

EXHIBIT

21st December 2017
Our ref: UL/CSS/LIC/WK/000639760

Community Directorate
Corporate Director
Paul Walker

Maya Pub
3 Shaftesbury Parade
Shaftesbury Avenue
South Harrow
Middlesex
HA2 0AJ

Dear Sir/Madam,

Licensing Act 2003 - Breaches of conditions

Maya Pub, 3 Shaftesbury Parade, Shaftesbury Avenue, South Harrow, Middlesex, HA2 0AJ

I am writing about a visit to the above premises on 14/12/17 at 16.25 hours. During the visit the following breaches of the licence were found:

(Mandatory Licensing Conditions) (Amendment) Order 2014

1. Condition 4, states - The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises.

These measures were not displayed in your drinks menu as required.

2. Annex 3, Condition 1: CCTV SYSTEM SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE SPECIFICATION DETAILED BY THE METROPOLITAN POLICE SERVICE. THE SYSTEM SHALL BE IN USE AT ALL TIMES DURING LICENSABLE ACTIVITIES WHEN THE PREMISES IS OPEN. RECORDINGS WILL BE MADE AVAILABLE FOR 31 DAYS IF AN ANALOGUE SYSTEM OR 14 DAYS IF A DIGITAL SYSTEM AND PROVIDED TO THE POLICE ON REQUEST.

Please ensure the date and time is accurate as the date was incorrect at the time of my visit.

3. Annex 3, Condition 2: THE DESIGNATED PREMISES SUPERVISOR OR A PREMISES REPRESENTATIVE SHALL, WHERE ONE IS IN EXISTANCE, ACTIVELY PARTICIPATE IN THE LOCAL PUBSAFE/PUBWATCH SCHEME

The DPS should contact Patrick Moran the Licensing police officer at [REDACTED] to participate in the local pubwatch scheme.

Additional Items

4. Your fire extinguishers were last tested in 2013. They need to be tested annually.
5. There was no incident log at the venue. It is strongly recommended that you have an incident log to be kept at the premises for at least 12 months, and examined on a regular basis by the DPS and the date and time of each examination will be endorsed in the register.

The register shall be made available on request to an authorised officer of the licensing authority or the Police, which will record the following:

- (a) all crimes reported to the venue, or by the venue to the Police
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs, offensive weapons, fraudulent ID or other items
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service
6. I note there was signage at the premises relating to under age sales however the signage was very difficult to read and I would suggest you display additional signage in a prominent position, so that customers are aware that an age verification policy exists.

It is essential that you adhere to all of the conditions that are on your premises licence. Failing to comply with the conditions on your licence is a criminal offence, which can lead to a maximum penalty on conviction or a fine and/or up to 6 months' imprisonment. Your licence may also be reviewed which either can lead to it being revoked, suspended or additional conditions added to it.

I would be grateful if you would pass this information to the relevant person(s) for attention to ensure further breaches do not occur.

No further action is proposed on this occasion. This warning will be kept on our files and may be referred to should other enforcement action be required in the future. If you require any further details, please contact the licensing team as shown.

Yours sincerely

[REDACTED]
Licensing Team (CSS)
Licensing Officer
Environment and Enterprise

Email: licensing@harrow.gov.uk

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: Patrick Moran

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

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.

Witness Signature: [Redacted] Date: 14th February 2018

This statement is with reference to my visit on Wednesday 14th February 2018 at 12.00 at THE MAYA PUB, SHAFTESBURY PARADE, SHAFTESBURY CIRCLE, and HARROW. I was accompanied by Mr [Redacted] Harrow Licensing Department. The purpose of our visit was to investigate a complaint which was made by a resident. The premises was carrying out licencing activities after closing time on Saturday 10th February 2018.

When we arrived at the premises it was closed, Mr Rabindra GURUNG opened the door and let us in. I explained we were on an official visit, we had come regarding a complaint made by a resident. I explained to him an allegation had been made that the premises closed at midnight on Saturday 10th February 2018, but licencing activity was continuing on after closing on Sunday 11th 2018.

I asked Mr GURUNG if he had a lock in. he replied, "Yes for friends" I asked if I could see the till transactions after closing time. He showed me the till, I asked if it was an EPOS till? He replied, "Yes". Mr GURUNG was not able to show me the transactions after midnight, but was able to show the transactions total for the day.

I asked him if he could show me the CCTV in the premises for the dates from midnight on Saturday 10th until Sunday 11th morning till 1.00am. I noticed the clock was running 1 hour fast. This was taken into consideration when he was asked to play back the selected images.

On viewing the CCTV it is apparent that licence activity is still being carried out behind the bar. Drinks are being served and money taken. I asked for the footage to be moved onto 02.00 am and still there are patrons in the bar drinking. There was more than a handful of patrons in the premises.

[Redacted] explained to Mr Gurung that Harrow Licensing Department had a meeting with him on the 18th January 2018 to discuss complaints from residents that public nuisance and licencing activities were being carried out beyond closing times. Where I was present. You Mr Gurung informed us you wanted to work with the authority and co-operate and such activities were not being carried out. Mr [Redacted] explained you were warned what the consequences would be if it was found licencing conditions were breached.

Mr Gurung explained it was a new business and it was difficult to make ends meet. The premises is quite during the week and weekends was the time it was busy. He could not see why residents were complaining when the doors were closed. I informed him that if he wanted to stay open longer then there were systems in place for this, i.e. application for a TEN or application to do a full variation to amend the opening hours etc. You know the process as you have a TEN in place for this coming Saturday 17th and 18th February 2018 where you are open until 02.30.

[Redacted] explained to him again the four licencing objectives set out in the premises licence and all business have to adhere to them. I informed Mr Gurung that I had personally visited the premises prior to its opening, explained the problems we had with the previous designated premise Supervisor where I requested a licence review.

Witness Signature: ... [Redacted]

Signature Witnessed by Signature:

Continuation of Statement of: *PATRICK MURRAY*

Mr Gurung accepted that he had breached the licence conditions on our visit and he was not obstructive. [REDACTED] explained to him he would discuss our visit with Harrow Principal licence officer next week after he returns from holiday. He also informed him to read his premises licence and to ensure he follows all the conditions set when his TEN is in operation on Saturday 17/18th February 2018.

He was asked to download the CCTV onto media, he opted for using disc to store the footage.

Witness Signature: *PATRICK MURRAY*

Signature Witnessed by Signature: