

Territorial Policing

Licensing Department
Lewisham Council
Holbeach Office
9 Holbeach Road
Catford
SE6 4TW

**PL - Lewisham Borough
PL - Lewisham Police Station**
LGB 150
Lewisham Police Licensing
9 Holbeach Road
London
SE6 4tw
Telephone: 020 8 314 7445
Facsimile:
Email:
nicholas.gerry@met.pnn.police .uk
Your ref:
Our ref:
27/12/2018

Dear Licensing Department

On behalf of the Metropolitan police, I hereby give notice of my objection to the application for a Full Variation for the Oregano Leaf at 98 New Cross Road SE14.

I make representations for this Full variation under the prevention of crime and disorder objective.

As part of the application process, I attended Oregano Leaf on the 24th November 2018 at 20:42hrs with officers from the council and the immigration service. Oregano leaf only has one condition and that relates to the premises having CCTV and it must record for 31days. Also in the condition it states that one member of staff on duty at the premises must be capable of operating it at all times.

When we conducted the visit, we were met by the applicant Mr Allahad Momtaz and his father. On this occasion the CCTV system was not working and the License was not displayed. Mr Momtaz could also not locate the license on the premises.

I appreciate these two breaches may appear to be minor but they only have one condition on their license and they have still breached this. When I visited previously on the 06/03/2018 the staff members on scene could not operate the CCTV or tell officers present how many days it recorded for, also the License was not displayed properly. This was again in response to a full variation and it led to a committee hearing and the application was not granted.

On the 12th July 2017, I found the same two breaches, on the 15 August 2017 a Licensing hearing was held and the full variation was not granted.

The message does not seem to be sinking in. This is now the second application and still we have the same two breaches. All they had to do was to make sure the CCTV was working and display the License. Not displaying the license is section 57(4) offense and failure to produce a License is a section 57(7) offence under the Licensing act 2003.

I have issued Mr Allahdad Momtaz with an action plan to rectify the CCTV and display the License

Applying for a late license in a CIZ comes with a large responsibility. I am disappointed they still have not addressed the license breaches. I also feel that if they can't address the CCTV issue and the displaying the license I have concerns they will not protect the License objectives.

Until the premises has rectified the breaches and can prove to us they will abide by the minimal conditions they have I have no option but to make representations against this Full Variation.

Regards

 PC1782SE

Nick Gerry

Licensing officer – Lewisham Police.



Notification of alleged offences under the Licensing Act 2003

Venue Name: Oregano Leaf REF: (CAD/CRIS etc.)

Address: 98 New Cross Road, SE14 5BA

Date: 24/11/18 Time: 2042

Details of person in charge at the relevant time: Alvinda Montez

DPS Personal Licence Holder

Summary of alleged offences identified

- Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence. - After 23.00hrs
- Section 57 (7) Failure to produce a premises licence or a certified copy.
- Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- Section 109 (8) Failure to produce a TEN to a police officer.
- Section 135 (4) Failure to produce a personal licence to a police officer.
- Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y No)
- Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y No)
- Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y No)
- Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- Section 146 (1) Selling alcohol to an individual aged under 18.
- Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

Details of alleged offence(s) including relevant Cad and Crime report details: Action Plan
Breach of Annex 2 conditions -
CCTV not working. → Steps needed to complete
Action plan -
Fix CCTV + Display Licence - CCTV to be Fixed by 28/11/2018

Issuing officer: [Signature] Print: Mark GERRY 7821

I acknowledge receipt of this form: (venue) [Signature]

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001

