

Appendix 1



This form should be completed and forwarded to:

**London Borough of Tower Hamlets
Licensing Section, Mulberry Place, 5 Clove Crescent, London E14 2BG**

**Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I, Kathy Driver, Principal Licensing Officer, acting on behalf of the Licensing Authority **apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description	
Tower Hamlets Pizza 479 Cambridge Heath Road	
Post town London	Post code (if known) E2 9BU

Name of premises licence holder or club holding club premises certificate (if known)

Mr. Umid Hussain Khel

Number of premises licence or club premises certificate (if known)

149847

Part 2 - Applicant details

Please tick yes

I am

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Kathy Driver Principal Licensing Officer London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG
Telephone number (if any) XXXXXXXXXX
E-mail (optional) XXXXXXXXXX

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note1)

The Licensing Authority are triggering this review on the grounds of prevention of crime and disorder and prevention of public nuisance.

The licence under review is licence number 149847 of which until 28th May 2022 was held by a Mr. Haroon HAMIDI. We received a transfer application on 28th May 2022 by a Mr Umid Hussain KHEL, this Licensing Authority believes the persons at the premises are linked and the business set up and its staff has not changed. I will show evidence of unauthorised activity throughout including whilst Mr. Khel has been in place.

The Licensing Authority seeks revocation of the licence and believes the evidence against it shows that no conditions can resolve the crime and disorder and public nuisance that has taken place on the premises.

The licence has been in place since 16th January 2018 of which Mr. Haroon HAMIDI was the licence holder. A transfer was made on 28th May 2022 for immediate effect, I exhibit Licence No; 26688 (as held by Mr. Haroon HAMIDI and the new licence under Mr. Umid Hussain KHEL as **Exhibit A**.

The Licensing Authority started to receive reports from local residents from 7th June 2021 stating they are operating 24 hours a day, we found web adverts for Pizza Pizza at 479 Cambridge Heath Road advertising opening hours 11:00 hours to 04:30 hours seven days a week. Mr. Haroon HAMIDI was the premises licence holder at the time of the report. A warning letter was sent to Mr. HAMIDI at his home address and the premises on 7th June 2021 and also his email address. An email was also sent to a Mr. JILLANI who at the time had paid the licence annual fee, see **Exhibits in B**.

Following this report Officers attended the premises on 11th September 2021 and at 02:20 the two officers were able to purchase two Pizza's. A Mr. JILLANI claimed to be the owner and was verbally warned by the officers and received a warning record. Please see **Exhibit C** for witness statement and visit record sheet.

On 21st September 2021 an application was received from Mr. Haroon HAMIDI to vary the premises to extend the hours, the application describes the variation "*We would like to increase our hours because business is busiest after 02:00 which is the time on our current*

license. Our business would be majorly affected if this change doesn't happen. The business does not have any equipment or appliances that would be loud enough to disturb our neighbours. Any customer that may cause a nuisance are kindly asked to leave the premises and customers that eat in are also reminded to keep the to a minimum."

The application was to extend the hours for late night refreshment until 05:00 hours thereby making it a 24 hour operation. This application was rejected due to the lack of advertisement. The application was later resubmitted on 25th October 2022, objections were received by Environmental Protection and the matter was heard at a Licensing Sub Committee Hearing on 11th January 2022. The applicant failed to attend and was heard in his absence and refused. I detail the extract of the minutes for the premises as **Exhibit D**. The applicant was informed of the decision by post and by email on 31st January 2022.

On 19th February 2022 the payment for the annual fee was paid and gave email address as islamhamidi@ [REDACTED] the same email given by Mr. Haroon HAMIDI.

On 30th March 2022 this Authority started to receive complaints again from residents about the premises continuing to trade beyond the licensed hours and stated they are operating 24/7 causing noise from bikes and staff and drunken customers and is causing disruption to sleep. They also state that despite trying to talk to the premises they have been met by offensive and abusive language.

Following this report a warning letter was again sent on 31st March 2022 to Mr. HAMIDI, the licence holder at the time, by post and by email, and was placed on our list to visit. See **Exhibits in E**.

A visit was made by officers on 2nd April 2022 at 02:16 hours, they ordered chicken wings and a pizza and was handed this at 02:26 and 02:29 respectively. The seller gave his name as Mr Muhammed Mangal JILLANI and said that the company Tower Hamlet Pizza Ltd had taken over a month ago. Mr. JILLANI was cautioned at that time. Please see **Exhibit F** for statements.

On 12th April 2022 Mr. Haroon HAMIDI was sent a letter advising that legal proceedings are now being undertaken and advised of the test purchases made. Mr. Mohammed Mangal JILLANI was also sent a copy of that letter. See **Exhibit G**

I received intelligence to suggest the premises had been taken over and noted on Companies House, several companies registered to the same property.

- Mr Haroon HAMIDI was registered as the Director of PPL Foods Ltd, incorporated from 9th June 2016. This company dissolved on 22nd October 2019.
- Mr. Mohammad Mangal JILLANI registered as the Director of Tower Hamlets Pizza Ltd. Incorporated from 8th March 2018 to date, this company is still active. Up to 8th April 2022 the company address was at 479 Cambridge Heath Road.

- Mr. Umi Hussain KHEL, registered as Director of Hamlet Pizza Ltd, incorporated from 17th February 2022. This company is also active. Also registered at 479 Cambridge Heath Road.

On 19th April 2022 I wrote to Mr. Umid Hussain KHEL advising of previous warnings and that Officers had visited and undertaken test purchases of unauthorised activity. See **Exhibit H**

The business rate information on the property had suggested Mr. HAMIDI was the rate payer from 01/04/17 to 31/03/17 and from 8th March 2018 to current as Mr. JILLANI, trading under Tower Hamlets Pizza Ltd. Mr. JILLANI claimed grant funding for covid in April 2020. An email to business rates indicated that Mr JILLANI sold his business to Umid Hussain KHEL on 16th February 2022.

On 13th May 2022 the licence holder, Mr Haroon HAMIDI was written to request CCTV footage for 2nd April 2022 and 7th May 2022, 2nd April being a test purchase and 7th May 2022 was one of the many reported nights where the residents had stated they had operated 24/7. The licence stipulates a condition:

1. A CCTV system shall be put in place; the cameras are to be of sufficient quality so that people's faces are clearly identifiable from the footage.
 - a. The cameras are to be placed in such a way as they cover areas of the premises specified by the Police.
 - b. The system is to record the footage and to keep it for a minimum of 30 days and a copy off CCTV footage is to be made available to Police or the Local Authority upon request and supplied within 24 hours.
 - c. While the premises are open to the public a member of staff must be on duty who can operate the CCTV system

See **Exhibit J**. No response was received indicating breach of condition.

On 17th May 2022 following information from business rates, I felt that we had not received any contact at all from any of those written to or the licence holder himself. Mr HAMIDI held the licence at this stage, not Mr KHEL, the new business rate payer, so therefore sent a further warning to ensure Mr. KHEL was aware of the situation of the premises and warned of offences should unauthorised activity continue. This was sent to Mr. KHEL at the premises address and also to Hamlet Pizza Ltd, his company address registered to 479 Cambridge Heath Road, London E2, See **Exhibit K**.

On 28th May 2022 officers attended the business at 02:20 hours ordered pizza and was supplied at 02:45 hours, the person that had supplied the food was given as ISLAM HAMIDI. Mr. Islam HAMIDI was formally cautioned by the officers in attendance. A statement of the officers visit and their record of visit is detailed as **Exhibit L**

On 28th May 2022 this Authority received the application for a transfer from Mr Haroon HAMIDI to Mr. Umid Hussain KHEL

On 13th June 2022 Mr. KHEL was written to and advised of the test purchase and also informed him legal proceedings will commence. I also requested CCTV footage for 28th May 2022 from 02:00 hours to 03:00 hours. See **Exhibit M**

On 16th June 2022 I received a telephone call from a Mr. Akil MAWABI who stated Mr. KHEL had asked him to call me to say the CCTV was not working and therefore could not collect CCTV footage. He said there was problems with the CCTV from previous owner. This person denied being involved in the premises management, I advised the person to tell Mr.KHEL to respond to my letter and confirm the CCTV was not working by email and for him to ring me himself. Mr. MAWABI was advised that they should not being operating beyond 2am. To date I have received no other communication in this regard and no CCTV. This is breach of condition 1 of the premises licence.

This Licensing Authority is undertaking legal proceedings for unauthorised licensable activities and breach of condition, of which Mr Haroon HAMIDI and Mr. Mohammad JILLANI were both invited for interview under the Police and Criminal Evidence Act, neither of them appeared.

Complaints from 5 local residents have continued throughout, all of which report the premises for operating beyond 2am on many occasions, detailing various fights and noise associated with the business operation. I list details of these at **Exhibit N**.

In addition to all of the evidence above, I have been advised by the Council's Planning Authority the premises planning permission only permits operation from 06:00 hours until 02:00 hours of which Planning do have a case open for investigation under Planning law.

I hope the evidence provided to you satisfies the criteria for Members to revoke the licence in its entirety.

Please provide as much information as possible to support the application (please read guidance note 2)

Exhibit A – Licence No. 26688 and Licence No: 149847

Exhibit B - Warning Letters of 7/6/21

Exhibit C – Statements of visit of 11th September 2021

Exhibit D – Minutes of Licensing Sub Committee of 11th January 2022

Exhibit E – Warning letter of 31st March 2022

Exhibit F – Statement of visit of 2nd April 2022

Exhibit G – Letter of 12th April 2022

Exhibit H – Letter of 19th April 2022

Exhibit J – Letter of 13th May 2022

Exhibit K – Letter of 17th May 2022

Exhibit L – Statements of visit on 28th May 2022

Exhibit M – Letter of 13th June 2022

Exhibit N – Resident reported complaints.

Have you made an application for review relating to this premises before **Please tick ? yes**

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to this premises please state what they were and when you made them

No.

Please tick yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate

I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION



Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature 

Date 30th June 2022

Capacity: Kathy Driver, Principal Licensing Officer, acting as Licensing Authority

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
London Borough of Tower Hamlets Licensing Section, 2 nd Floor Mulberry Place 5 Clove Crescent	
Post town London	Post code E14 2BG
Telephone number (if any) 	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) 	

Notes for Guidance

- 1 The ground(s) for review must be based on one of the licensing objectives.
- 2 Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- 3 The application form must be signed.
- 4 An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 5 This is the address which we shall use to correspond with you about this application.

EXHIBIT A

(Pizza Pizza)
479 Cambridge Heath Road
London
E2 9BU

Licensable Activities authorised by the licence

The provision of late night refreshment

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Environmental Health & Trading Standards

Date: 16th January 2018



LICENSING ACT 2003

Part A - Format of premises licence

Premises licence number

26688

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(Pizza Pizza)
479 Cambridge Heath Road

Post town

London

Post code

E1 0HY

Telephone number



Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The provision of late night refreshment - Indoors

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

The opening hours of the premises

- Sunday to Thursday, from 11:00 hours to 01:30 hours the following day
- Friday and Saturday, from 11:00 hours to 02:30 hours the following day

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Not applicable

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Haroon Hamidi

[Redacted address]

Tel: [Redacted telephone number]

Email: islamhamidi [Redacted email address]

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Not Applicable

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Not Applicable

Annex 1 - Mandatory conditions

Not Applicable

Annex 2 - Conditions consistent with the operating Schedule

1. A CCTV system shall be put in place; the cameras are to be of sufficient quality so that people's faces are clearly identifiable from the footage.
 - a. The cameras are to be placed in such a way as they cover areas of the premises specified by the Police.
 - b. The system is to record the footage and to keep it for a minimum of 30 days and a copy off CCTV footage is to be made available to Police or the Local Authority upon request and supplied within 24 hours.
 - c. While the premises are open to the public a member of staff must be on duty who can operate the CCTV system
2. Customers will not be sought by means of personal solicitation outside or in the vicinity of the premises.
3. Prominent, clear and legible notices shall be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
4. Customers shall not be admitted to the premises beyond the opening hours
5. All details provided in staff training record book shall be made available to an authorise officer on request.
6. Log Book shall be kept on the premises and made available to an authorised officer on request.

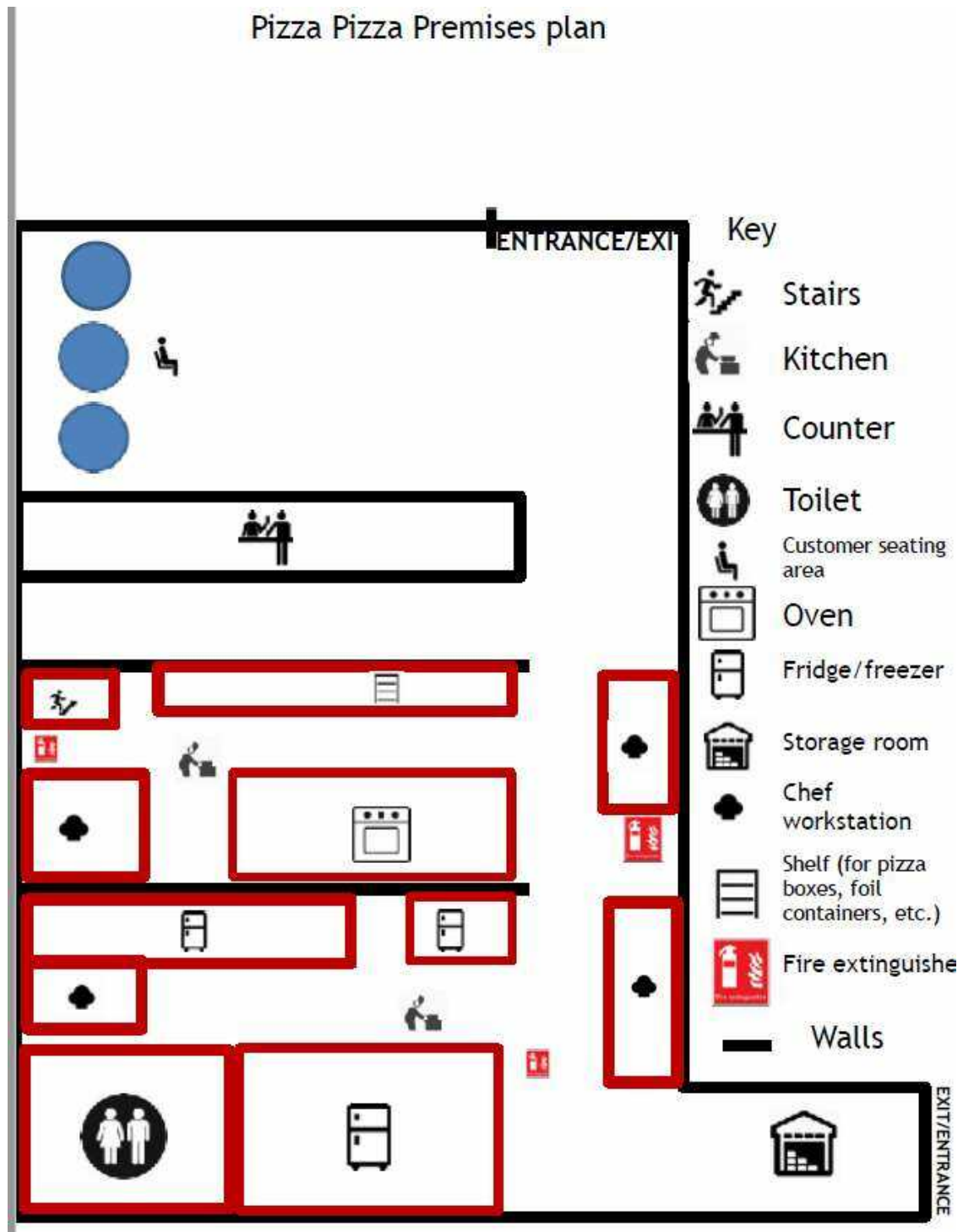
Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:

11th December 2017 - Ground Floor





Licensing Act 2003

Part B - Premises licence summary

Premises licence number

26688

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(Pizza Pizza)
479 Cambridge Heath Road

Post town

London

Post code

E2 9BU

Telephone number

[REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The provision of late night refreshment - Indoors

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

The opening hours of the premises

- Sunday to Thursday, from 11:00 hours to 01:30 hours the following day
- Friday and Saturday, from 11:00 hours to 02:30 hours the following day

Name, (registered) address of holder of premises licence

Mr Haroon Hamidi



Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Not applicable

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Not Applicable

State whether access to the premises by children is restricted or prohibited

Not restricted



Lic No:
149847

(Hamlets Pizza)
479 Cambridge Heath Road
London
E2 9BU

Licensable Activities authorised by the licence

The provision of late night refreshment

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Environmental Health & Trading Standards

Date: 16th January 2018



Part A - Format of premises licence

Premises licence number

149847

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(Hamlets Pizza)
479 Cambridge Heath Road

Post town

London

Post code

E1 0HY

Telephone number

[REDACTED]

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The provision of late night refreshment - Indoors

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

The opening hours of the premises

- Sunday to Thursday, from 11:00 hours to 01:30 hours the following day
- Friday and Saturday, from 11:00 hours to 02:30 hours the following day

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Not applicable

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Umid Hussain Khel

[Redacted address]

Tel: [Redacted telephone number]

Email: [Redacted email address]

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Not Applicable

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Not Applicable

Annex 1 - Mandatory conditions

Not Applicable

Annex 2 - Conditions consistent with the operating Schedule

1. A CCTV system shall be put in place; the cameras are to be of sufficient quality so that people's faces are clearly identifiable from the footage.
 - a. The cameras are to be placed in such a way as they cover areas of the premises specified by the Police.
 - b. The system is to record the footage and to keep it for a minimum of 30 days and a copy off CCTV footage is to be made available to Police or the Local Authority upon request and supplied within 24 hours.
 - c. While the premises are open to the public a member of staff must be on duty who can operate the CCTV system
2. Customers will not be sought by means of personal solicitation outside or in the vicinity of the premises.
3. Prominent, clear and legible notices shall be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
4. Customers shall not be admitted to the premises beyond the opening hours
5. All details provided in staff training record book shall be made available to an authorised officer on request.
6. Log Book shall be kept on the premises and made available to an authorised officer on request.

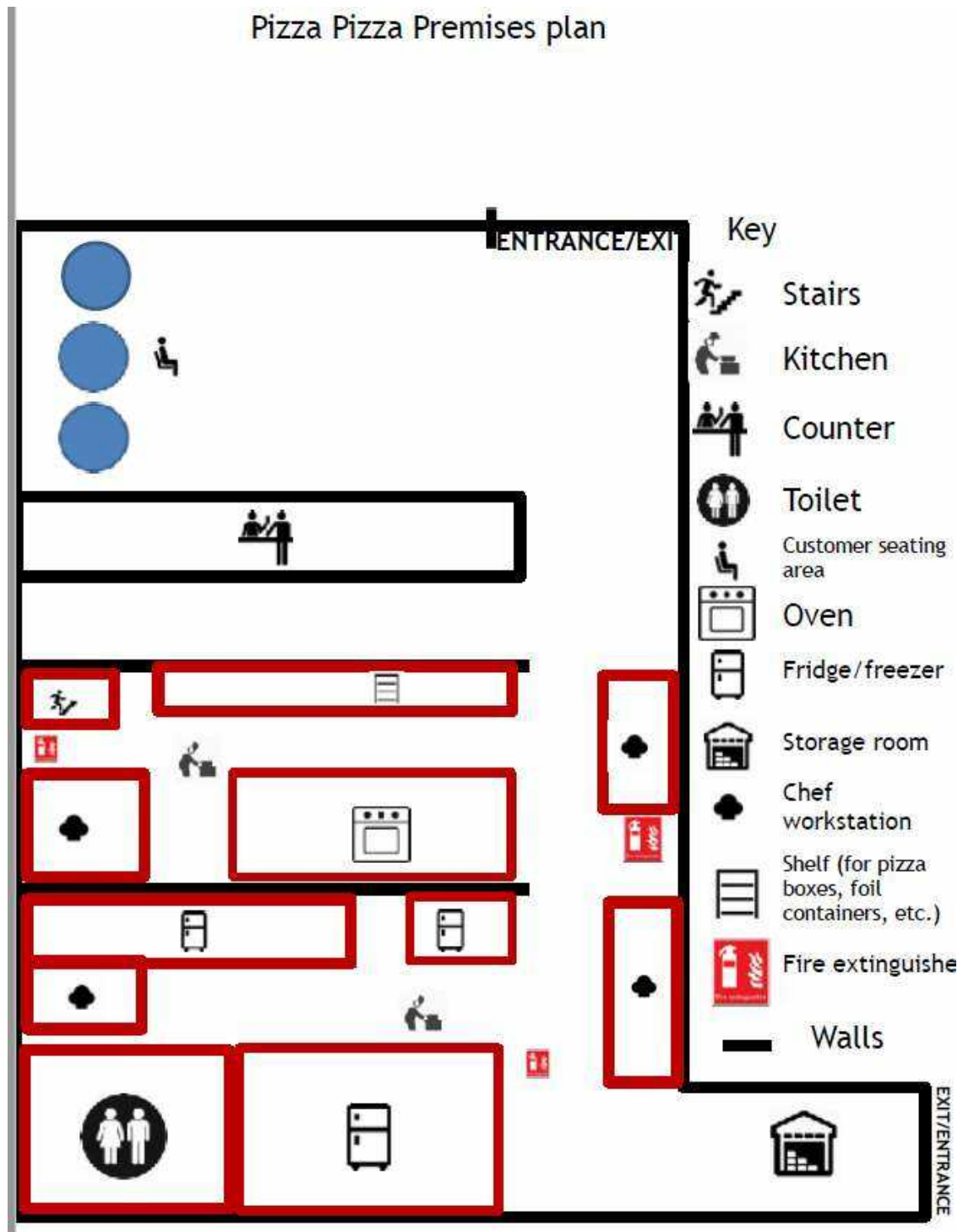
Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:

11th December 2017 - Ground Floor





Licensing Act 2003

Part B - Premises licence summary

Premises licence number

149847

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(Hamlets Pizza)
479 Cambridge Heath Road

Post town

London

Post code

E2 9BU

Telephone number

[REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The provision of late night refreshment - Indoors

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

The opening hours of the premises

- Sunday to Thursday, from 11:00 hours to 01:30 hours the following day
- Friday and Saturday, from 11:00 hours to 02:30 hours the following day

Name, (registered) address of holder of premises licence

Mr Umid Hussain Khel

[Redacted address]

Tel: [Redacted]

Email: [Redacted]

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Not applicable

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Not Applicable

State whether access to the premises by children is restricted or prohibited

Not restricted

EXHIBIT B



Mr Haroon Hamidi
[REDACTED]

Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

7th June 2021

Tel 020 7364 5171
Fax 020 7364 0863
Enquiries to Kath Driver
Email [REDACTED]

My reference P/PR/EHTS/LIC/105492

www.towerhamlets.gov.uk

Dear Sir,

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Swift Kebab House, 479 Cambridge Heath Road, London E2

This Licensing Authority have received a complaint that your premises are trading beyond licensed hours. It is noted from Just Eat website that you are recorded to trade until 04:30.

I must remind you your licensed hours are:

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

You must cease the supply of hot food/hot drink no later than the above times.

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.

A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine or both.

Your premises will be monitored for compliance and I will be contacting Just Eat to advise of your licensed hours.

Yours sincerely

[REDACTED]

Kathy Driver
Principal Licensing Officer

c.c. Premise Licence Holder email: [REDACTED]
Met Police, Licensing Team



The best of London in one borough

Tower Hamlets Council
Town Hall
Mulberry Place
5 Clove Crescent
E14 2BG

Kathy Driver

From: Kathy Driver
Sent: 07 June 2021 17:26
To: [REDACTED]
Subject: Pizza Pizza/Swift kebab House, 479 Cambridge Heath Road, London E2 9BU
Attachments: CambridgeHeathRd479.001.pdf

Dear Mr. Hamidi

Please find attached warning letter regarding your premises.

Please contact me should you require any further information.

Kind Regards,

Kathy Driver
Principal Licensing Officer
Licensing & Safety Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place
5 Clove Crescent
London E14 2BG

[REDACTED]
Licensing Hotline **020 7364 5008**

PLEASE NOTE OUR OFFICES HAVE CHANGED FROM 28TH MAY 2021

Licensing General Email: licensing@towerhamlets.gov.uk

Please visit our web page for application forms and guidance at www.towerhamlets.gov.uk/licensing

www.towerhamlets.gov.uk

Follow us on: [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)

The Proprietor
479 Cambridge Heath Rd
London
E2 9BU

Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

7th June 2021

Tel 020 7364 5171
Fax 020 7364 0863
Enquiries to Kath Driver
Email [REDACTED]

My reference P/PR/EHTS/LIC/105492

www.towerhamlets.gov.uk

Dear Sir,

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Swift Kebab House, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority have received a complaint that your premises are trading beyond licensed hours. It is noted from Just Eat website that you are recorded to trade until 04:30.

The licensed hours for Late Night Refreshment are:

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

You must cease the supply of hot food/hot drink no later than the above times.

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.

A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine or both.

Your premises will be monitored for compliance and I will be contacting Just Eat to advise of your licensed hours.

Yours sincerely

[REDACTED]

Kathy Driver
Principal Licensing Officer

c.c. Met Police, Licensing Team



The best of London in one borough

Tower Hamlets Council
Town Hall
Mulberry Place
5 Clove Crescent
E14 2BG

Kathy Driver

From: Kathy Driver
Sent: 07 June 2021 17:27
To: 'jillani' [REDACTED]
Subject: 479 Cambridge Heath Road, London E2
Attachments: CambridgeHeathRd479.002.pdf

It is noted your email is recorded for paying the annual fee in respect of the Premises Licence for the above property.

I therefore attach a warning letter for your noting.

A similar letter has gone to the premises licence holder recorded on the licence.

Kind Regards,

Kathy Driver
Principal Licensing Officer
Licensing & Safety Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place
5 Clove Crescent
London E14 2BG

[REDACTED]
Licensing Hotline **020 7364 5008**

PLEASE NOTE OUR OFFICES HAVE CHANGED FROM 28TH MAY 2021

Licensing General Email: licensing@towerhamlets.gov.uk

Please visit our web page for application forms and guidance at www.towerhamlets.gov.uk/licensing

www.towerhamlets.gov.uk

Follow us on: [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)

EXHIBIT C

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2015, r 16.2

URN:

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Statement of: **Amran Ali**

Age if under 18 (if over insert "over 18"): **Over 18**

Occupation: **Health and Safety Officer**

This statement (consisting of **2** Pages(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.

Name / Signature:



Date: **17th June 2022**

Tick if witness evidence is visually recorded:

(Supply witness details on last page)

Statement

I am employed by the London borough of Tower Hamlets Council as a Health and Safety Officer within the Environmental Health and Trading Standards Service. I am an authorised officer as designated by the Health and Safety at Work etc. Act 1974. My day-to-day duties include carrying out inspections in commercial premises to assess compliance with health and safety legislation as well as investigating accidents and complaints. I also licence businesses that carry out special treatments and deal with cases of infectious diseases. On occasions, I work with my licensing colleagues to undertake surveillance and test purchase visits during late nights to check whether businesses are compliant with licensing legislations. These mainly relate to Late Night Refreshment licence, checking the conditions of premises alcohol licence and businesses trading without a licence or where a licence had been revoked.

On the 11th of September 2021, I was on shift with colleague Ibrahim Hussain, a Licensing Officer, to check and carry out test purchases from a number of premises in the Borough. At **2.20am**, Ibrahim and I noted several customers inside the fast-food pizza shop called **Pizza Pizza, 479 Cambridge Heath Road, London E2 9BU**. According to our records, the business had a Late-Night Refreshment (LNR) licence until 2.00am. We both entered the premises and posed as customers. I ordered two 7-

Name / Signature:



Date: **17th June 2022**

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2015, r 16.2

inch pizzas and paid £7 in cash. We waited about 10-15 minutes while the pizzas were being prepared. During that time, more customers were walking in the shop and placing orders for hot food.

When the pizzas were ready, they were both handed over and I noted they were very hot. Ibrahim and I then identified ourselves as council officers and requested to speak to the person in charge. A gentleman called **Mohammed Jillani** came forward, who claimed to be the owner. We explained that his LNR licence is up until 2.00am but it was well past this time. We instructed him to close the shop which he did and warned him not to serve hot food or drink beyond 2.00am. We also advised him to contact the Licensing team if he wished to extend his LNR licence beyond 2.00am.

I completed a site visit report and handed over the top copy to **Mr Jillani**. I exhibit a copy of this report as **AMA.PP.001**. We then left the premises shortly after **2.50am**.

Name / Signature: _____



Date: 17th June 2022 _____

LONDON BOROUGH OF TOWER HAMLETS:
LICENSING ACT 2003 RECORD OF CONTACT

AMA.PP.001



Licensing and Safety Team, Environmental Health and Trading Standards
John Onslow House, Ewart Place, London E3 5EQ

Premises / Business Name: Pizza Place

Licence Holder/DPS (where known): Hassan Hassan

Address: 479 Cambridge Heath Road

Tel. No: [REDACTED]

Email: [REDACTED]

Intelligence Lead Visit (1L)

Compliance Visit (Proactive 1L)

Revisit (1R)

Notice Check (1N)

Visiting Officer: Aman Ali

App Officer Initials: AMA

Position: Health & Safety Officer

Signature: [REDACTED]

Tel: 020 7364 5008 Email: licensing@towerhamlets.gov.uk

Offence of Licensing Act 2003	Section	Action Required
<input type="checkbox"/> Unauthorised sale of alcohol [no licence] [suspended licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease sale by retail of alcohol with immediate effect
<input type="checkbox"/> Unauthorised provision of late night refreshment (hot food or drink between 23:00 and 05:00 hours) [no licence] [suspended licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease the provision of late night refreshment with immediate effect
<input type="checkbox"/> Unauthorised regulated entertainment [no licence] [suspended licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease regulated entertainment with immediate effect
<input type="checkbox"/> Sale of alcohol outside licensed hours	136	<input type="checkbox"/> Remove all alcohol from sale
<input checked="" type="checkbox"/> Provision of late night refreshment (hot food or drink between 23:00 and 05:00 hours) outside licence hours	136	<input type="checkbox"/> Display part 2 summary of the premises licence
<input type="checkbox"/> Alcohol displayed for unauthorised sale [no licence] [suspended licence] [outside licensed hours] *strikeout as appropriate	137	<input type="checkbox"/> Ensure a copy of the full premises licence is available for inspection on the premises
<input type="checkbox"/> Keeping alcohol on the premises for unauthorised sale [no licence] [suspended licence] [outside licensed hours] *strikeout as appropriate	138	<input type="checkbox"/> Ensure a letter of authorisation signed by the DPS is on the premises to enable staff to sell alcohol on their behalf
<input type="checkbox"/> Breach of licence condition(s) (specify condition text box below)	136	<input type="checkbox"/> Licensable activity must only be carried out within the hours detailed on your premises licence
<input type="checkbox"/> Selling alcohol with no authorisation from DPS/no DPS present	136	<input type="checkbox"/> Alcohol must only be displayed for sale within the licence hours detailed on your premises licence
<input type="checkbox"/> Failure to display premises licence summary	57	<input type="checkbox"/> Cease the sale by retail of alcohol until a DPS is in place and named on the premises licence
<input type="checkbox"/> Failure to produce the full premises licence	57	<input type="checkbox"/> Comply with all conditions stated on the premises licence, in particular ones found to be in breach detailed on second sheet
<input type="checkbox"/> Sale of alcohol to a person who is drunk	141	<input checked="" type="checkbox"/> See action detailed on second sheet
<input type="checkbox"/> Allowing disorderly conduct on licensed premises	140	
Other offences not Licensing Act 2003 (please insert legislation here)		

Action taken by LBTH

No further action Advice Warning issued by way of this report Revisit needed Alcohol seized
Licence holder/DPS cautioned

Person seen: Muhammad Sultan

Signature: [REDACTED]

Position in business: Owner

Date: 14/02/2019

This report only covers those areas checked at the time of the visit. It does not indicate compliance with any provision of the Licensing Act 2003 or any associated legislation. If you have any queries regarding this report, please contact the Licensing and Safety Team or write to Environmental Health and Trading Standards, John Onslow House, Ewart Place.

Premises Business Name/Address:



Pizza Pizza 477 Cambridge Heath Road

If you feel the action is not justified you should contact the Team Leader of the Licensing and Safety Team within 14 days of this report.

Action:

The late night refreshment licence is up to 2:00am however you were serving after this time. The most serious not hot food or drink is served after 2:00am. - Once you 2 pizzas taken at approximately 2:30am. If you wish to extend the licence hours you can make an application to the Licensing Team.

This visit report is to inform you of any offences under the Licensing Act 2003, or any associated legislation, and what action must be taken in light of the offences. You must take steps to ensure these offence(s) do not reoccur. The absence of any comments on this report does not indicate compliance with the Licensing Act 2003 and any associated legislation. Failure to comply with the Licensing Act 2003, which includes the conditions and hours detailed on any licence, may result in prosecution.

Visiting Officer: [Redacted]
Date: 11/09/2021 2:50pm
Signature of Licensee / DPS / Person Seen: [Redacted]
Date: 9/8

ACTION TAKEN BY LBTH:

- No further action [] Advice [] Warning issued by way of this report [] Revisit needed [] Alcohol seized [] Licence holder/DPS cautioned []

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN: [] [] [] []

Statement of: Ibrahim Hussein

Age if under 18 (if over insert "over 18"): Over 18 Occupation: Licensing Officer

This statement (consisting of 4 Pages(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.

Name / Signature: [Redacted] Date: 28/06/2021

Tick if witness evidence is visually recorded: [] (Supply witness details on last page)

Statement

My name is Ibrahim Hussain, and I am a Licensing Officer employed by the London Borough of Tower Hamlets (LBTH). I am authorised to enforce the Licensing Act 2003.

I was informed by Kathy Driver, Principal Licensing Officer that the at Pizza Pizza, 479 Cambridge Heath Road, London E2 9BU trading beyond licensing hours.

I was on shift with colleague Amran Ali, London borough of Tower Hamlets Council as a Health and Safety Officer within the Environmental Health and Trading Standards Service, On the 11th of September 2021 to check if complying with licensing hours and carry out test purchases from several premises in the Borough.

At 02.20 am, Amran and I noted quite a few customers inside the fast-food pizza shop called Pizza Pizza, 479 Cambridge Heath Road, London E2 9BU. According to our records, the business had a Late-Night Refreshment (LNR) licence until 2.00 am. We both entered the premises and posed as customers. Amran ordered two 7-inch pizzas and paid £7 in cash.

We waited about 10-15 minutes while the pizzas were being ready. Throughout that time, we waited inside the premises and witnessed more customers entering the shop and placing orders for hot food.

As soon as our order Pizza was prepared and handed over and checked food order was correct and enough hot, then we identified ourselves by showing council ID as council officers and requested to speak to the

Signed: [Redacted] (witness) Date: 28/06/2021

(To be completed if applicable: being unable to read the above statement I,of, read it to him/her before he/she signed it.

Signed: Date:)

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

person in charge. Mohammed Jillani came forward, who claimed to be the owner. We explained that his LNR licence is up until 2.00 am but it was well past this time. Amran Ali completed the LBTH Licensing Act 2003 Record of Contact inspection sheet. I informed Mr. Jillani to stop trading and advised him not to serve hot food or drink beyond 2.00 am. I have explained Mr. Jillani can apply for an increase of hours if required. Can apply through the LBTH site or can be emailed requesting an application.

Amran Ali completed a site visit inspection report and handed over the top copy to **Mr. Jillani**. I exhibit a copy of this report as **IHU.LIC.001**. We then left the premises shortly after **2.50 am**.

Signed: ... [redacted] (witness)

Date: 28/06/2021

(To be completed if applicable: being unable to read the above statement I,of, read it to him/her before he/she signed it.

Signed: Date:)

EXHIBIT D

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 11 JANUARY 2022

**THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Mohammed Pappu (Chair)

Councillor Peter Golds (Member)

Councillor Rajib Ahmed (Member)

1. DECLARATIONS OF INTEREST

There were no declarations of pecuniary interest made by the members.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the meeting held on the 23rd November 2021 were agreed and approved as a correct record.

4. ITEMS FOR CONSIDERATION

4.1 Application for a New Premise Licence for Dauns, 77 Wentworth Street, London, E1 7TD

4.2 Application for a New Premise Licence for Poplar Spice, 201 East India Dock Road, London, E14 0ED

4.3 Application for a Variation of a premises licence for Tower Hamlet's Pizza, 479 Cambridge Heath Road, London, London E2 9BU

The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licensing objectives:

- The Prevention of Crime and Disorder;

- Public Safety;
- The Prevention of Public Nuisance; and
- The Protection of Children from Harm.

Consideration

The Sub-Committee considered an application by Haroon Hamidi to vary the premises licence held in respect of Tower Hamlets Pizza, 479 Cambridge Heath Road, London, E2 ("the Premises"). The current licence permits the provision of late night refreshment from 23:00 hours to 01:00 hours Sunday to Thursday and from 23:00 hours to 02:00 hours on Fridays and Saturdays. The variation sought authorisation to provide late night refreshment to 05:00 hours seven days per week. The application attracted a representation from the Environmental Health Service, which considered that the application risked undermining the licensing objective of the prevention of public nuisance.

The applicant did not appear. The Sub-Committee's Legal Adviser confirmed with officers that the requisite notices had been sent and the Sub-Committee was advised that the applicant's son had acknowledged receipt of the hearing notices and confirmed that they would be attending remotely. There had been no other contact from the applicant. The Sub-Committee was given legal advice as to its powers to proceed or to adjourn pursuant to Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005. The Sub-Committee determined to proceed.

Ms. Cadzow, Environmental Health Officer, addressed her representation. In essence she was concerned that there was insufficient information to address the potential for public nuisance, particularly in respect of noise and the late hours.

The application made reference to delivery hours but also suggested that people would be eating inside the Premises to 05:00 hours. The absence of the applicant at the hearing meant that the Sub-Committee could not explore how noise from patrons and delivery drivers, for example, could be controlled. There were no conditions offered to explain how noisy patrons would be dealt with. The Sub-Committee considered that a degree of noise nuisance was highly likely given the nature of the Premises and the late hours sought.

The Sub-Committee was therefore not satisfied that its concerns could be dealt with by the imposition of appropriate conditions and the application for variation is therefore refused.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a variation of the premises licence for Tower Hamlets Pizza, 479 Cambridge Heath Road, London, E2 be **REFUSED**.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

Nil Items.

The meeting ended at 7.53 p.m.

Chair, Councillor Mohammad Pappu
Licensing Sub Committee

EXHIBIT E

Place Directorate
Public Realm
Environmental Health & Trading Standards

Mr Haroon Hamidi



Email: Islamhamidi@towerhamlets.gov.uk
Islamhamidi@towerhamlets.gov.uk

Head Of Service David Tolley

Tel 020 7364 5171

Fax 020 7364 0863

Enquiries to Kath Driver

Email 

www.towerhamlets.gov.uk

31st March 2022

My reference P/PR/EHTS/LIC/109925

Dear Sirs,

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority have received a complaint that your premises are operating beyond the hours permitted on your licence. The complainant also states that your delivery vehicles are causing disturbance whilst at your premises.

I remind you of your hours:

The provision of late night refreshment - Indoors

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

You were refused any extension of hours at a Licensing Sub Committee on 11th January 2022 of which the decision was formally sent to you.

You have received formal written warning previously on 18th May 2017 due to test purchase undertaken when unlicensed, you have also received a warning letter regarding your hours on 7th June 2021.

Should evidence be found of unlicensed late night refreshment then we are likely to consider legal proceedings being taken against you.



The best of London in one borough

Tower Hamlets Council
Town Hall
Mulberry Place
5 Clove Crescent
E14 2BG

The complainant has also been given advice on triggering a review of the licence.

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.

A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine or both.

I therefore invite you to make any comments you consider appropriate.

Yours sincerely

A black rectangular redaction box covers the signature of the Principal Licensing Officer.

Kathy Driver
Principal Licensing Officer

Kathy Driver

From: Kathy Driver
Sent: 31 March 2022 14:41
To: Islamhamidi [REDACTED] Islamhamidi [REDACTED]
Subject: Tower Hamlets Pizza/Pizza Pizza, 479 Cambridge Heath Road, London E2 9BU
Attachments: CambridgeHeathRd479.003.pdf

Please find attached letter and await your response.

Kind Regards,

Kathy Driver
Principal Licensing Officer
Licensing & Safety Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place
5 Clove Crescent
London E14 2BG

[REDACTED]

Licensing Hotline **020 7364 5008**

Licensing General Email: licensing@towerhamlets.gov.uk

Please visit our web page for application forms and guidance at www.towerhamlets.gov.uk/licensing

www.towerhamlets.gov.uk

Follow us on: [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)

EXHIBIT F

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN:

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Statement of: **Audrey Dembinski**

Age if under 18 (if over insert "over 18"):

Occupation: **Trading Standards Officer**

This statement (consisting of Pages(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.

Name / Signature:



Date: **14th April 2022**

Tick if witness evidence is visually recorded:

(Supply witness details on last page)

Statement

I am employed as a Trading Standards Officer for the London Borough of Tower Hamlets. In the early hours of Saturday morning on 2nd April 2022, I was carrying out Licensing visits on behalf of the Licensing team, which generally involved inspections and test purchases to ensure that Licensed premises are carrying out their obligations under The Licensing Act 2003. I was accompanied by my colleague, Senior Trading Standards Officer, Katalin Morath.

We were therefore tasked with ascertaining whether the premises Tower Hamlets Pizza at 479 Cambridge Heath Road, London E2 9BU, was adhering to its conditions of not serving food after 2am.

Signed: (witness)

Date: 14th April 2022

(To be completed if applicable: being unable to read the above statement I,of, read it to him/her before he/she signed it.

Signed: Date:)

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

At 2:16am, I entered the premises of Tower Hamlets Pizza, accompanied by Officer Morath. Officer Morath ordered chicken wings (number 14 on the board) for £2.49. She was served by an Asian male. The server then went around the back to the cooking station and then re-appeared at approximately 2:18 and then took my order which was a Margherita pizza for £3.50. The seller then asked for £6 for our order, and I handed over a £10 note and he gave me £4.02 change. We then sat at a table and waited for our order. At 2.26am Officer Morath received her order. I took photographs of the order wrapped and unwrapped. I produce these photographs as exhibit AD/THP/1.

I then received the pizza at 2:29. I then took two photographs of both the chicken wings and pizza. I produce these photographs as exhibit AD/THP/2.

I then approached the seller and told him that we had just purchased some hot food and that this was after 2am. I took a photograph of the menu and price list displayed at the front of the premises. I produce this photograph as AD/THP/3. The seller gave his name as Mr Muhammad Mangal Jilani and said that the company was Hamlet Pizza Ltd which had taken over a month ago. Officer Morath completed the Licensing inspection sheet. I then proceeded to caution Mr Jilani at 2:34 and ask a series of questions. Mr Jilani gave his date of birth as [REDACTED] and his address as [REDACTED]

[REDACTED] Officer Morath then wrote down the questions and Mr Jilani's replies under caution.

Signed: [REDACTED](witness)

Date: 14th April 2022


(To be completed if applicable: being unable to read the above statement I,of, read it to him/her before he/she signed it.

Signed: Date:)

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

Officer Morath then gave Mr Jilani the inspection sheet and we left the premises immediately afterwards.

Signed: (witness)

Date: 14th April 2022

(To be completed if applicable: being unable to read the above statement I, of, read it to him/her before he/she signed it.

Signed: Date:)

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN:

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Statement of: Katalin Morath

Age if under 18 (if over insert "over 18"): Over 18

Occupation: Senior Trading Standards Officer

This statement (consisting of Pages(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.

Name / Signature:

Katalin Morath



Date: 22nd April 2022

Tick if witness evidence is visually recorded:

(Supply witness details on last page)

Statement

I am Katalin Morath and I am employed by London Borough of Tower Hamlets Trading Standards Service as a Senior Trading Standards Officer. On the night of Friday 1st April/Saturday 2nd April 2022 I was working on Licensing Operation Dymock, carrying out visits on behalf of the Licencing department. We were given a number of premises to visit and these required various licencing condition checks and/or test purchases. I was working with my colleague Audrey Dembinski a Trading Standards Officer.

One of the premises was Tower Hamlets Pizza, 479 Cambridge Heath Road, London, E2 9BU. We were asked to check whether the business was selling hot food after the specified time on their licence 2am.

I went into Tower Hamlets Pizza with Audrey Dembinski at 2.16am on 2nd April 2022. I ordered a portion of chicken wings from an Asian male. He went in the back to kitchen area and when he came back out Audrey Dembinski ordered a margherita pizza at 2.18am. She paid for both of our orders, the chicken wings were £2.49 and the pizza was £3.50.2.26am and Audrey Dembinski received her pizza at 2.29. Audrey Dembinski took several photographs of the food. We went up to the counter and Audrey

Signed:  (witness)

Date: ...22nd April 2022.....

(To be completed if applicable: being unable to read the above statement I, of, read it to him/her before he/she signed it.

Signed: Date:)

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

Dembinski explained that we had purchased the food after 2pm. The seller gave his name as Muhammad Mangal Jilani. He said the company was taken over by Tower Pizza Ltd.

Audrey cautioned Mr Jilani at 2.34am and he said 'we applied for a licence I don't know what happened with that'

I noted down the questions and answers as follows:-

Q. You have a licence to sell up to 2 o clock. We were served at 2.16. Why where you selling after 2?

A. I though we had a licence until 2.30

Q. Can we take your date of birth?

A. [Redacted]

Q Home address?

A [Redacted].

Before we left the premise I completed a non -compliance inspection sheet for our visit and gave it to Mr Jilani. I produce a copy of the sheet as Exhibit KM/01.

Signed: ... [Redacted](witness)

Date: ...22nd April 2022.....

(To be completed if applicable: being unable to read the above statement I,of, read it to him/her before he/she signed it.

Signed: Date:)

EXHIBIT G



Mr Haroon Hamidi
6 Cecil Road
Ilford
IG1 2EW

Email: Islamhamidi@towerhamlets.gov.uk &
Islamhamidi@towerhamlets.gov.uk

12th April 2022

Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

Tel 020 7364 5171

Fax 020 7364 0863

Enquiries to Kathy Driver

Email

www.towerhamlets.gov.uk

My reference P/PR/LIC/PSU

Dear Mr. Hamidi

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority has warned you of unauthorised activity on 31st March 2022 and previously on 7th June 2021.

Officers have since visited your premises and on 2nd April 2022 at 2:16 am were able to purchase hot food and were supplied the food at 2:26am.

Officers also visited your premises on 11th September 2021 at 02:20am and were able to purchase pizza.

The matter is now being considered for legal proceedings.

I must remind you;

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.

A person guilty of an offence under section 136 of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine.

You are advised to cease the unauthorised licensing activity with immediate effect.

M:\Licensing\Word97\ENFORCEMENT\Legalpro\Casework\2022\CambridgeHeathRd479\Warning Letters\CambridgeHeathRd479.004.doc

You should contact your legal representative for further advice and you will be written to in due course on the legal investigation.

Yours sincerely



Kathy Driver
Principal Licensing Officer

c.c. Mohammed Manal Jilani Tower Hamlets Pizza Limited, 


EXHIBIT H



Umid Hussain Khel
Hamlet Pizza Limited
479 Cambridge Heath Road
London
E2 9BU

19th April 2022

My reference P/PR/LIC/PSU

Dear Mr. Khel

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority has warned you of unauthorised activity on 31st March 2022 and previously on 7th June 2021.

Officers have since visited your premises and on 2nd April 2022 at 2:16 am were able to purchase hot food and were supplied the food at 2:26am.

Officers also visited your premises on 11th September 2021 at 02:20am and were able to purchase pizza.

The matter is now being considered for legal proceedings.

I must remind you;

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.

A person guilty of an offence under section 136 of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine.

You are advised to cease the unauthorised licensing activity with immediate effect.

You should contact your legal representative for further advice and you will be written to in due course on the legal investigation.

Yours sincerely



Kathy Driver
Principal Licensing Officer

EXHIBIT J

Place Directorate
Public Realm
Environmental Health & Trading Standards



Mr Haroon Hamidi
479 Cambridge Heath Road
London
E2 9BU

Head Of Service David Tolley

Mulberry Place
5 Clove Crescent
London E14 2BG

13th May 2022

Tel 020 7364 5171

Fax 020 7364 0863

My reference: EHTS/LIC/PSU10195

Enquiries to Kathy Driver

Email [REDACTED]

Dear Sir,

www.towerhamlets.gov.uk

Licensing Act 2003

Re: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Authority are investigating your premises for unlicensed late night refreshment, we believe there may have been offences committed on 2nd April 2022 and 7th May 2022.

As the registered Premises Licence Holder you will be aware that condition 1 (a) to (c) of the Premises Licence stipulates that CCTV must be maintained and recorded at all times customers remain on the premises and that viewing of recordings will be made available upon request of police or authorised officer. I therefore request that CCTV is downloaded and saved for this Licensing Authority to view for the following time periods:

2nd April 2022 between 02:00 hours and 03:00 hours

7th May 2022 between 02:30 hours and 05:00 hours.

The reports from the complaints suggest breaches of your Premises Licence occurred during these periods. These include supply of hot food with delivery vehicles located outside throughout this period.

Please ensure that the CCTV footage detailed above is ready for viewing or for collecting by 20th May 2022. I will contact you to arrange a suitable time to pick up the footage or to visit and view.

Yours sincerely,

[REDACTED]

Kathy Driver
Principal Licensing Officer

cc. Email: islamahamidi

Mr. Haroon Hamidi, [REDACTED]

EXHIBIT K



Mr. Umed Hussain Khel
479 Cambridge Heath Road
London
E2 9BU

Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

Tel 020 7364 5171
Fax 020 7364 0863
Enquiries to Kath Driver
Email [REDACTED]

17th May 2022

www.towerhamlets.gov.uk

My reference P/PR/EHTS/LIC/PSU10195

Dear Sir,

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority have been informed by colleagues in Business Rates and by your staff that you have recently taken over the premises.

I write to advise you that you do not hold a licence to operate hot food/hot drinks beyond 11pm in either your name or as a company to undertake late night refreshment between the hours of 11pm and 5am.

I should also advise you that we are currently investigating these premises for legal action for unlicensed late night refreshment.

We are receiving reports that the premises are trading beyond 11pm since you have taken over and therefore warn you below of the offences of undertaking unlicensed activities under Section 136 of the Licensing Act 2003.

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.

A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine or both.



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Town Hall
Mulberry Place
5 Clove Crescent
E14 2BG

Should you wish to operate the supply of hot food hot drinks, this includes the delivery of such, you should make an application for a premises Licence. Please see our website for application forms and guidance on this at www.towerhamels.gov.uk/licensing.

Yours sincerely

A black rectangular redaction box covers the signature area, with a small white circle visible on the left side.

Kathy Driver
Principal Licensing Officer

c.c. By Email; Police Licensing Unit



Hamlet Pizza Ltd
479 Cambridge Heath Road
London
E2 9BU

Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

Tel 020 7364 5171
Fax 020 7364 0863
Enquiries to Kath Driver
Email [REDACTED]

17th May 2022

www.towerhamlets.gov.uk

My reference P/PR/EHTS/LIC/PSU10195

Dear Sir,

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority have been informed by colleagues in Business Rates and by your staff that you have recently taken over the premises.

I write to advise you that you do not hold a licence to operate hot food/hot drinks beyond 11pm in either your name or as a company to undertake late night refreshment between the hours of 11pm and 5am.

I should also advise you that we are currently investigating these premises for legal action for unlicensed late night refreshment.

We are receiving reports that the premises are trading beyond 11pm since you have taken over and therefore warn you below of the offences of undertaking unlicensed activities under Section 136 of the Licensing Act 2003.

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.

A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine or both.



The best of London in one borough

Tower Hamlets Council
Town Hall
Mulberry Place
5 Clove Crescent
E14 2BG

Should you wish to operate the supply of hot food hot drinks, this includes the delivery of such, you should make an application for a premises Licence. Please see our website for application forms and guidance on this at www.towerhamels.gov.uk/licensing.

Yours sincerely

A black rectangular redaction box covering the signature of the sender.

Kathy Driver
Principal Licensing Officer

c.c. By Email; Police Licensing Unit

EXHIBIT L

Witness Statement

Criminal Justice Act 1967, s.9; Magistrates Court Act 1980, ss.5A and 5B; Criminal Procedure Rules 2015, r 16.2

URN:

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Statement of: Mohshin ALI

Age if under 18 (if over insert "over 18"): Over 18

Occupation: Senior Licensing Officer

This statement (consisting of Pages(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.

Name / Signature: 

Date: 30th June 2022

Statement

1. I am Mohshin ALI and I am employed by the London Borough of Tower Hamlets as a Senior Licensing Officer in the Licensing Section of Environmental Health & Trading Standards. I have been a Licensing Officer since July 2004 and I am duly authorised under the Licensing Act 2003.
2. I was instructed to carry out a number of enforcement visits with my colleague Nicola CADZOW, Environmental Health Officer as part of "Operation Dymock". On Saturday 28th May 2022 at 02:25 hrs, I walked towards the premises known as Hamlet Pizza, 479 Cambridge Heath Road, London E2 9BU and took a photo which I produce as **Exhibit MA/01**. I could see the shutters were halfway down and the lights were dim which gave me the impression that the premises may be closing. I could see three females standing outside the premises near three delivery motorbikes.
3. At 02:30 hrs, I stood on the opposite side of the road from the premises and took a photo which I produce as **Exhibit MA/02**. I could see two female customers had gone inside the premises and appeared to be waiting for their food order. I could also see two of the three delivery motorbikes had gone from their parked position. Shortly after, the customers left with their food and I took a photo of them leaving which I produce as **Exhibit MA/03**.
4. At 02:31 hrs, Officer CADZOW and I entered the premises and looked at the menu that was on display. At 02:33 hrs, I ordered a 9inch pizza which was priced at £9.99. An Asian

Name / Signature: 

Date: 30th June 2022

Witness Statement

Criminal Justice Act 1967, s.9; Magistrates Court Act 1980, ss.5A and 5B; Criminal Procedure Rules 2015, r 16.2

looking male who I later identified himself as Islam HAMIDI took my order. I paid with a twenty pound note and was given a ten pound note as change. I also did not question where the one penny was to avoid any suspicion.

5. At 02:39 hrs, I took a photo of the menu which I produce as **Exhibit MA/04**. This also shows the light are turned down giving the impression that the premises was closing but clearly was not closed.
6. At 02:40 hrs, I saw one of the motorbike delivery driver had returned to the premises from making a delivery. I also looked for the summary of the premises licence was not displayed anywhere on the premises.
7. At 02:45, Mr HAMIDI handed over the hot pizza box. I opened the pizza box and took a photo of the hot pizza which I produce as **Exhibit MA/05**.
8. I then turned to Mr HAMIDI producing my producing my warrant card. Officer CADZOW and I introduced ourselves and asked to speak to the premises licence holder or the person in charge. I asked him to close the door to the premises to ensure no further customers come inside. The seller introduced himself "*Islam HAMIDI*" as the "*manager*" giving his date of birth as "██████████" and his address as "██████████". There was also another male staff working on the till along with him.
9. Mr HAMIDI started to explain himself so at 02:51 hrs, I cautioned him using my notebook as a reminder, "*You do not have to say anything, but it may harm your defence if you do not mention, when questioned, something which you later rely on in court. Anything you do say may be given in evidence. You are not under arrest. Do you understand?*".
10. I then continued on to simplify the caution to Mr HAMIDI, "*you have the right to say nothing or no comments to my questions, if this matter goes to Court and then you decide to give an explanation, the Court may think it would have been reasonable for you to give that explanation now prior to going to Court. This could harm your defence, and the Court or jury could come to their own conclusion as to why you did not give that explanation when given the opportunity to do so, if you do say anything then this may be used in court. Do*

Name / Signature: _____

██████████

Date: _____

30th June 2022

Witness Statement

Criminal Justice Act 1967, s.9; Magistrates Court Act 1980, ss.5A and 5B; Criminal Procedure Rules 2015, r 16.2

you understand?". Mr HAMIDI replied "yes" indicating he understood.

11. I then recorded my questions and Mr HAMIDI's answers on my notebook as follows:

- **Officer ALI:** "Are you aware of the hours of your licence?"
- **Mr HAMIDI:** "Sunday to Thursday until 1am and Friday and Saturday until 2am"

- **Officer ALI:** "Where is the summary of the premises licence that should be on display?"
- **Mr HAMIDI:** " I don't have it. I'll print it tomorrow and will display"

- **Officer ALI:** "Why are you trading after your licensed hours?"
- **Mr HAMIDI:** "Just cleaning. Served because I thought you were hungry"

12. At 02:56 hrs, I finished my questions and asked Mr HAMIDI to read my notes and sign my note book if he agreed this was an accurate reflection of what he said. Mr HAMIDI printed his name and signed my notebook which I produce as **Exhibit MA/06**.

13. At 02:58 hrs, I filled in a "record of contact" form which I produce as **Exhibit MA/07**. Mr HAMIDI signed the form in his capacity as a "manager" and he was handed a carbon copy for his records. The form was also signed by myself and Officer CADZOW

14. I explained to Mr HAMIDI that trading without a licence carries a penalty of "imprisonment for a maximum of six months or an unlimited fine, or both".

15. At 03:03 hrs Officer CADZOW and I left the premises.

Name / Signature: _____



Date: _____

30th June 2022

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/01**

Date: **30th June 2022**

Name: **Mohshin Ali**

Signed: [REDACTED]



Photo taken on Saturday 28th May 2022 at 02:25 hours

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/02**

Date: **30th June 2020**

Name: **Mohshin Ali**

Signed: [REDACTED]



Photo taken on Saturday 28th May 2022 at 02:30 hours

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/03**

Date: **30th June 2020**

Name: **Mohshin Ali**

Signed: [REDACTED]



Photo taken on Saturday 28th May 2022 at 02:30 hours

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/04**

Date: **30th June 2020**

Name: **Mohshin Ali**

Signed: 



Photo taken on Saturday 28th May 2022 at 02:39 hours

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/05**

Date: **30th June 2020**

Name: **Mohshin Ali**

Signed: 



Photo taken on Saturday 28th May 2022 at 02:45 hours

I identify this exhibit as that referred to in the statement signed by me


Exhibit number: **EXHIBIT MA/07**

Date: **30th June 2020**

Name: **Mohshin Ali**

Signed: 

63

28/05/2022 -
Islam Haridi manager

2:48 PM delivered pizza half
2:33 ordered, 2:31 ordered
9 mins pizza
No - 40p change
Asian delivery made
2:40 delivery arrived
Summary not on
display - however it could produce!
2:51! cashier given for note book
Q Are you aware of
the time of your use
A - Around Sunday - Tuesday
until 1am and Fr + Saturday

und 2am

- Q - where the summary
with license details
should be on display
- W - E don't have it
I'll look it tomorrow
and with display.
- Q - why are you
trading after your
leave hours
- A - Just clearing
some because I thought
we were hiring
2. Spauld - Area for sign

Islam Hamidi

Record of contact 2:58
filled in and signed
by Mr Hamidi 2:58
at 3:02 left premises
personally explained
various improvements
and mentioned that
pictures taken on phone
Mr summary and
was not able to produce
full license when requested
I then searched it
photo was also working
on his list, Mr Hamidi
understood the caution
after explained to him.

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/07**

Date: **30th June 2020**

Name: **Mohshin Ali**

Signed: 

LONDON BOROUGH OF TOWER HAMLETS:
LICENSING ACT 2003 RECORD OF CONTACT
Licensing and Safety Team, Environmental Health and Trading Standards
Mulberry Place, 5 Clove Crescent, London E14 2BG



Premises / Business Name: P-Town HAMLETS PIZZA	<input type="checkbox"/> Intelligence Lead Visit (1L)
Licence Holder / DPS / Person Seen: ISLAM HAMIDI	<input type="checkbox"/> Compliance Visit (Proactive 1L)
Address: 479 CAMBRIDGE HEATH RD	<input type="checkbox"/> Revisit (1R)
Tel. No: 	<input type="checkbox"/> Notice Check (1N)
Email: 	Visiting Officer (s): MOSHSHIN ALI + NICOLA CADZOW
	App Officer Initials: MAI + NCA
	Position: SENIOR LICENSING OFFICER + EHO
	Signature:  Time of visit:
	Tel: 020 7364 5008 Email: licensing@towerhamlets.gov.uk

Office of Licensing Act 2003	Section	ACTION REQUIRED:
<input type="checkbox"/> Unauthorised sale of alcohol [No Licence] [Suspended Licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease Sale By Retail of Alcohol with immediate effect
<input checked="" type="checkbox"/> Unauthorised Provision of Late Night Refreshment (hot food or drink between 23:00 and 05:00 hours) [No Licence] [Suspended Licence] *strikeout as appropriate	136	<input checked="" type="checkbox"/> Cease the Provision of Late Night Refreshment with immediate effect
<input type="checkbox"/> Unauthorised Regulated Entertainment [No Licence] [Suspended Licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease Regulated Entertainment with immediate effect.
<input type="checkbox"/> Sale of Alcohol outside licensed hours	136	<input type="checkbox"/> Remove all Alcohol from Sale
<input checked="" type="checkbox"/> Provision of Late Night Refreshment (hot food or drink between 23:00 and 05:00 hours) outside Licence hours	136	<input checked="" type="checkbox"/> Display Part 2 Summary of the Premises Licence
<input type="checkbox"/> Alcohol displayed for unauthorised Sale [No Licence] [Suspended Licence] [Outside Licensed Hours] *strikeout as appropriate	137	<input checked="" type="checkbox"/> Ensure a copy of the full Premises Licence is available for inspection on the premises
<input type="checkbox"/> Keeping Alcohol on the premises for unauthorised Sale [No Licence] [Suspended Licence] [Outside Licensed Hours] *strikeout as appropriate	138	<input type="checkbox"/> Ensure a letter of authorisation signed by the DPS is on the premises to enable staff to sell alcohol on their behalf
<input type="checkbox"/> Breach of licence condition(s) (specify condition text box below)	136	<input type="checkbox"/> Licensable activity must only be carried out within the hours detailed on your Premises Licence
<input type="checkbox"/> Selling Alcohol with no authorisation from DPS / No DPS present	136	<input type="checkbox"/> Alcohol must only be Displayed for Sale within the licence hours detailed on your Premises Licence
<input checked="" type="checkbox"/> Failure to display Premises Licence Summary	57	<input type="checkbox"/> Cease the Sale by Retail of Alcohol until a DPS is in place and named on the Premises Licence
<input checked="" type="checkbox"/> Failure to produce the full Premises Licence	57	<input type="checkbox"/> Comply with all conditions stated on the Premises Licence, in particular ones found to be in breach detailed on second sheet
<input type="checkbox"/> Sale of Alcohol to a person who is drunk	141	<input type="checkbox"/> See Action detailed on second sheet
<input type="checkbox"/> Allowing disorderly conduct on licensed premises	140	
Other Offences NOT Licensing Act 2003 (please insert legislation here)		

ACTION TAKEN BY LBTH:

No further action Advice Warning issued by way of this report Revisit needed Alcohol seized

Licence holder / DPS cautioned

Person seen: **ISLAM HAMIDI**

Signature: 

Position in business: **MANAGER**

Date: **28/05/2022**

This report only covers those areas checked at the time of the visit. It does not indicate compliance with any provision of Licensing Act 2003 or any associated legislation. If you have any queries regarding this report, please contact the Licensing and Safety Team or write to Environmental Health and Trading Standards, Mulberry Place, 5 Clove Crescent, London E14 2BG

www.towerhamlets.gov.uk/licensing

URN:

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Statement of: **Nicola Cadzow**

Age if under 18 (if over insert "over 18"): "Over 18"

Occupation: **Environmental Health Officer**

This statement (consisting of 2 Pages(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.

Name / Signature:

Date: 30th May 2022

Statement

1. My name is Nicola CADZOW and I am employed as an Environmental Health Officer in the Noise Team with the London Borough of Tower Hamlets for eight years. I have worked for other London Boroughs and have been in Environmental Health for approximately fifteen years. My qualifications include BSc (Hons) Degree in Environmental Health from the University of Greenwich. My main duties are the enforcement of the Statutory Nuisance Provisions of Part III of the Environmental Protection Act 1990 and the Licensing Act 2003. My duties include investigating noise complaints received from Tower Hamlets residents relating to residential and commercial premises and take formal action where necessary including preparing and serving legal notices, preparing cases for prosecution or reviewing a license or new premise license application and compliance with the four licensing objectives.
2. **On 27th May 2022** while on Operation Dymock with my colleague Officer Mohshin Ali we were assigned to visit Hamlets Pizza 479 Cambridge Heath Road London E2 9BU after 02:00 hours in the morning to undertake a test purchase if the premises was open.
3. **At 02:20 hours of the 28th May 2022** we arrived and parked on Cambridge Heath Road.
4. **At 02:29 hours** from the opposite side of Cambridge Heath Road to Hamlets Pizza, 479 Cambridge Heath Road I observed that the shutters of the premises were pulled partially down and two persons were sitting at a table inside the venue. Please see the review exhibit NCA01.
5. **At 02:31 hours** Officer Ali and I entered Hamlets Pizza.
6. **At 02:33 hours** I entered Hamlets Pizza with Officer Ali who ordered a £9.99 Pizza. A cash transaction was made with a gentleman of Mediterranean appearance, who later identified himself as Islam Hamidi.

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

7. **At 02:40 hours** a delivery driver entered premises having returned from making a delivery
8. **At 02:45 hours** the cooked pizza was handed to Officer Ali. Mr Hamidi was requested to lower the shutter of the premises down. Mr Hamidi was then asked to confirm his name and position in the premises.
9. **At 02:51 hours** Mr Hamidi was then cautioned for trading after the premises license hours and Officer Ali broke down the caution in stages. Mr Hamidi was asked if he understood the caution and what was being said to him. He confirmed he did.
10. **At 02:56 hours** caution was completed and Mr Hamidi signed Officers Ali's notebook.
11. **At 02:58 hours** a record of contact form was completed by Officer Ali with the license breaches identified and what Mr Hamidi was required to do. Mr Hamidi signed the form, as did Officer Ali and I. A carbon copy of the form was given to Mr Hamidi
12. **At 03:02 hours on 28th May 2022** we left the premises.

Name / Signature:

Date:

Exhibit NCA01

Hamlet Pizza 479 Cambridge Heath Road 28.5.22 @ 02.29 hours



EXHIBIT M



Mr. Umed Hussain Khel
Hamlet Pizza Ltd
479 Cambridge Heath Road
London
E2 9BU

Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

Tel 020 7364 5171

Fax 020 7364 0863

Enquiries to Kathy Driver

Email [REDACTED]

13th June 2022

www.towerhamlets.gov.uk

My reference P/PR/LIC/PSU/010195

Dear Mr. Khel

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority has warned you of unauthorised activity on 17th May 2022. The premises and its business operators have been warned multiple occasions, including 7/6/21; 31/3/22; 12/4/22; 19/4/22.

Despite our warnings to you and the business, Officers attended the premises on Saturday 28th May 2022 at 02:20 hours the premises were seen to be open, Officers were then able to go inside and order hot food at 02:33 hours. The pizza was handed to them at 02:45 hours. Mr. Islam Hamidi was formally cautioned by the officers who had served them.

I continue to receive reports, almost on a daily basis, that you continue to operate 24/7 despite the numerous warnings.

Legal proceedings have already commenced with interviews being arranged under PACE from previous test purchases being made. You will shortly be invited to attend a meeting under PACE following this test purchase.

As the new registered Premises Licence Holder, you will be aware that condition 1 (a) to (c) of the Premises Licence stipulates that CCTV must be maintained and recorded at all times customers remain on the premises and that viewing of recordings will be made available upon

request of police or authorised officer. I therefore request that CCTV is downloaded and saved for this Licensing Authority to view for the following time periods:

Saturday 28th May 2022 from 02:00 hours to 03:00 hours.

Please arrange for this to be ready for collection on Friday 17th June 2022. If this is not convenient please contact me to re-arrange.

I should also inform you that due to the history of complaints, the warnings given and the test purchases being made and no communication from the business in response to any of the letters I have sent, we have no alternative but to trigger a review of the Licence. These papers are currently being drawn up of which you will receive soon.

Yours sincerely



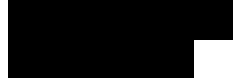
Kathy Driver

Principal Licensing Officer

c.c. 



Mr. Umed Hussain Khel
Hamlet Pizza Ltd



Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

Tel 020 7364 5171

Fax 020 7364 0863

Enquiries to Kathy Driver

Email



13th June 2022

www.towerhamlets.gov.uk

My reference P/PR/LIC/PSU/010195

Dear Mr. Khel

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

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I continue to receive reports, almost on a daily basis, that you continue to operate 24/7 despite the numerous warnings.

Legal proceedings have already commenced with interviews being arranged under PACE from previous test purchases being made. You will shortly be invited to attend a meeting under PACE following this test purchase.

As the new registered Premises Licence Holder, you will be aware that condition 1 (a) to (c) of the Premises Licence stipulates that CCTV must be maintained and recorded at all times customers remain on the premises and that viewing of recordings will be made available upon request of police or authorised officer. I therefore request that CCTV is downloaded and saved for this Licensing Authority to view for the following time periods:

M:\Licensing\Word97\ENFORCEMENT\Legalpro\Casework\2022\CambridgeHeathRd479\Warning Letters\CambridgeHeathRd479.008.doc

Saturday 28th May 2022 from 02:00 hours to 03:00 hours.

Please arrange for this to be ready for collection on Friday 17th June 2022. If this is not convenient please contact me to re-arrange.

I should also inform you that due to the history of complaints, the warnings given and the test purchases being made and no communication from the business in response to any of the letters I have sent, we have no alternative but to trigger a review of the Licence. These papers are currently being drawn up of which you will receive soon.

Yours sincerely



Kathy Driver

Principal Licensing Officer

c.c. 

EXHIBIT N

Please find below extracts from residents complaints about the business operation

Complaints from resident A:

13/4/22	<p>Tower hamlet pizza 479 Cambridge Heath Road London E2 9BU is open without a license 7 days a week.</p> <p>I would like the tower hamlet council to take action against them as they have made life hell for us resident round the clock.</p> <p>They are trading illegally beyond 23:00 hours and must be stopped.</p>
18/4/22	<p>We were awake all night the same way as we have been for long long time.</p>
20/4/22	<p>Please for the sake of God close this pizza place at midnight or before as life is hell.</p> <p>It's 4:30am and there are countless drunken people, thugs, delivery drivers and many more people here making life hell for us and we can not sleep.</p>

Complaints from resident B:

28/3/22	<p>Please take my email very seriously as I do not want this to end up someone getting hurt or worse.</p> <p>am writing in regards to the pizza place on 479A Cambridge heath Road E29BU which Called with few different names Pizza Pizza. Tower hamlet pizza, city pizza and maybe more.</p>
28/3/22	<p>...but can not concentrate on our .. we can not get sleep at night and the noise is absolutely crazy.</p> <p>> This pizza place is open 7 days a week at least UNTILL 6:30 or even 7 am.</p> <p>> The noise from their bikes, staff and customers mostly drunk people which is attracted there at late hours of morning is so loud that we can not get even an hour of proper sleep at any night of the week specially weekends.</p> <p>> We can not take it anymore at the same time can not afford to relocate due to financial hardship as well as not having enough time due to long working hours.</p> <p>> I have mentioned few times that I will report them to the council, but their answer is "we don't give a s***"</p>
4/4/22	<p>There is another point which I would like to add in addition to my previous emails is that the licensed issued under the name of Pizza Pizza, but their sign board and names of the business is different and i think that is illegal itself.</p> <p>They use few different names online specially on justeat, ubereat, delivroo etc etc.</p> <p>They are operating with at least two names that I am aware so far, Tower hamlets pizza and pizza pizza and they are open at least until 6am 7 days a week.</p>
10/4/22	<p>They have closed the Bussiness and start operating under different name Tower Hamlet Pizza. The license you have mentioned in your previous email is for Pizza Pizza which does not exist even if it did, the timing is Sunday to Thursday is UNTILL 1:30 am, Friday and Saturday until 2:30am NOT 7am.</p>

	They have not got the late night license to operate beyond 23:00 hours. I find it extra ordinary as why the Tower Hamlet enforcement and licensing team can not taking any action against this illegal place in any way shape or form....
7/5/22	Its 05:18 in the morning and we are all awake as there are more than 10 motorbikes waiting for food to be collected from this place and many many customers inside ordering food.... there are so much noise and all it is people making extremely loud noise.
9/5/22	They are illegally operating after 11pm all the way to 6 or 7 am even if they don't need license after 5am. Wait until someone die before you take action
14/5/22	Its 04:06 am and already the fight is going on for at least an hour inside the hamlet pizza which 479 cambridge heath road E29BU. How you expect us to live like this when they are open illegally 24/7. ...
26/5/22	The pizza place of course gone worse as every single morning around 3 or 4am there is fights and arguments with the uber, delivroo and justeat delivery drivers as well as people taking drugs. All I am trying to say is our life is hell as a direct result of this pizza place running 24/7 illegally. All the takeaways in the area close at 11pm or latest Midnight. The only place open is tower hamlet pizza
8/6/22	We are still waiting for the council to take action against Hamlet pizza people of 479 Cambridge heath road. They are making even more noise as well many fights and arguments goes on every single nights of the week.

Resident C

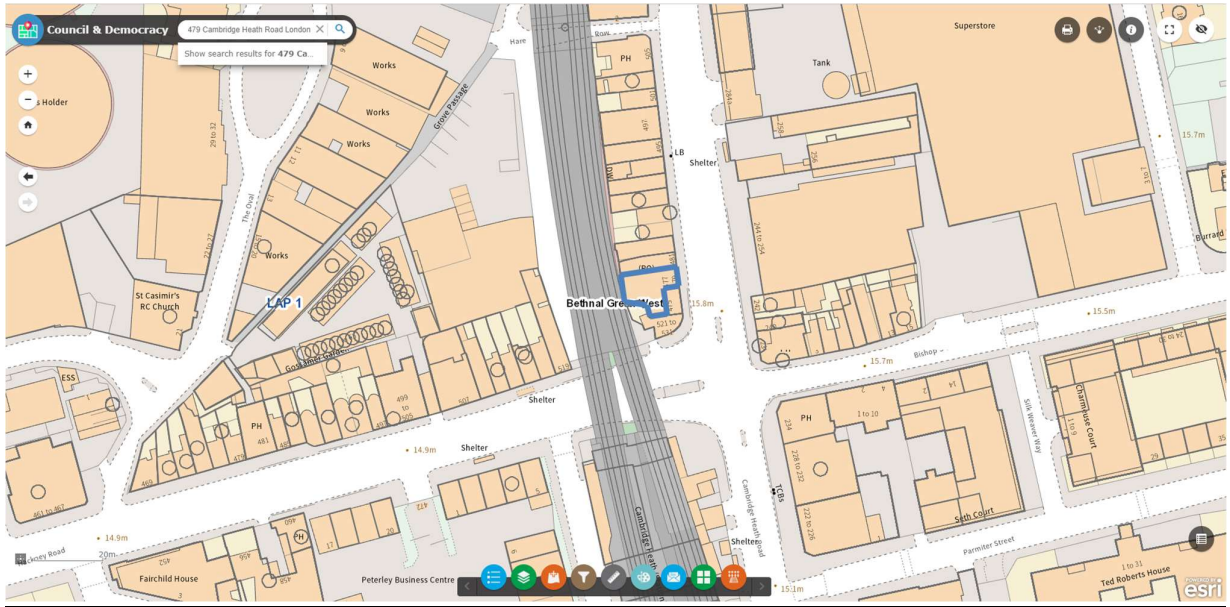
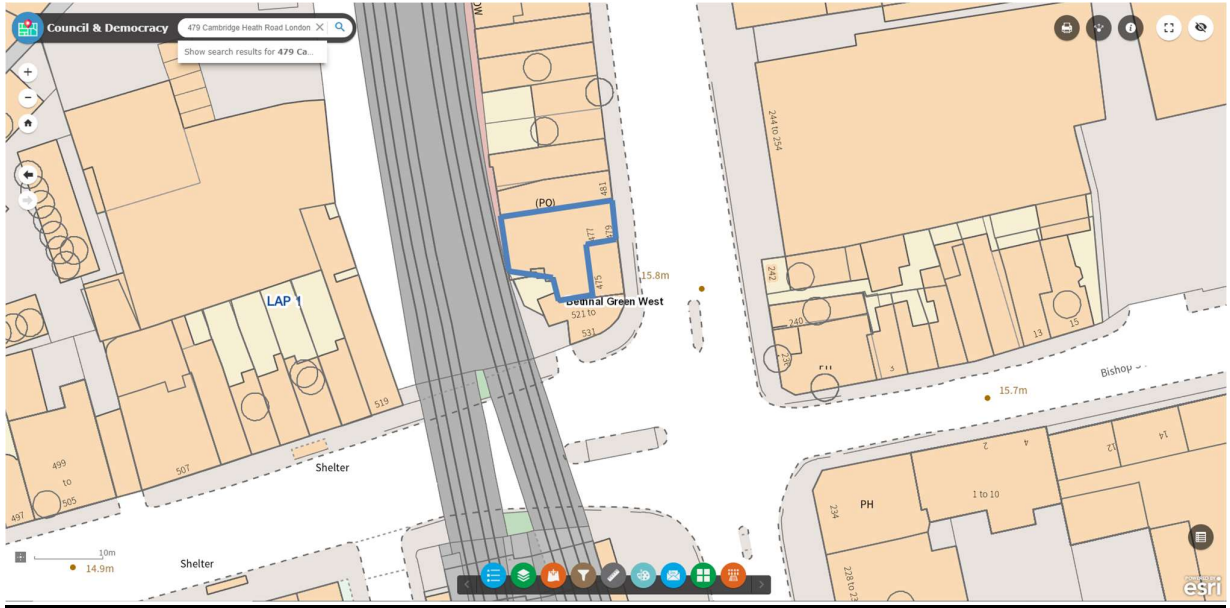
16/5/22	I would like the council to take immediate legal action against this pizza takeaway as they are never close. They are serving people round the clock 7 days a week none stop. Although I am aware of the pizza places legally operating until 11pm. This pizza takeaway attracted a lot of dodgy, drug dealers, drunk and very dangerous people and there are fights every single nights of the week. We are living a nightmare and there is nothing we can do other than the council to take action and close the place exactly at 11pm so we could live in peace. As far as we are aware there were someone stabbed few days ago and ended up in hospital luckily he survived. We have family, kids, work and want to live a normal life, but the place turned our lives upside down and should be shut immediately after 11pm
17/5/22	.. We need you to take action as we are suffering every single night specially between midnight to 5 or 6am.
20/5/22	.. It's 04:15 and for the past 4 hours or so we are awake and can not sleep because of this business that you have taken money and don't want to take action against. How could you expect us to take kids to school, work or function as normal when you are awake all night every night....

22/5/22	<p>Another weekend spent in hell as we couldn't sleep all night all the way to 6:30am.</p> <p>Saturday morning I went to the pizza place at 3:50, this morning/ Sunday mornings I went to speak to them at 3:13am, but all I got abuse from these disgusting thugs. They are dealing with drugs and are very dangerous people. The people coming around 3 or 4 am are all drug dealers. I have called the police and they advice me to contact the useless council as it's their duty to stop these people trading illegally..</p>
25/5/22	<p>The email is regarding the pizza place called Hamlet pizza or towers hamlet pizza also called pizza pizza of 479 Cambridge heath road E29BU which is open round the clock without having the license to operate beyond 23:00 hours.....</p> <p>We are living a life full of nightmares and can not get an hour of sleep ..They are open 24/7 and attract a lot of drug dealers, drunk people, delivery drivers, thugs etc etc and making a lot of noise all the way to 6 or 7am. The worst time is around 3 or 3:30 to 5am.</p> <p>First you made an excuse and now you are making another excuse of new ownership. I am sure someone in the council is advising them what to do to avoid being punished for operating illegally. They are the same people for at least 14 years or so based on the information from the neighbours and local shops.</p> <p>Please for the sake of God do make sure they are close by 23:00 hours and let us live in peace. We have kids and they are behind at school due to lack of sleep.</p>
4/6/22	<p>Yet another night from hell as these people get only worse. Please we are begging you to take action please against The hamlet pizza place at 479 Cambridgeheath road E29bu</p>
5/6/22	<p>Once again we and a night from hell as the hamlet pizza is still open from yesterday 10:30am all the way until now non stop....</p>
10/6/22	<p>Any idea if the Hamlet pizza ever close as they are open 24/7? We are sick and tired of them and for the sake of God make sure they operate under the hours they are permitted NOT 24/7</p>
13/6/22	<p>Once again I am writhing in regards to Hamlet pizza as they are trading between 10:00 to 08:00 seven days a week.</p> <p>..they owner .. is an extremely nasty and dangerous individual ...</p>
21/6/22	<p>Please for the love of God shut this pizza place as we are living a nightmare life. We have kids and we need to take them to school and we need to work.</p> <p>It's 1:30am but their bikes and customers and staff is making life impossible. WE CAN NOT SLEEP AS THE NOISE IS ABSOLUTELY LOUD AND CRAZY.</p>
27/6/22	<p>I am writing once again about these disgusting people at tower hamlet pizza as they are getting worse by the day and non stop 7 days a week 24 hours a day.</p> <p>This morning at 3:40am there was a bad fight and a lot of these thugs were screaming and I am pretty sure someone must've got hurt. ... they are extremely rude and disgusting. They said the shop is sold last week to another person and he was even worse than the previous owner.</p>

	<p>They are all 6 or 7 brothers working at the same place and keep changing the ownership to avoid local authorities, but they are the same people as it was confirmed by many other businesses next to them.....</p>
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Appendix 2

Maps – 479 Cambridge Heath Road



Appendix 3



Tom Lewis
Head of Licensing
Tower Hamlets Council

HT - Tower Hamlets Borough

Licensing Office
1st Floor Stoke Newington Police Station
33 Stoke Newington High Street
N16 8DS

Email: [REDACTED]
www.met.police.uk

Dear Sir,

Central East Police Licensing formally support the review of Tower Hamlets Pizza, 479 Cambridge Heath Road. It is clear from the evidence of Tower Hamlets Council that owners of the premises have continuously ignored the hours on their license by trading past them, as evidenced by the test purchase operations at the premises carried out by Tower Hamlets Council staff, and by the premises own website advertising to be open well past its licensable hours.

This has caused considerable nuisance and disturbance to local residents as the venues customers and delivery bikes have been so noisy as to prevent local residents from sleeping.

Despite warning letters being sent out by Tower Hamlets Council and two test purchases the premises has continued to operate past its hours with total disregard for the harmful effect on local residents, and showing contempt for the licensing act.

Of even more concern is the evidence supplied by the Home Office Immigration Enforcement unit that the premises was found that on two separate visits over a year apart the premises was on each occasion employing people who had no right to work in the UK.

The owners of Tower Hamlets Pizza have demonstrated a consistent attitude of contempt for the rule of law as if somehow it does not apply to them. Therefore no conditions can be attached to the license as they simply will not abide by them. We believe that the only course of action available is the revocation of the license, and we urge the Licensing Committee to take this action.

Kind Regards

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)
T: [REDACTED]
A: Licensing Office, 2nd Floor Stoke Newington Police Station

Appendix 4



Immigration Enforcement

Immigration representation in support of an application for the review of a premises licence

On behalf of the Secretary of State, Home Office (Immigration Enforcement) makes representations in support of the following application for the review of a premises licence, relating to the prevention of crime and disorder objective, including the prevention of illegal working and immigration crime in licensed premises.

IE wishes to make representations on an application for a review of a premises licence.

Details of Premises:			
Premises Licence Holder:			
Name and Address of Premises:			
Tower Hamlets Pizza, 479, Cambridge Heath Road			
Post Town:	London	Post Code:	E2 9BU

Representations are being made for the following reasons:

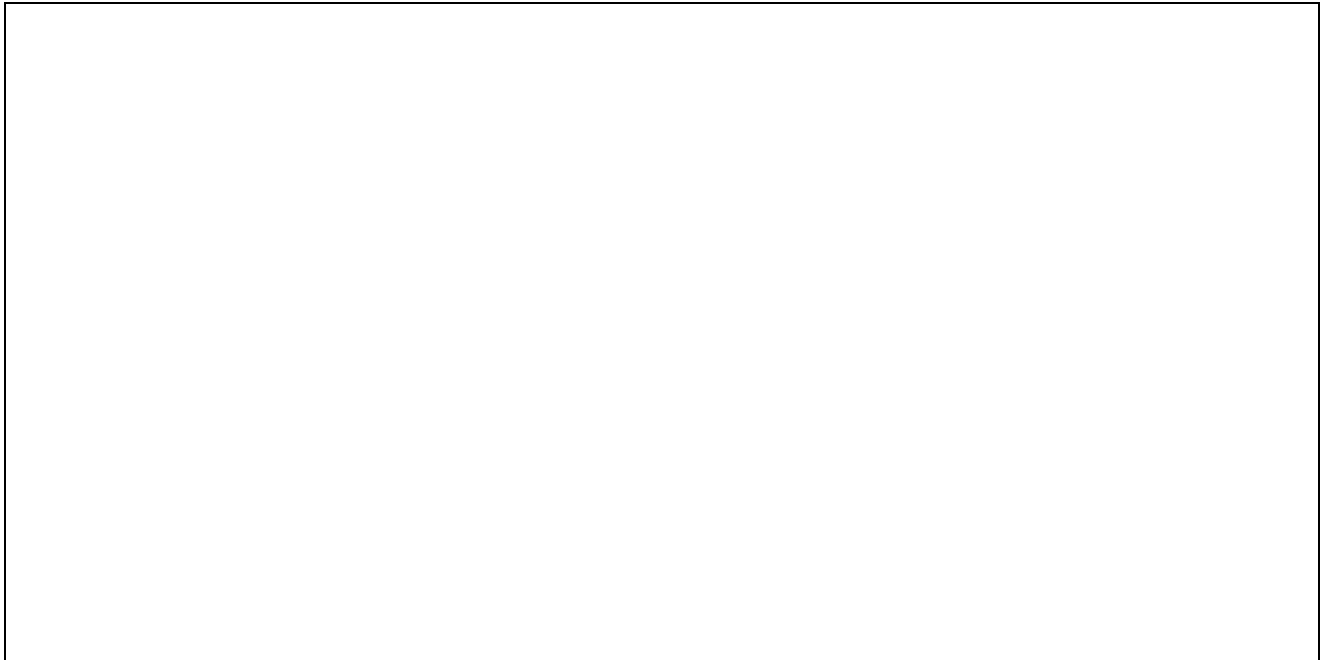
Immigration Enforcement conducted a visit to the above premises on 19th June 2017. During the visit 2 individuals were encountered that after Home Office checks had been conducted were both identified as being in the United Kingdom illegally, and therefore having no right to work.

A referral was made to the Civil Penalties Team for the employment of 2 illegal workers. After consideration of all available information a No Action Notice was issued.

A further visit by Immigration Enforcement was conducted to the premises on 10th September 2018. During the visit 4 individuals were encountered and arrested for illegal working.

A referral was made to the Civil Penalties Team for the employment of 4 illegal workers. After consideration of all available information a civil penalty was issued on 25th September 2019 for £20,000 to Tower Hamlets Pizza Limited for the employment of 2 illegal workers.

The penalty has been paid by instalments. The last payment was on 12/10/2021.



Signatures			
Signature of Responsible Authority			
Home Office Immigration Enforcement			
Date:	07/07/22	Capacity:	Responsible Authority

Details of Responsible Authority

Name and Address:

Home Office Immigration Enforcement,
Alcohol Licensing and Late-Night Refreshments Team,

[Redacted]

Email address
(optional):

[Redacted]

Appendix 5

My reference: P/EHTS/LIC/150801/CH

Dear Corinne Holland,

As there are some of my business competitors who regularly complain to you that my Pizza shop has made life hell of the residents who live near the shop, and they blamed my business for disturbing their sleeping and rest during nights. They also make false allegations that they have children, and their children cannot sleep owing to the disturbance of my Pizza shop. I completely reject these false allegations and their statements as they do not have any factual grounds and they are not true because the people who make these false allegations do not live near my shop, and they are my business competitors who want to close down my business through these false allegations and their smart blame-games.

Hence, it is strongly requested to make sure and confirm their residence address by seeing their proof of address whether these people who make complaint lives near my Pizza shop or not because I am 100% sure that they do not live near my Pizza shop and they are my business competitors who want to close down my business and you will get the reality very soon when you ask about their proof of address. He further accused my Pizza shop of disturbing children's sleeping as there are no families living near my Pizza shop because most of the people who live near my Pizza shop are University students rather than children and families. Similarly, we are just providing take away and delivery services and even we do not receive orders by phone calls because we receive food orders by Apps, so you can investigate people who live on the top of my Pizza shop or who live around my Pizza shop whether my Pizza shop makes any disturbances to them or not. As there are clubs and many shops near my Pizza shop, the disturbance might be caused by them and their noisy environment rather than by my Pizza shop.

Therefore, it is very kindly requested to send an enquiry team to investigate the people who live near my Pizza shop whether they have been disturbed by my Pizza shop or not, and whether they have any complaints regarding my business or not. Moreover, I will really appreciate if you arrange an appointment in which I discuss all the complaints and issues with you related to my Pizza Shop, and I also want to know when is the hearing of my case? Thus, I am looking forward to your cooperation and immediate actions in this very serious regard.

Yours sincerely,

Umid Hussain Khel

Director

Pizza Pizza/ Tower Hamlets Pizza,

479 Cambridge Heath Road, London E2 9BU

Appendix 6

11. Reviews

The review process

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 An application for review may be made electronically, provided that the licensing authority agrees and the applicant submits a subsequent hard copy of the application, if the licensing authority requires one. The licensing authority may also agree in advance that the application need not be given in hard copy. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 14 of this Guidance.
- 11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.
- 11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.
- 11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

Repetitious grounds of review

- 11.12 A repetitious ground is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
 - representations considered by the licensing authority when the premises licence or certificate was granted; or
 - representations which would have been made when the application for the premises

licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

- 11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.
- 11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.
- 11.15 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website (www.legislation.gov.uk). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

Powers of a licensing authority on the determination of a review

- 11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.
- 11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)¹⁰;
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

¹⁰ See chapter 15 in relation to the licensing of live and recorded music.

Reviews arising in connection with crime

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;

- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Review of a premises licence following closure order or illegal working compliance order

11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014 or an illegal working compliance order under section 38 of and Schedule 6 to the Immigration Act 2016. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than five working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).

Review of a premises licence following persistent sales of alcohol to children

11.29 The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store's age verification procedures). However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.

Appendix 7

Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003

Updated April 2018

Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority (“SIA”) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.
- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Appendix 8

Licensing Policy, updated November 2018

Crime and Disorder

- 7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems and to store prescribed information.
- 7.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder licensing objective. Such steps as are required to deal with these identified issues should be included within the applications operating schedule. Where the Metropolitan Police, acting as a responsible authority, makes recommendations in respect of an application relating to the licensing objectives the Licensing Authority would expect the applicant to incorporate these into their operating schedule.
- 7.3 Applicants are recommended to seek advice from Council Officers and the Police as well as taking into account, as appropriate, local planning and transport policies, with tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 7.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has duties under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough and to share prescribed information.
- 7.5 The Licensing Authority, if its discretion is engaged, will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder given in the Secretary of State's Guidance.
- 7.6 **CCTV** - The Licensing Authority, if its discretion is engaged, will attach conditions to licences, as appropriate where the conditions reflect local crime prevention strategies, for example the provision of closed circuit television cameras.

7.7 **Touting** – This is soliciting for custom. There has been a historic problem with Touting in the borough, mainly in relation to restaurants, and as such in 2006 the Council introduced a byelaw under Section 235 of the Local Government Act 1972 for the good rule and government of the London Borough of Tower Hamlets and for the prevention and suppression of nuisances.

As a result, in relation to premises where there is intelligence that touting is, or has been carried out, the Licensing Authority, where its discretion is engaged will insert a standard condition that prohibits 'touting' as follows:-

- 1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan.(marked as Appendix -)
- 2) Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

7.8 **Responsible Drinking** - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group Code of Practice. Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make in promoting the licensing objectives and is committed to working with them.

Model Pool Conditions can be found in the Secretary of State's Guidance.

7.9 **Criminal Activity** - There is certain criminal activity that may arise in connection with licensed premises which the Licensing Authority will treat particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;

- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

The Secretary State's Guidance states that it is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and this Licensing Authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence, even in the first instance, should be seriously considered.

7.10 In particular the Licensing Authority is mindful of the Secretary of State's Guidance "Reviews arising in connection with crime".

7.11 From 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) will need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database which will be available from April 2017. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses. Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC. Further information may be found at: <https://www.gov.uk/guidance/the-alcohol-wholesaler-registration-scheme-awrs>.

Smuggled goods

7.12 The Licensing Authority will exercise its discretion to add a standard condition as follows:-

- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery to provide traceability.
- 2) The premises licence holder shall ensure that all receipts for goods bought include the following details:
 - i. Seller's name and address
 - ii. Seller's company details, if applicable
 - iii. Seller's VAT details, if applicable
 - iv. Vehicle registration detail, if applicable
- 3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.
- 4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.
- 5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

Olympic Park – Football Ground

7.13 Premises where Police intelligence shows that football supporters congregate within the borough should consider in their application form the following conditions:

- 1) On Match Days for premises licensed for the supply of alcohol for consumption on the premises:
 - a) Drinks shall only be supplied in polypropylene or similar plastic and all bottled drinks shall be poured into such drinking vessels before being handed to the customer. These should be made of recyclable materials.
 - b) Registered door staff shall be employed to control the entry and exits to the premises and to manage any licensed outside area(s).

Appendix 9

Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003

Updated April 2018

Public nuisance

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Appendix 10

Prevention of Public Nuisance

- 9.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.
- 9.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence. The Licensing Authority will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Health Officers before preparing their plans and Schedules.
- 9.3 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the problems identified in Section 18 of this Policy (Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area), and these may include conditions drawn from the Model Pool of Conditions found in the Secretary of States Guidance.
- 9.4 **Street Furniture** – placing of street furniture, which includes advertising boards, on the highway can cause a public nuisance by way of obstruction, or encourage consumption of alcohol on an unlicensed area. The Licensing Authority expects applicants to have ensured that they fully comply with the Council's rules relating to authorisation of obstructions on the highway, and that the required authorisations are obtained prior to submitting a licence application. Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose conditions in relation to street furniture, including on private land.
- 9.5 **Fly Posting** – The Council has experienced problems with "fly posting" in relation to venues that offer entertainment. Fly posting is the unauthorised posting of posters / advertisements etc. Where it considers it proportionate and appropriate, and its discretion is engaged, the Licensing Authority will attach conditions relating to the control of fly posting to ensure that venues clearly prohibit all fly posting in their contract terms with others and they effectively enforce this control.