



# HILLINGDON

LONDON

Mr Steven Dormer  
Licensing Officer

Reference: LAK/20/LA03

Your Reference:

Date: 28<sup>th</sup> October 2020

Dear Mr Dormer,

**JUST PIZZA PLUS, 206 FIELD END ROAD, EASTCOTE, HA5 1RD**  
**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 application for a premises licence submitted by Sheayar Khan, for the above premises.

The application seeks a new premises licence for late night refreshment for a fast food takeaway and delivery business with the licensable activity taking place from 23:00 until 03.00 hours Monday to Sunday. Closing time will be 03.00 hours respectively on those days.

The Licensing Authority wishes to make a representation against the application as proposed based on the following licensing objectives:

**The prevention of crime and disorder**  
**The prevention of public nuisance**

**Prevention of Crime and Disorder**

The Licensing Authority is concerned about the ability of the applicant to uphold this objective due to the following examples of breaches of legislation.

On 18<sup>th</sup> August 2020, the Licensing Department received a Members Enquiry in relation to the above premises which contained allegations that the business was operating into the early hours of the morning, sometimes until 4am, seven days a week.

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The provision of late night refreshment, which is the supply of hot food and drink between the hours of 11pm and 5am, requires a premises licence under the Licensing Act 2003. No such licence was in place at the premises at this time.

The requirement for a premises licence in order to offer late night refreshment was communicated by officers to the business by telephone on 18<sup>th</sup> and 19<sup>th</sup> August 2020. However, officers from the Council's Anti-Social Behaviour Team visited the premises on 5<sup>th</sup> and 6<sup>th</sup> September 2020 and confirmed that the premises still continued to operate after 23:00 hours without the appropriate licence (see attached).

An email was sent to the applicant on 7<sup>th</sup> September 2020 (see attached) informing them that they needed to refrain from carrying out unlicensed activities immediately. A further warning letter was sent to the applicant on 14<sup>th</sup> September 2020 (see attached). On 15<sup>th</sup> September 2020 verbal assurances were received from the applicant's representative that the business would not operate after 23:00 hours without the correct authorisation.

Unfortunately, the applicant's history of non-compliance continued when on Saturday 26<sup>th</sup> September 2020, my colleague and I observed the business operating past the 22:00 curfew imposed on hospitality businesses by The Health Protection (Coronavirus, Restrictions) (No 2) (England) Regulations 2020. A warning letter was subsequently sent to the applicant on 28<sup>th</sup> September 2020 (see attached). Further visits were made to the premises on 16<sup>th</sup> and 24<sup>th</sup> October 2020 to check compliance with the curfew and it was noted on both occasions that the premises were closed to the public at 22:00 hours.

These incidents are disappointing and do not instil confidence in the ability of the applicant to operate his premises in a responsible manner. It should be noted that breaches of the Licensing Act 2003 and The Health Protection (Coronavirus, Restrictions) (No 2) (England) Regulations 2020 are offences under this legislation.

### **The Prevention of Public Nuisance**

The premises is situated within a parade of shops which have residential properties above, there are residential properties above the shops in the parade opposite and there are residential premises around the corner in Elm Avenue (adjacent to the rear of the premises). Therefore, it is surprising to find that the operating schedule does not contain a more robust nuisance prevention plan, given the proposed licensable activity and hours of operation.

In addition, the Licensing Authority is aware of a Members Enquiry in relation to this premises which contains allegations of anti-social behaviour in the early hours of the morning namely; noise from delivery mopeds, noise from customers coming and going, noise from customer vehicles and noise from car engines left running. At the time of the September visits, the Council's Anti-Social Behaviour Team were unable to substantiate the allegations. However, concerns still remain as to how the applicant will uphold this objective given the lack of a nuisance prevention plan.

The Licensing Authority is also concerned that the proposed hours for the licensable activity to take place would further undermine the public nuisance licensing objective due to creating a noise nuisance to residents in neighbouring properties.

The applicant may wish to discuss this representation and in which case I will keep you fully updated.

The Licensing Authority representative intends to be present at the hearing to verbally deliver their representation and also to answer any queries from the Licensing Sub-Committee.

Yours faithfully

Lois King  
Principal Licensing Officer  
Licensing Authority Representative



**Lois King**

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**From:** Craig Lloyd <clloyd@hillington.gov.uk>  
**Sent:** 07 September 2020 00:46  
**To:** licensing  
**Subject:** Just Pizza, 206 Field End Road

Hi

We received a report of the above premises being open outside of their agreed hours of business, as a result of this report we have carried out site visits during the evening to witness any activity from the premises, please see a breakdown of what officers witnessed.

5/9/20 at 00:39 hours, a sign in the window stated that the premises were closed despite the door being open. At 00:40 we witnessed a male pull up in a car, he entered the premises and walked away with four pizzas, he placed these in an insulated box in the boot of his car the male appeared to be a delivery driver, possibly uber.

6/9/20 at 01:01 hours, door open, sign in window stating that they were open. A white male wearing a black top with a red and black hat left the premises with a pizza box. At 01:10 an asian male with short black hair entered the shop and left with three pizza boxes, he placed them in his car and left the location.

6/9/200 at 23:45, door open and sign in the window stating that the shop was open, we witnessed a male enter the shop and leave with a pizza, he placed this in an insulated box in the boot of his car, possible uber delivery driver.

It would appear that the owners of these premises are pushing their luck as they do not have the required permission to trade during these hours. Is there any action available to you?

# Regards

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Craig Lloyd  
London Borough of Hillingdon  
Residents Services  
ASB & Environment Team  
Civic Centre  
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## Lois King

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**From:** Steven Dormer <sdormer@hillingdon.gov.uk>  
**Sent:** 07 September 2020 14:25  
**To:** sheayar786@yahoo.com  
**Cc:** Lois King; Ross Forsyth  
**Subject:** Just Pizza, 206 Field End Road, Eastcote

Dear Sir,

It has come to the attention of the council that your business is operating past permitted hours. In order to serve hot food and drink above ambient temperature after 23:00 a premises licence is required.

I am aware you know this as you have tried to apply for one. Before any serious legal action is taken please refrain from carrying out unlicensed activities immediately.

I understand you have been speaking to Lois King and Ross Forsyth on this matter. Please look at the last correspondence sent by those officers. Follow the instructions set out in the correspondence.

Please be aware enforcement officers are in receipt of complaints and this will be taken into account when your application is submitted.

You may wish to seek legal advice on the above matter.

*Steven Dormer - Licensing Officer  
Licensing Services  
London Borough of Hillingdon  
Civic Centre  
High Street  
Uxbridge, UB8 1UW  
01895 277409*







# HILLINGDON

LONDON

Mr Sheayar Khan  
Just Pizza Plus  
206 Field End Road  
Eastcote  
HA5 1RD

Our Ref: MAU 026448

Your Ref:

Date: 14<sup>th</sup> September 2020

Dear Sir,

**JUST PIZZA PLUS, 206 FIELD END ROAD, EASTCOTE, HA5 1RD  
THE LICENSING ACT 2003**

The council, as licensing authority, has recently been informed that you may have allowed the above premises to provide licensable activities without the necessary authorisation under the Licensing Act 2003. I refer to the provision of Late Night Refreshment.

You are aware that your application for a Premises Licence for Late Night Refreshment was returned as incomplete as you had not provided Sect 18 details as to how you would promote the 4 main Licensing Objectives.

During a conversation regarding your application, you advised me that you would employ the services of a solicitor or agent to make the application on your behalf. To date the Licensing Department have not received a revised application for the above named premises.

Until such a time that you have been issued with a premises licence for Late Night Refreshment, to permit you to trade between the hours of 23:00 and 05:00, you must not continue to offer hot food or drinks between these times.

The Licensing Service have been made aware that you have continued to trade after 23:00 on a number of occasions recently, which has been witnessed by other Local Authority Officers. I must also inform you that these occasions were also subject to noise

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complaints which are being investigated separately by the Councils Anti Social Behaviour Team.

You are advised that knowingly allowing licensable activities to take place without the necessary authorisations is an offence under S136 of the Licensing Act 2003 and carries a maximum sentence of 6 months in prison and/or £20,000 fine. It is important therefore that you comply fully with the requirements of the Licensing Act 2003.

Please be advised that the licensing service will not carry out a investigation into your premises opening after 23:00hrs and should you be found to be trading after this hour, a file will be passed to the Authority's legal practice recommending that a prosecution be commenced.

You should contact me immediately on the number provided if you have any comments on this letter.

Yours sincerely,

Ross Forsyth

Licensing Services Officer



# HILLINGDON

LONDON

Mr. S. Khan  
Just Pizza Plus  
206 Field End Road  
Eastcote  
HA5 1RD

29 September 2020

Dear Mr Khan

**RE:- COMPLIANCE WITH COVID BUSINESS REGULATIONS;**

- **THE HEALTH PROTECTION (CORONAVIRUS, COLLECTION OF CONTACT DETAILS ETC AND RELATED REQUIREMENTS) REGULATIONS 2020**
- **THE HEALTH PROTECTION (CORONAVIRUS RESTRICTIONS) (OBLIGATIONS OF HOSPITALITY UNDERTAKINGS) (ENGLAND) REGULATIONS 2020**
- **THE HEALTH PROTECTION (CORONAVIRUS, RESTRICTIONS) (No. 2) (ENGLAND) REGULATIONS 2020**
- **THE HEALTH PROTECTION (CORONAVIRUS RESTRICTIONS) (ENGLAND) (No.3) REGULATIONS 2020**

You will be aware that the Councils Regulatory Officers have been carrying out regular visits and interventions to business premises since the start of the lifting of the lockdown restrictions.

Ultimately, any second wave of Covid-19 will affect all businesses severely, and restrict livelihoods for a longer period than it already has.

The law for your industry now requires all businesses to comply with the Coronavirus Regulations and it is our best chance of preventing a local lockdown in this area, as is happening right now in other parts of the UK.

On a visit carried out by Officers on the evening of Saturday 26<sup>th</sup> September 2020, the following breach of the above regulations was found at your premises;

- 1) The premises were found to be operating past the 22.00 curfew. At 22:16 Officers observed 5 members of the public standing at the servery counter inside your premises. After 22:00 takeaways can only sell food or drink for consumption off the premises by making deliveries in response to orders received through a website or

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other online communication, by telephone including orders by text message or by post, or to a purchaser who collects the food or drink in a vehicle and to whom the food or drink is passed without the purchaser or any other person leaving the vehicle.

You are advised that this breach is subject to enforcement by way of a £1,000 Fixed Penalty Notice.

On this occasion, I am prepared to serve you with this letter as a warning and would urge you to rectify this breach immediately or you will be fined if these breaches have not been rectified.

Our enforcement officers will be visiting your business again by Saturday 3<sup>rd</sup> October to ensure these measures have been implemented.

Yours sincerely

Jean Palmer OBE  
**Deputy Chief Executive, Corporate Director**  
**Residents Services**