG SMELL OF ALCOHOL ON HIS BREATH. HIS LACK OF THE ENGLISH LANGUAGE MADE THINGS DIFFICULT.

Actions

Have any breaches in licensing conditions been identified?

Yes No

Details of breaches

- 1/ BREACH OF LICENCE CONDITION - ALLOWING A PROHIBITED PERSON TO BE IN CHARGE OF THE PREMISES.
- 2/ BREACH OF LICENCE CONDITION - DEFECTIVE CCTV.

Section 19 (Police and Criminal Justice Act 2001) Closure notice issued?

Yes No

Is an action plan required as a result of this visit?

Yes No

Is a warning letter required as a result of this visit?

Yes No

Detail grounds for action plan and or warning letter?

AS ABOVE.

Are there other offences or issues relevant to partner agencies (ie fire, environmental health, HM Customs and Excise, Etc).

Appropriate Agency: LBU - TRADING STANDARDS MS KIRAN SEYAN.

Details: 17 BOTTLES OF COUNTERFEIT JACK DANIELS SEIZED.

Details of whom referral passed to

TS ON SCENE WITH POLICE.

Does the premises require a further visit?

Yes No

By what date should this visit be completed

TBC

General Notes

THIS PREMISES IS BEING RUN BY PEOPLE WHO HAVE VERY LITTLE RESPECT AND UNDERSTANDING OF THE LICENSING ACT 2003.

Further action by Licensing Office

THE LICENSING OFFICE IS MAKING AN APPLICATION FOR THE PREMISES TO BE TAKEN TO A LICENSING REVIEW HEARING.

RESTRICTED (when complete)

MG 11 (T)

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 Maxine Ward..... URN:

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

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: PCSO 7608XH WARD Date: 14/10/2016

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

I am a Police Community Support Officer based at Hayes Police Station on the East Cluster.

On 19/09/2016 at approximately 1500hrs, I was on foot patrols on UXBRIDGE ROAD HAYES.

I saw 2 male children wearing school uniforms. They were wearing dark blazers with badges on the chest pocket. They were standing on the parade of shops that LOTUS FOOD AND WINES 761 UXBRIDGE ROAD HAYES is located. I noticed that they were looking at me. One of them appeared to have an unlit cigarette in his hand. Realising I had noticed them, they ran off.

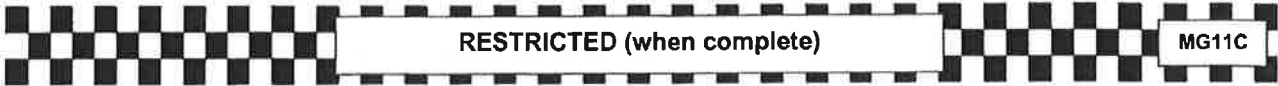
I was then approached by a member of the public who informed me that the male serving behind the counter in LOTUS FOOD AND WINES had sold a cigarette to school children whilst the member of the public was also in the shop.

I entered the shop and spoke with the male employee behind the counter. He did admit to someone asking to buy a cigarette but stated the male was an adult.

I gave words of advice regarding the selling of cigarettes to persons under age. PCSO 7608XH WARD

Signature: PCSO 7608XH WARD , Signature witnessed by:

RESTRICTED (when complete)



WITNESS STATEMENT

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

URN

Statement of: Ian WOODBRIDGE

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: Ian WOODBRIDGE PC 1391CO

Date: 20/10/2016

I am Police Constable Ian WOODBRIDGE Shoulder number 1391CO

I am employed as the Evidential Images Recovery Officer for the Directorate of Forensic Services Forensic Imagery Team, West Area Hub Visual Images, Identification & Detections Office.

On 20/10/2016 at 10.15 I attended Locus Food & Wines, 761 Uxbridge Road, Hayes, UB4 8HY. I was asked to attend by PC Ian Wares, Hillingdon Borough licensing officer, to check that a CCTV system within the shop was working.

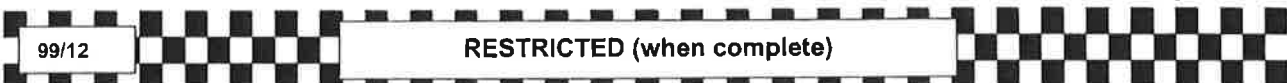
I found that the CCTV system was working correctly and the footage was recording correctly. The first recorded date of footage was on 12/10/2016 and footage had been recorded right through to the current date.

[Handwritten signature] C1391CO

Witness Signature: Ian WOODBRIDGE PC 1391CO

[Handwritten signature] C1391CO

Signature Witnessed by Signature:



DATE:		TIME:	
DESCRIPTION OF INCIDENT:			
ACTION TAKEN/OUTCOME:			
NAME:		POSITION:	
PREMISES SUPERVISOR(DPS):		DATE ENTRY CHECKED:	

DATE:		TIME:	
DESCRIPTION OF INCIDENT:			
ACTION TAKEN/OUTCOME:			
NAME:		POSITION:	
PREMISES SUPERVISOR(DPS):		DATE ENTRY CHECKED:	

DATE:		TIME:	
DESCRIPTION OF INCIDENT:			
ACTION TAKEN/OUTCOME:			
NAME:		POSITION:	
PREMISES SUPERVISOR(DPS):		DATE ENTRY CHECKED:	



**PERSONAL LICENCE
COURSES LTD**

INCIDENT BOOK

LOTUS FOOD & WINE

761 Uxbridge Road, Hayes, UB4 8HY

**ALL INCIDENTS OF CRIME AND DISORDER
MUST BE WRITTEN IN THIS BOOK
POLICE MUST BE INFORMED IF APPLICABLE**



Highfield

awarding body for compliance

Approved HABC Centre

Where Service Matters

ncfe

Personal Licence Courses Ltd, Studio 8, Hayes Business Studio, Hayes Campus, College Way, Hayes,
UB3 3BB, TEL: 020 8606 0558/07952990536

