



HILLINGDON
LONDON

Steven Dormer
Licensing Officer

Reference; SW/19/LA03

Your Reference;

Date; 9th January 2019

Dear Madam,

**ROC COTTAGE, SWAKELEYS ROAD, ICKENHAM
THE LICENSING ACT 2003**

I am writing to you as the Officer duly authorised to make representations on behalf of the Licensing Authority, in regard to the review of premises licence application submitted by the Metropolitan Police Service, for the above premises.

The Licensing Authority are extremely concerned to learn of the most recent activity taking place at the above premises and feel that it is necessary to submit a representation to the Licensing Sub-Committee under the licensing objective; Prevention of Crime and Disorder.

The current Premises Licence has been in force since November 2005 and has very recently been transferred into the current operators 'HNQ Brothers Ltd' of which, Mr Quan Xiao and Mr Zehao Wang are the Directors. Mr Quan Xiao is the named Designated Premises Supervisor with a Personal licence from the London Borough of Ealing.

The review application is concerned with the presence of illegal workers being found at the premises on 2 separate occasions; 21st September 2018 and 9th November 2018 resulting in a total of 8 illegal workers being employed at the premises.

Civil Penalty referrals for all 8 illegal workers have been issued on the Directors of HNQ Brothers Ltd.

At the time of both visits, Mr Zehao Wang was present and interviewed by the Immigration Officers. Mr Wang stated that he is not involved with the employment of staff and said that this was the responsibility of his business partner and fellow director, Mr Quan Xiao. This is quite a sensational claim by Mr Wang given that he is a director of the licence holder company and also the person who was present at both visits.

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I would therefore suggest that Mr Wang is either grossly negligent in his supervision of activities taking place within the premises or that he is knowingly allowing or participating in this criminal and exploitative behaviour.

If either scenario is correct, the licence holders have not demonstrated that they are capable of upholding the licensing objectives and should therefore have their licence revoked.

Regarding the very recent transfer of the premises licence and variation of the Designated Premises Supervisor, I have the following comments and observations to make.

The Licensing Service became aware that the premises may have changed hands in August 2018 following a refurbishment at the premises. The Licensing Service made contact with the manager at the premises, Mr Quan Xiao and advised that the applications must be submitted as a matter of urgency.

After some difficulty, Mr Xiao made incomplete applications to the Licensing Service on 2nd October 2018. Mr Xiao was offered assistance with completing the paperwork and instructed on the process. Despite this, Mr Xiao did not submit valid applications meaning that alcohol sales were not being made under a lawful authorisation.

It later came to the attention of the Licensing Service that the premises actually changed hands more than 2 years ago.

After much delay in making valid submissions, Mr Xiao's applications were accepted and processed on 18th December 2018, with the new licence being issued on 20th December 2018.

I do not believe that either Mr Wang or Mr Xiao have a full grasp on the regulatory and legal requirements of running a licensed establishment nor have they been able to demonstrate that they take licensing matters seriously.

Furthermore, the premises does not have an up to date Food Registration as required under Food Safety Law. The current and only registration for the premises remains under the previous operators name.

There are matters which the government guidance, issued under Section 182 of the Licensing Act 2003, requires Licensing Authorities to treat with the utmost seriousness when determining review applications. These include the use of licensed premises for;

- The employing of a person who is disqualified from that work by reason of their immigration status in the UK.

Section 11.28 of the Section 182 Guidance also states that revocation should be seriously considered in the first instance where the Licensing Authority believe that the Crime Prevention licensing objective has been undermined.

There is a duty for the Licensing Authority to ensure that the Prevention of Crime and Disorder licensing objective is upheld in order to protect residents and particularly those most vulnerable in our community.

In light of the above, I fully support the Police's recommendation for revocation.

I intend to be present at the hearing to verbally deliver my representation and also to answer any queries from the Licensing Sub-Committee.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Stephanie Waterford', with a small dash at the end.

Stephanie Waterford
Licensing Service Manager
Licensing Authority Representative