



Licensing Team  
9 Holbeach Road  
London SE6 4TW  
020 8314 6400

**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 Lisa Spall

*(Insert name of applicant)*

**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**

Oregano Leaf  
98 New Cross Road

**Post town**  
London

**Post code (if known)**  
SE14 5BA

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

Mr Allahdad Momtaz

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

PL 0992

**Part 2 - Applicant details**

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 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)**

Please tick ✓ yes

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**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**Please state the ground(s) for review (please read guidance note 2)**

I am applying for a review of the premises license for Oregano Leaf 98 New Cross Road London SE14 5BA

I believe that they have put at serious risk all of the Licensing objectives. The objectives that I am applying for this review under is Prevention of Crime and disorder, public safety and the prevention of public nuisance the protection of children from harm.

As some background to the premises there is a long history with this particular premises of noncompliance and Licensing offences. Since 2017 the CER service has been visiting the premises periodically to check on compliance following the discovery in 2017 that the premises were opening 3 to 4 hours after their licence allowed them.

This particular premises has been to the licensing committee 4 times in the last two years most recently on 30<sup>th</sup> January 2019 where they were asking for their licence to varied to allow them to open until 2am Monday to Thursday and until 3am on a Friday, Saturday and Sunday this application was objected to by the Police and the CER service and the Planning service and was rejected at the committee meeting.

On Saturday 20<sup>th</sup> April 2019 CER officers Richard Lockett & Charlotte Smith were working out of hours carrying out licensing compliance checks and noise visits to existing cases.

They visited Oregano Leaf at 01:04am where there was clearly a delivery driver and a customer present. (See attached witness statement of Richard Lockett exhibited as LS/1).

Which shows that the premises was operating outside of its licensable hours. In addition you can see exhibits which show after hour's orders being taken on Uber covering the following dates.

20<sup>th</sup> April 2019 at 00:53

17<sup>th</sup> April 2019 at 00:37

16<sup>th</sup> April 2019 at 00:06

15<sup>th</sup> April 2019 at 01:15

14<sup>th</sup> April 2019 at 02:28

12<sup>th</sup> April 2019 at 00:46

This shows a clear pattern of afterhours licensing offence. In addition when the CER Officers asked the premises to see a copy of their licence it was not on display and it could not be produced.

This premises was visited on 24<sup>th</sup> November 2018 and on the 10<sup>th</sup> January 2019 and the same breach of licence was found (see attached breach letters as exhibits LS/2, LS/3 & LS/4).

I feel this licence holders clearly shows no regard for the licensing act 2003 and I believe this puts all the licensing objectives at risk. I feel this can only be dealt with by way of revocation of their licence.



**(B) DETAILS OF OTHER APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address  Lisa Spall Crime Enforcement & Regulation Service 9 Holbeach Road London SE6 4TW
Telephone number (if any) 02083148390
E-mail address (optional) Lisa.Spall@lewisham.gov.uk

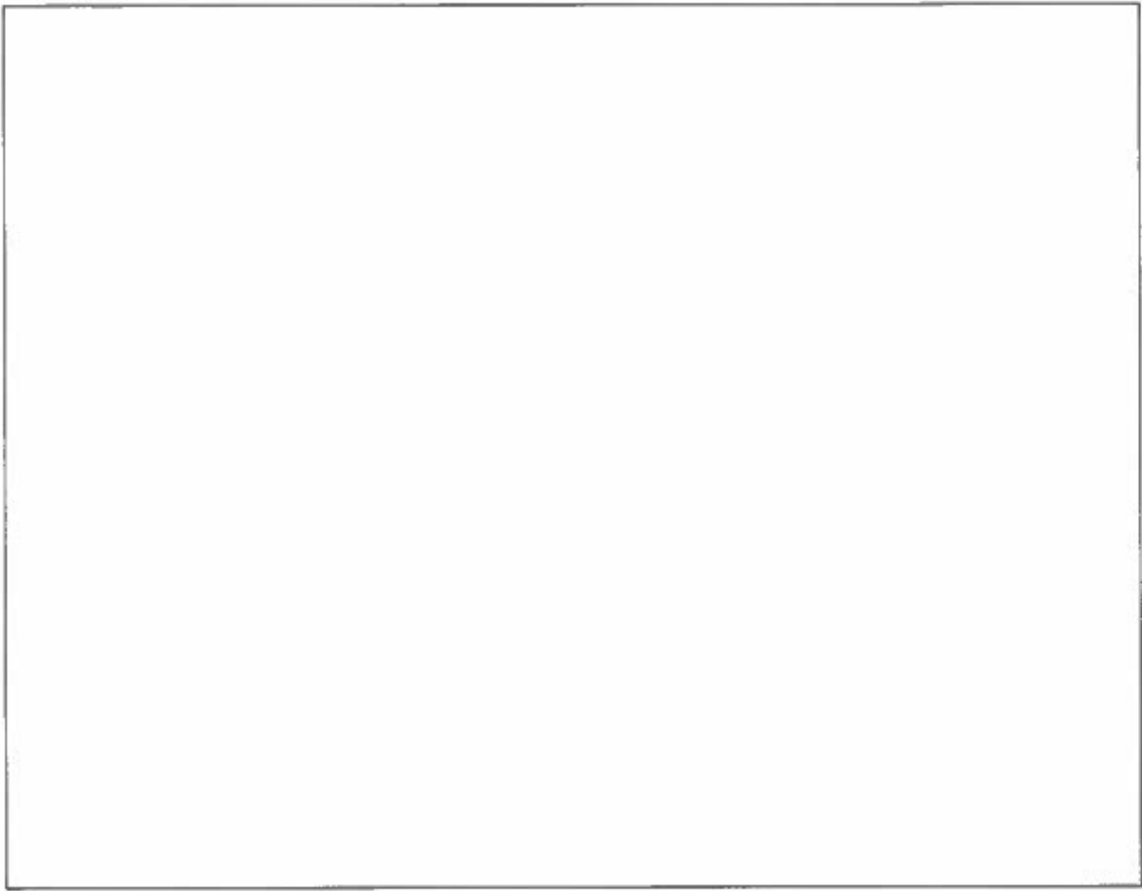
**This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes

- 
- 
- 
-





**Please provide as much information as possible to support the application**  
(please read guidance note 3)

Section 57 (4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the licence

Section 57 (7) Failure to produce a premises licence or a certified copy

Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise in accordance with an authorisation or knowingly allowing a licensable activity to be carried on.

Details are all covered in the witness statement of Richard Lockett.



**Please tick ✓ yes**

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

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

N/A

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 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature LSAell

Date 25/4/19

Capacity Club Manager

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

LS1

# Witness Statement

(Criminal Procedure Rules, r 27.2;  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

**Statement of:** Richard Lockett

**Age of witness:** Over 18.  
(if over 18 enter "over 18")

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This statement (consisting of 2 page(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.

Dated the 25<sup>th</sup> day of April 2019.

Signature 

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I am a Crime, Enforcement and Regulation Officer employed by the Crime, Enforcement and Regulation Service of the Community Services Directorate of the London Borough of Lewisham. I am responsible for investigating alleged breaches of; and enforcing the various statutory provisions delegated to me.

On 20<sup>th</sup> April 2019 my colleague Charlotte Smith and I were carrying out a late night duty officer service between 9pm and 3am (finishing on the 21<sup>st</sup> April).

At 00.58am we drove down New Cross Road and noticed that the takeaway premises at no. 98, known as Oregano Leaf was open, with a customer and delivery driver inside. There was a moped parked outside the shop.

Oregano Leaf is only licensed to sell late night refreshments until midnight every night of the week. I produce a copy of this premises licence as exhibit RL1.

Ms Smith and I entered the premises at 01.04am and there were two customers waiting for food.

We identified ourselves and spoke with a gentleman called Nasim Khaalazia, who was in the process of cooking a pizza behind the counter. When asked what time he was closing, he explained that he would do so once he had finished serving the gentleman who was waiting.

Mr Khaalazia suggested that the customer had ordered the pizza before midnight, however, the order was only for one small pizza. Given that it was very unlikely it had taken over an hour to cook one pizza, I disputed his claim. Mr Khaalazia then suggested that the customer had begged him for a pizza and that he was on holiday in London and this was why he served him after midnight.

There was no premises licence on display inside the store and Mr Khaalazia could not produce one when asked. I took a photo of the wall, where other certificates were on display and produce this as exhibit RL2.

Mr Khaalazia suggested that it was his fault and that his boss Mr Mumtaz had told him to close

**Signature of witness:** .....

## Statement continuation

**Witness:**

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at midnight. When asked where Mr Mumtaz was, we were told that he was in East London.

Mr Khaalazia was questioned on what online services they used and he explained that they used Just Eat, Uber Eats and Deliveroo.

Ms Smith and I looked at the orders on the various tablets and I took three photographs showing various orders that had been taken over Uber Eats after midnight on various dates in April. I produce these photographs as exhibits RL3, RL4 and RL5.

Ms Smith and I advised Mr Khaalazia that we would be writing to the Licensee regarding our visit and asked him to close the shop immediately. Mr Khaalazia began closing up as we left at around 01.25am.

Signature of witness: 

**Premises licence number**

PL 0992

**Premises name**

OREGANO LEAF

**Part 1- Premises details****Postal address of premises, or if none, ordnance survey map reference or description**

98 New Cross Road

**Post town** London**Post code** SE14 5BA**Telephone number** 020 7277 7778**Premises licence holder name**

Allahdad Momtaz



Directorate for Community Services  
Crime, Enforcement & Regulation Service  
Licensing Authority  
Holbeach Office  
9 Holbeach Road  
London  
SE6 4TW

Proper Officer for Licensing  
London Borough of Lewisham

**Where licence is time limited the dates**

**Licensable activities authorised by the licence**

Provision of late night refreshment

**The times the licence authorises the carrying out of licensable activities**

Provision of late night refreshment

23.00 - 00.00 Monday  
23.00 - 00.00 Tuesday  
23.00 - 00.00 Wednesday  
23.00 - 00.00 Thursday  
23.00 - 00.00 Friday  
23.00 - 00.00 Saturday  
23.00 - 00.00 Sunday

**The opening hours of the premises**

Until 00.00 Monday - Sunday

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

**Part 2**

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

Allahdad Momtaz  
98A New Cross Road  
London  
SE14 5BA

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

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

N/A

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

N/A

## **Annex 1- Mandatory conditions**



## **Annex 2-Conditions consistent with the operating Schedule**

An approved CCTV system to be maintained inside of the premises with a 31 day retention of recordings. The system must comply with BSEN 50132 (part7) 2009 and be capable of facial image recognition of all persons both entering and leaving the premises. The cameras will cover the whole of the premises and true copies be retained for 31 days, such copies must be in a format that can be viewed on readily available equipment without the need for specialist software and made available upon request to MPS and LA officers. One member of staff on duty at the premises must be capable of operating at all times.

**Annex 3- Condition attached after a hearing by the licensing authority**

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## **Annex 4- Plans**

Full plans available at Licensing Services, London Borough of Lewisham

Ground floor



RL2





# Order History



Show all



Select a date:

21 Apr 2019

## Completed

Status	Order	Customer	Paid	Courier
>  Completed 20 Apr 00:53	48D16	Aoife	£21.90	Nadhir
>  Completed 17 Apr 00:37	01B0D	Elisângela	£22.98	Sultan
>  Completed 16 Apr 00:06	61F73	Edward	£14.49	Major
>  Completed 15 Apr 22:58	5B738	Jakub	£21.41	haseeb
>  Completed	B5DC2	Seth	£14.98	Nazmul





RL4

## Order History












Show all



Select a date:

21 Apr 2019

### Completed

Status	Order	Customer	Paid	Couner
>  Completed 15 Apr 01:15	B5DC2	Seth	£14.98	 Nazmul
>  Completed 14 Apr 20:21	40D10	Garys	£31.24	 khadijat
>  Completed 14 Apr 02:28	2E56A	Arad	£12.00	 Rukhsar
>  Completed 13 Apr 15:59	EF261	Ruby	£11.99	 Konstantinos
>  Completed 12 Apr 20:42	B261B	Sammy	£11.90	 Felipe

UBER



RL5

# Order History

Show all

Select a date:

21 Apr 2019

## Completed

Status	Order	Customer	Paid	Driver
>  Completed 12 Apr 00:46	97E70	Darius	£10.50	Edir
>  Completed 11 Apr 22:57	3C982	Hannah	£21.44	Ruben
>  Completed 11 Apr 20:03	E498A	Thomas	£10.50	Solomon
>  Completed 10 Apr 16:03	93ECA	Elise	£7.50	Sultan
>  Completed				

UBER



LS2



Crime, Enforcement & Regulation  
Service  
9 Holbeach Road  
Catford  
London  
SE6 4TW

Allahdad Momtaz  
Oregano leaf Pizza  
98 New Cross Road  
London SE14 5DJ

Direct Line: 020 8314 8390  
[lisa.spall@lewisham.gov.uk](mailto:lisa.spall@lewisham.gov.uk)

Date: 26 November 2018

Dear Mr Momtaz,

**Oregano Leaf Pizza 98 New Cross Road SE14 5DJ**

I write to you in your capacity as the Premise Licence Holder for the above business. The Crime, Enforcement and Regulation Service and the Metropolitan Police visited your business on 24<sup>th</sup> November 2018 at approximately 20:32. During this visit Officers observed that the premises did not have a copy of its licence on display. It was further noted by officers that the CCTV was not working.

I must remind you that CCTV is the only annex 2 condition on your licence – See below a copy of your licence condition:

“An approved CCTV system to be maintained inside of the premises with a 31 day retention of recordings. The system must comply with BSEN 50132 (part7) 2009 and be capable of facial image recognition of all persons both entering and leaving the premises. The cameras will cover the whole of the premises and true copies be retained for 31 days, such copies must be in a format that can be viewed on readily available equipment without the need for specialist software and made available upon request to MPS and LA officers. One member of staff on duty at the premises must be capable of operating at all times.”

When you were asked about the CCTV you stated that it works on and off and when asked why your licence was not on display you stated that your solicitor had told you to send it to licensing with your application for a Full Variation.

I must remind you that operating your business without CCTV is breach of an annex 2 condition on your licence which is putting the licensing objectives at risk and is an offence under section 57/ (4) of the licensing Act 2003 in addition not being able to produce a premises licence is also a Section 57(7) offence under the licensing act 2003.

You have been issued with an action plan by PC Gerry. Should your CCTV not be working on our next visit we will have no other option than to take your licence through a review process.

You can contact me on 0208 314 8390 or via email to [lisa.spall@lewisham.gov.uk](mailto:lisa.spall@lewisham.gov.uk). If you wish to discuss the matter.

Yours sincerely,

**Lisa Spall**  
Crime Enforcement & Regulation Manager



LS3



Crime, Enforcement & Regulation  
Service  
9 Holbeach Road  
Catford  
London  
SE6 4TW

Allahdad Momtaz  
Oregano leaf Pizza  
98 New Cross Road  
London SE14 5DJ

Direct Line: 020 8314 8390  
[lisa.spall@lewisham.gov.uk](mailto:lisa.spall@lewisham.gov.uk)

Date: 15 January 2019

Dear Mr Momtaz,

**Oregano Leaf Pizza 98 New Cross Road SE14 5DJ**

I write to you in your capacity as the Premise Licence Holder for the above business. The Crime, Enforcement and Regulation Service and the Metropolitan Police visited your business on 10 January 2019 at approximately 12:30. During this visit Officers observed that the premises did have copy of its licence on display but it was a photocopy and not the original document. It was further noted by officers that the CCTV was working but we were unable to ascertain the exact number of days the CCTV had been working or how long footage was kept.

In addition I asked you to supply me with footage from your CCTV from the date which it was working again to 11/1/19.

I must remind you that CCTV is the only annex 2 condition on your licence – See below a copy of your licence condition:

“An approved CCTV system to be maintained inside of the premises with a 31 day retention of recordings. The system must comply with BSEN 50132 (part7) 2009 and be capable of facial image recognition of all persons both entering and leaving the premises. The cameras will cover the whole of the premises and true copies be retained for 31 days, such copies must be in a format that can be viewed on readily available equipment without the need for specialist software and made available upon request to MPS and LA officers. One member of staff on duty at the premises must be capable of operating at all times.”

When your staff were asked about the CCTV and when it was fixed they told us that it was fixed straight after our initial visit in November 2018. But when they were asked about how long the CCTV keeps footage initially they told us that the system kept recordings for 200 days but when asked to produce 200 days' worth of CCTV the staff member then said that the system was only fixed 5 days prior to this visit. In addition to this when asked no member of staff was able to operate the CCTV.

In addition no one at the premises at the time of the visit was able to operate the CCTV this is a breach of your annex 2 condition which states that “one member of staff on duty at the premises must be capable of operating the CCTV at all times” This was not the case when we visited your premises.

I must remind you that operating your business in breach of an annex 2 condition on your licence are putting the licensing objectives at risk and is an offence under section 57/ (4) of the licensing Act 2003.

You have been issued were issued with an action plan by PC Gerry when we visited in November 2018. You are still technically in breach of your annex 2 condition as no member of staff other than you can operate the system. We also have no proof as to when the system was fixed and how many days it keeps recording.

You can contact me on 0208 314 8390 or via email to [lisa.spall@lewisham.gov.uk](mailto:lisa.spall@lewisham.gov.uk). If you wish to discuss the matter.

Yours sincerely,

**Lisa Spall**  
**Crime Enforcement & Regulation Manager**



LSA



Crime, Enforcement & Regulation  
Service  
9 Holbeach Road  
Catford  
London  
SE6 4TW

Allahdad Momtaz  
Oregano leaf Pizza  
98 New Cross Road  
London SE14 5DJ

Direct Line: 020 8314 8390  
[lisa.spall@lewisham.gov.uk](mailto:lisa.spall@lewisham.gov.uk)

Date: 25 April 2019

Dear Mr Momtaz,

**Oregano Leaf Pizza 98 New Cross Road SE14 5DJ**

I write to you in your capacity as the Premise Licence Holder for the above business. The Crime, Enforcement and Regulation Service visited your business on 21<sup>st</sup> April 2019 at approximately 01:04am. During this visit Officers observed that the premises did have copy of your premises licence on display.

In addition your premises was witnessed to still be trading 1 hour and 4 minutes after your licence ceases which is an offence under section 136 (1) of the licensing Act 2003. On speaking to your staff member and looking at your UBER terminal it was discovered that your premises has been operating outside of your licensable hours on a further 6 occasions which is 6 further offences under section 136 (1) of the licensing Act 2003.

I must remind you that operating your business in breach of an annex 2 condition on your licence are putting the licensing objectives at risk and is an offence under section 57/ (4) of the licensing Act 2003.

These breaches are particularly serious and line with our Enforcement Policy you have been previously educated as to your Premises Licence times and conditions this was confirmed with you on 30<sup>th</sup> January 2019 when you attended the licensing committee.

I have no option now but to apply to the licensing authority for a review of your premises licence.

You can contact me on 0208 314 8390 or via email to [lisa.spall@lewisham.gov.uk](mailto:lisa.spall@lewisham.gov.uk). If you wish to discuss the matter.

Yours sincerely,

**Lisa Spall**  
**Crime Enforcement & Regulation Manager**

