

Appendix D Representation from Metropolitan Police



**METROPOLITAN
POLICE**

TOTAL POLICING

Date: 14th June 2017

The Licensing Officer
Licensing Services
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
UB8 1UW.

**Hillingdon Borough
Licensing Dept.
1 Warwick Place
Uxbridge Police Station
Uxbridge
Hillingdon
UB8 1PG.**

Telephone: 020 8246 1933

Mobile: [REDACTED]

Email: Licensing-xh@met.pnn.police.uk

Your Ref – Ahuja's

Dear Sir/Ma'am,

Re: Ahuja's 1-3 Redmead Road, Hayes UB3 4AU - Premises Licence Review.

The Police would like to make representations concerning this review:

The premises known as Ahuja's is licensed under the name of Guru Kirpa Traders Ltd, a company registered with Companies House under No 09391095. The sole director is Mr Rajinder Singh KURANA.

Two visits to the premises of Ajuhas which conducted with London Borough of Hillingdon Trading Standards.

The first visit was conducted with Trading Standards on the 7th December 2016. A male by the name of Muhammed Iqbal was working in the premises and serving behind the counter when the visit commenced. This male seemed to have limited English and could not answer simple questions put to him by either the Police or Trading Standards.

Immigration checks were carried out and it showed that he had entered the UK in 2005, but had failed to comply with a temporary release in 2011. Mr Iqbal was arrested for the immigration offence and taken into custody.

Whilst detained, Mr Iqbal's English improved and he informed Police that he worked in the shop from 08.00 hours to 18.00 hours each day and for this work he was paid £300.00 a week in cash.

Trading Standards later informed Police that a large quantity of cigarettes were seized from the store.

A second visit to the premises was carried out with Trading Standards on 19/05/2017. The visit was made to inform the owner Rajinder Singh Khurana that the police were proposing to review the premises licence.

When Police and Trading Standards arrived at the premises they saw a male standing behind the counter. On arrival of the Police this man quickly came round to the customer side of the counter. The male introduced himself as Captain Singh.

Captain Singh said that no-one was working in the shop and that he was just looking after the premises for 5 minutes whilst the manager had to go off somewhere. As 'no-one' was apparently working in the shop a sec 19 Closure Notice was completed.

Following immigration checks 'Captain Singh' was arrested for immigration offences.

The designated premises supervisor (DPS), Mr Khurana, later attended and the section 19 closure notice was lifted.

I have been informed by Trading Standards that from the visit dated 7th December a mixture of following counterfeit and non-duty paid goods were seized from Ahuja's,

Cigarettes - 4565
Hand Rolling Tobacco – 3050g
Oral Tobacco 2589g
Bollywood DVD's 450.

I do not believe the Premises Licence Holder Mr Khurana has acted responsibly or legally. He has failed to observe the Prevention of Crime and Disorder objective. It is my belief based on the evidence of the two immigration arrests at the premises that the Designated Premises Supervisor and Premises Licence Holder Mr Khurana through his company Guru Kirpa Tradrs Ltd was employing staff illegally.

Police would like to see the premises licence for this venue revoked due to the obvious illegal activity that has been found to be taking place and the inability of Mr Khurana, to uphold the Crime and Prevention Objective.

Should revocation not be granted Police would like to see the following conditions on the Premises Licence along with the current conditions;

1/ The premises licence holder must at all times know who is working at the premises and that includes any person, whether they are behind the counter or in the staff-area and that he establishes that those persons have the appropriate status to legally live and work in the UK and that their authority to stay in the UK does not include conditions that may prevent their working at the establishment. The premises licence holder must have copies of immigration status of every person employed or not employed but present at the premises and working on behalf of the licence holder and these must be made available to Police, immigration officers and authorised local authority officers on request.

2/ All alcohol products shall be stored in direct line of sight from the cashier's position and not obscured by other displays or shelving. If any part of the display is obstructed then this must be covered by CCTV

3/ Products with above 35% volume shall be stored behind the counter.

4/ No alcohol products shall be displayed within 2 metres of the door

5/ Proof of age scheme shall be in operation

6/ No open containers shall be removed from the premises.

7/ If the CCTV system should at any stage fail to operate and record properly then the police licensing officer and the local authority should be notified and the defect should be rectified as soon as possible.

8/ The tills should be fixed to the counter.

9/ No drugs paraphernalia should be sold on the premises, these include but are not limited to; Cannabis grinders, snap bags, electric scales and pipes which can be used for smoking crack or cannabis.

Yours Sincerely,

E. Mitchell PC 372 XH

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Police Licensing Enforcement Officer
Hillingdon Borough.

WITNESS STATEMENT

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

URN

Statement of: PC Mitchell 372 XH

Age if under 18: (if over 18 insert 'over 18') Occupation: Police Licensing 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: [REDACTED]

Date: 13/06/2017

I am the above Police Licensing Officer for Hillingdon Borough. This statement refers to two visits to the premises of Off Licence known as, 'Ahuja Superstore', 1 - 3 Redmead Road, Hayes, UB3 4AU. The visits were joint with London Borough of Hillingdon Trading Standards.

This first visit was carried out on 7th December 2012. Present were trading standards and police officers, PC 102 XH Bates and Myself.

A male by the name of Muhammad IQBAL 06/10/1968 was serving behind the counter when the visit commenced. When spoken to it was clear that he had very limited English and could not answer very simple questions about the licence or the summary that were not available or on display. For some reason the only thing that was on display was the personal licence of Rajinder Sing KURANA No - LBHIL2237.

Immigration checks were carried out on IQBAL and it showed that he entered the uk in 2005, had failed to comply with a temporary release in 2011 and was arrestable for that offence. IQBAL was arrested by 102 XH and taken to Polar park police station.

During the wait for custody at Polar park IQBAL's English improved a great deal, he stated that he had been working at the store for a number of weeks and that he worked from 0800 to 1800 in the evening. He stated that he was paid £300 cash for working.

This male was arrested by PC 102 XH and taken to Polar Park Custody Suit where his detention was authorised. Trading Standards remained at the scene and later informed us of a large quantity of counterfeit cigarettes which were seized from the store.

The second visit carried out was on 19/05/2017. This was with PS Spour, PC 372 XH and Trading Standards. The purpose of this visit was to inform the owner that the premises were to be going to a review. When police and Trading Standards arrived at the premises a male who had been stood behind the counter (who gave his name as Captain Singh) quickly raced round to the customers side of the counter and explained to us that he was not working in the premises. Again this male had limited English, he was an older gentleman. He did tell us that no-one was working in the shop and the manager had just popped out. Police searched the area of the shop floor and store room area to confirm that no-one was actually working here. A customer wanted to purchase some items, but we explained that he couldn't as no-one was actually working in the shop. I did not believe the male that he was not working in the shop. But I had to deal with the information he provided and I issued a

Witness Signature: [REDACTED]

Signature Witnessed by Signature: [REDACTED]

Continuation of Statement of:

Sec 19 closure notice to the premises and there was no-one on site to serve the alcohol and the premises had been left to a male who did not work in the shop to look after the alcohol. PS Spour did name checks on 'Captain Singh' It transpired that immigration had no record of this male entering the United Kingdom which meant that he had entered the country illegally. He was arrested for the offence, however immediately de-arrested as we were advised that no-one in immigration was able to deal with the gentleman on this occasion.

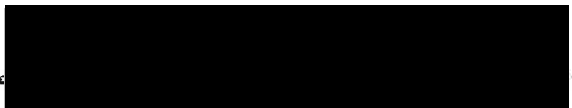
I exhibit the following documents

Copy of the Sec 19 Closure notice EM/1

Copy of the Notification of alleged offences EM/2



Witness Signature:



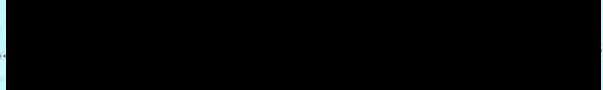
Signature Witnessed by Signature:

CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001

Date of the Closure Notice: 19/5/2017 Time Served: 10:43

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: Pc MITCHELL 372 X-11

Signature: 

Name (if applicable) and address of the affected premises:
Abuya's Superstore
1-3 Redwood Road URB 4441

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:

no one on the premises authorised to serve
Alcohol. One male looking after the shop but states
he is not working here. Mr Captain Singh

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

Sec 136 (1) Carrying on or attempting to carry
on a U

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))

full closure of the premises

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) _____

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 Captain Singh -

Signature  I do not work in the shop

Date 19/05/2017



Notification of alleged offences under the Licensing Act 2003

Venue Name: Ashya's REF: (CAD/CRIS etc.) _____

Address: 173 Redmead Road Hayes UB7 4AU

Date: 19/5/17 Time: 11:05

Details of person in charge at the relevant time: Mr Captain Singh

- Arresting for Immigration DPS Personal Licence Holder

Summary of alleged offences identified

- De arrested at 11:05 due to immigration unable to deal.

- 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:

Employing an illegal immigrant who has entered the country illegally. (he denied working here)

Unable to provide CCTV.

leaving the premises insecure. (if the male wasn't working then shop. message)

Issuing officer: P Mitchell 377xH Print: P Mitchell 372xH

I acknowledge receipt of this form: (venue) _____

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