



TOTAL POLICING

Territorial Policing

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Your ref:

Our ref: Phase One review.

16/05/2018

Dear Licensing Department

On behalf of the MPS I hereby give notice of my representations in support of the premises license review sort by Dan Power in CER service at Lewisham Council against the premises license for Phase One at 136 New Cross Road, SE14 5BA License number PL 1153. I make my representation under the crime and disorder licensing objectives

I have been made aware by Dan Power that he has sort the review as he has discovered through an investigation that Phase One has been trading past there hours whilst he was investigating a number of noise complaints.

I am aware of this premises as I first visited the premises on the 27/01/2017 to conduct a licensing visit. The outcome of this visit was that I issued an action plan as I had found three annex three license breaches. I was aware at this stage that the owner of the premises was Mr Samuel Ojo but he was not shown on the License. I conducted this visit with Lisa Spall from the CER team at Lewisham council. I show exhibit NG/1, a record of this visit and NG/2, a copy of the action plan.

I then conducted a second visit on the 24/02/2017 with Lisa Spall and immigration officers. This visit ended with a section 19-closure notice being issued. The notice was issued because on our arrival the two members of staff present left the restaurant and failed to come back. On speaking to the DPS on the phone it became apparent he was no longer working at the premises and the premises was running without a dps. I Exhibit N/G3, a copy of the section 19 and NG/4 a copy of the notification of alleged offences under the licensing act 2003, namely unauthorised sales of alcohol.

Due to this, I submitted an application to review the license. NG/5 refers.

During this review period the premises license was transferred to Phase One Ltd and the director was Mr Samuel Ojo. A new DPS a Mr Abiodun Olatunde Ajidagba was appointed. Mr Ojo had now been given a chance to prove to us that he could run premises in line with his License and protect the Licensing objectives and I withdrew my review application.

I was then made aware that Dan Power from the CER team was now investigating noise complaints that would suggest that Phase one was again breaching its License and trading passed its hours. Dan Power had requested on several occasions that Mr Ojo provide CCTV so the allegations of trading passed the hours could be investigated, unfortunately the CCTV was not forthcoming and Dan Power and Lisa Spall had to attend the premises on the 07/03/2018 to view the CCTV. Whilst at the premises they discovered that Phase one had been trading past its hours. This then required further investigation of the CCTV system which showed at least 8 days where the premises was trading over its hours. This is an offence under section 136 of the licensing act 2003 and a clear breach of the licensing objectives.

I have also noted that Dan Power has decided to give Mr Ojo another chance and recommend further conditions to be added to the License for Phase One and amendment of hours.

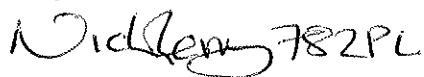
I agree with Dan Power that the new conditions and the amended hours are a way forward and if they are adhered to would help to protect the Licensing objectives and the CIZ zone where Phase One is located.

My fear is that this is the second DPS in just over a year and both changes have been brought on by action in relation to reviews/review applications. Mr Ojo has owned and run the premises during this time and he has failed on numerous occasions to uphold the licensing objectives and remain within the Law.

I have received an email from Mr Ojo on the 20/04/2018, which I exhibit at NG/6. This email suggests that amending his hours would challenge the profitability of his business. I believe if imposed on him he would again be tempted to ignore these amendments and flaunt the law thus put the licensing objectives at risk. I can see by the email that Mr Ojo was hoping to increase his opening hours. If he had not decided to flaunt the law and trade over his hours, we may be looking at an application to increase his hours rather than a review of this current license. If Mr Ojo cannot convince us that he would abide by these new hours suggested the only other option I can see is to revoke the license. He has proven time after time he is unable to keep within his current license and protect the licensing objectives.

I respectfully request that this representation in support of this licensing review be accepted.

Regards

A handwritten signature in black ink that reads "Nick Gerry 782PL". The signature is written in a cursive style.

Nick Gerry

Licensing officer, Lewisham Police.