

Meeting of the

LICENSING SUB COMMITTEE

Tuesday, 14 January 2014 at 6.30 p.m.

SUPPLEMENTAL AGENDA

	PAGE NUMBER	WARD(S) AFFECTED
4 .1 Application to Review the Premises Licence for A & Y Wines, 116 Brick Lane, London, E1 6RL	1 - 8	Spitalfields & Banglatown

Additional documents submitted on behalf of the Metropolitan Police.

"If the fire alarm sounds please leave the building immediately by the nearest available fire exit, to which a Fire Warden will direct you. Please do not use the lifts. Please do not deviate to collect personal belongings or vehicles parked in the complex. If you are unable to use the stairs, a member of staff will direct you to a safe area. On leaving the building, please proceed directly to the Fire Assembly Point situated by the lake on Saffron Avenue. No person must re-enter the building until instructed that it is safe to do so by the Senior Fire Marshall. The meeting will reconvene if it is safe to do so, otherwise it will stand adjourned."

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact:

Simmi Yesmin, Democratic Services

Tel: 020 7364 4120, E-mail: simmi.yesmin@towerhamlets.gov.uk

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Simmi Yesmin

From: MARK.J.Perry@met.pnn.police.uk
Sent: 09 January 2014 13:18
To: Simmi Yesmin
Subject: A& Y Wines review
Attachments: p205619_090120141729_001.pdf.pdf; p205619_090120141730_001.pdf.pdf;
p205619_090120141731_001.pdf.pdf; p205619_090120141732_001.pdf.pdf;
p205619_090120141733_001.pdf.pdf

Hi Simmi,

Here is the additional evidence:

- 1) Statement from APS Scott Manning
- 2) Statement Brendan O'Rourke
- 3) Photograph of weapon found at A & Y wines.
- 4) Picture of people drinking alcohol outside A & Y wines found on 15th December at 00:30

Can the picture of the weapon and the people drinking outside please be in colour?

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 **Brendan Paul O'ROURKE** URN:

01	HT	2797	13
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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 230222**

This statement (consisting of: ... **2**..... 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: *B O'Rourke* *14/11/13* Date: **14/11/2013**.....

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

This statement is in relation to the execution of a Section 8 PACE warrant at **Muhib Restaurant, 73 Brick Lane** and the arrest of **Mr. Monir MIAH** at **A&Y Wines 116, Brick Lane** (Officer's original notes commenced 11:00 hrs in my own company at Limehouse Police Station).

On Tuesday, 12th November 2013, I attended at Thames Magistrates and laid information before the District Judge and obtained a Section 8, PACE 1984 search warrant for **Muhib Restaurant at 73, BRICK LANE LONDON E1 6RL** in relation to an Affray that occurred at approximately 16:05 hours on Sunday 8th September 2013 in which staff are seen to run out of Muhib and attack males in the street.

On Wednesday, 13th November, I was on duty in plain clothes when I entered with uniformed officers from the Borough Tasking Team and the Brick Lane Problem Solving Team **Muhib Restaurant at 73, BRICK LANE** and having indentified myself to the manager who I now know to be **Mr. Elias MIAH**, at 19:27 hours I executed the warrant explaining to **Mr MIAH** why police were there. The restaurant was quiet with only three tables occupied with customers, to whom I apologised to for disturbing their evening and gave each an information leaflet explaining as to why police were present.

A search of the restaurant was conducted and it was thought a golf club was used in the original assault, which was not found - however items that may resemble a golf club were found and would be typical in any Bengali/Indian restaurant in which a Shahi Tandoor oven was used and accompanied with tandoori skewers, typically a stainless steel rod 65 cm long with a wooden handle - used to cook food on or pull out freshly cooked nan bread etc. Due to there being 15 or so of these items and them now being an obvious item in the kitchen they were not seized in evidence.

Before the search was completed I was advised by **A/PS 686HT MANNING** that he believed one of the

Signature: *B O'Rourke* *14/11/13* Signature witnessed by: **N/A**

Continuation of Statement of **Brendan Paul O'ROURKE**.....

suspects was in a shop directly opposite Muhib Restaurant called A&Y Wines, 116, Brick Lane and I was aware that shortly afterwards A/PS MANNING arrested a male for Affray, I now know to be Monir MIAH, DOB 27/02/1972. I then assisted in a Section 32 PACE search of A&Y Wines and found behind the counter and hidden out of view a thick metal bar, approximately 14"-16" long, it had red rubber bands put around the base with sellotape above and below, which in my view had obviously been put on it to form a grip and therefore the iron bar had become a made or adapted weapon (photocopy attached). I seized this in evidence as exhibit BOR/1 and sealed it in an evidence bag D43815660. It was later booked into the property store book 105/7159.

I gave the item to A/PS MANNING who then further arrested Mr MIAH for being in Possession of an Offensive Weapon.

Mr MIAH was conveyed, via two home addresses he had given in which Section 18(5) PACE searches had been conducted.

At 22:26 hours I conducted a tape recorded interview at Limehouse Police Station, which concluded at 22:41 hours. I sealed the master tape as exhibit BOR/2 - seal D0141626V, booked into the property store book 105/2108.

Completed at 11:45 hrs *SPO Burke 11/2/14*

Signature: *SPO Burke 11/2/14* Signature witnessed by: N/A.....

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 **SCOTT MANNING**

URN:

01	HH	2797	13
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Age if under 18 Over 18 (If over 18 insert 'over 18') Occupation: **Police Constable/Staff Warrant No.**

This statement (consisting of: 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: **13/11/13**

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

Statement made as original notes at Limehouse Police Station in the BTT office between 2200 hrs and 2230 hrs on 13/11/2013. The incident was still fresh in my mind when making this statement. No Other person present.

On Wednesday 13th NOVEMBER 2013 I was on duty in full uniform in company with officers from the Borough Tasking Team B and Pc Brendan O'ROURKE 291HT. At approx 1730 hours I attended a briefing given by PC O'ROURKE on a section 8 search warrant that we would be executing at a restaurant named MUHIB in BRICK LANE E1. We were shown CCTV and slides of an incident that occurred in Brick Lane on September 8th 2013, where males were fighting in the street with weapons. We were informed that some of the individuals on the CCTV were believed to be restaurant owners and people that worked in Brick Lane. There was a significant male pointed out on the CCTV that was asian and approx F504 and was fat with a red tee shirt on This male had been seen with what was believed to be a golf club or similar object. This male was seen to attack other people involved in the incident. After the briefing we went to BRICK LANE police office and met with plain clothes officers. After a short while we went to the location and at approx 1935 hours we entered the property and conducted the search. After a short while I saw a male in the shop opposite who looked identical to the male in the CCTV who wore the red Tee shirt. I went across the road to the shop that was an off licence named A and Y off licence 116 Brick Lane. I approached the male and I informed him of what we were in the address opposite. I now know this man to be Monir MIAH 27/02/1972. He said "I don't know, no fighting." I then explained to him that I believed that he matched the description of a male that was seen in the street with a weapon on the 8th September 2013. He said "No". At 1955 hours I said to MIAH "Ok because you match the description of a male that was fighting in the street on the 8th SEPTEMBER 2013 I am arresting you for AFFRAY so that you can be interviewed on tape regarding the offence for a prompt investigation." He was fully cautioned and replied "OK" We then conducted a

Signature: 

Signature witnessed by:

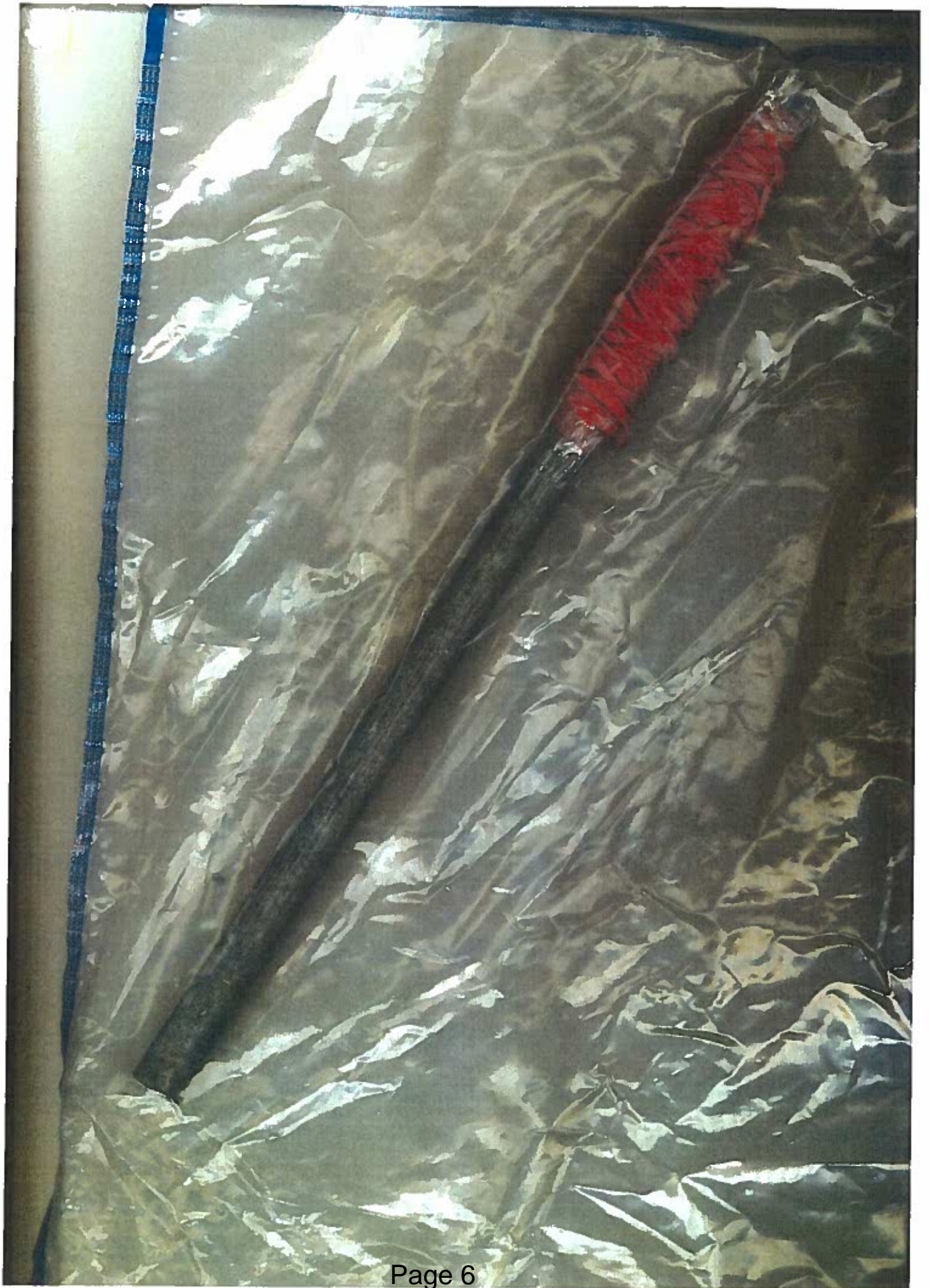
Continuation of Statement of #A: SCOTT MAJONINI

section 32 PACE search of the premises. This revealed that under the counter where he was stood there was an iron bar with a handle made from elastic bands adapted onto it. I said to him "What is this for. It appears to be a weapon." He replied "No it's not mine." I then said at 2005 "Ok your are further arrested for possession of an offensive weapon namely that adapted bar that is under the counter where you were stood." He made no further comment. We then went to his home address 59 CLEVELAND WAY E1 to search for the clothing used in the offence namely the RED Tee shirt. This was not found at the address. MIAH was then conveyed to HH custody. No handcuffs used for this arrest.

Signature:

Signature witnessed by:

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