

Email to: Habib Noory
Sent: Thu 27/08/20 16:02

Dear Habib

Thanks for your email.

I am afraid that I cannot open the attachments in your email. I am therefore unable to open your code of conduct – it would be best if you send this via PDF.

I am referring to the weekend of 22-23 August yes.

Apologies the complaint that has been made to me is that it is your delivery drivers who are honking their horns. I of course except you have no control of Just Eat and Uber, but if they are delivering food on your behalf then you need to ensure that they comply with your licence conditions and do not disturb residents.

As I mentioned on the phone your application has received objections and is going to licensing hearing. I would suggest you keep all CCTV for the times you have had TENs and I would suggest that you speak to your agent about putting your case forward which we can include in the report for Councillors. If you cannot get this over to us soon then it could be submitted to the hearing for Committee. I cannot comment on the rules on when things need to be in by or how you should go about submitting CCTV for the Committee to see so I have copied Committees in so that they can assist with this

I would recommend you have an agent or solicitor for the hearing but this is entirely up to you.

I will see if Paul my colleague can come and visit you to view your CCTV.

Thanks
Lucy

Lucy Catlyn
Temporary Principal Licensing Officer
Environmental Health and Licensing

Spelthorne Borough Council, Council Offices, Knowle Green, Staines-upon-Thames TW18
1XB
Tel: 01784 444295

<https://www.spelthorne.gov.uk/article/19251/Coronavirus-Covid-19-Arrangements-for-Licensing-Service>

From: Habib Noory
Sent: 27 August 2020 11:10
To: Catlyn, Lucy
Subject: Re: Burger Plus

Dear Lucy,

Date: 27th August 2020

Please find attached evidence from 23rd Aug 2020 after 01.00AM, and my response to your enquiry in this matter. Please do not hesitate to email me if you need any further evidence or need any help with this matter.

You mentioned>

1...I have received several complaints from a resident from the weekend just gone.

I assume, you are referring to date (weekend) gone 23rd August 2020?

2. The complainant has advised that your driver made a Hands free mobile call in street and honked his car horn at 3.34am. The complainant has asked that you ask delivery drivers to sit inside the shop after 1am. Would you agree to this? if so we will add this as a condition onto your premises licence.

Q, The complainant has advised that your driver made a Hands free mobile call in street and honked his car horn at 3.34am.

A. That's not true and our driver wasn't on the duty late that night, It may be the confusion over Uber or Just Eat mobile delivery drivers who we don't have any control over them as Church St is also being used by other online mobile deliver driver who are waiting on the street for their deliver call on their handheld device system for dropping parcels from various outlets in this area surrounding 2-3 miles radius.

We have no involvement anything that happens on public highway and only responsible for what's happening in our premises and also right outside our premises at some extant, our well trained fully conducted driver who knows our working practice. As per our clear instruction. They don't sit or even wait outside after late night. Please find copy of code and conduct agreement made with our drivers in this matter.

Q, The complainant has asked that you ask delivery drivers to sit inside the shop after 1am. Would you agree to this?

A,Yes, that's right we do ask our deliver drivers to sit/wait inside all the time, Most of them even don't come and wit as they are always on the run for deliver, so there is no question about them being waiting outside. Some deliver driver from other companies also have been informed to wait inside their car if they do have car then, they wait quietly inside the car in Church St, opposite parking bays until their order is ready. But they don't congregate outside as they aren't allowed outside my business, which we have made it very clear to all individuals from other online takeaways deliver drivers. I'm also going to write to each

online takeaways (Uber/Just Eat) Area managers for much clarification in what we are discussing.

Q. Please can you tell me why your delivery driver was honking his horn at 3.34am on 23 August 2020? The complainant has also advised me that at 1.18am delivery drivers were honking their horns as well.

A. Please see attached footage on the day, date, time shows that after George Pub and other business have closed for the day, many youth hang around within Church St, and also making close contacts with other drivers who are sitting in the cars, Some even were seen to be knocking London Pub(opposite) main door to gain entry(according to video footage). There was group of three-four people were seen singing after getting drunk which again we don't have any control on their behaviour as this become police matter if this is causing issues to local resident. As you may aware of Place in Goring Square where these youth go for urination after coming out from Two Rivers and pubs nearby. I have also reported this to your enforcement officer for this area who is well aware of anti-social behaviour issue's at late night. This should be reported to the Surrey police as there has been few incident of local fight breakout recently in Goring Square by youth after getting drunk (police were also called) But, it seems like anything that happens here in this area, we are being victimised as a business as we are doing the best practice and follow up all the necessary steps in how we can trade smoothly. Our deliver driver normally finish their work by 01:00am or well before that. It might be the member of public /teenagers in car/ or could be other online delivery drivers on the day. But I've already investigated with my two drivers and they have confirmed that they haven't done such action and there is no need to do so

Q. In addition to the honking of horns we have been advised that people were standing outside screaming and shouting at 1.18am on 23 August 2020. This is not acceptable. Please can you advise what happened? • The complainant has advised that at 02.08am on 23 August staff were standing

A. As you can see from the footage I've attached for you. There was a group of youth singing after coming out of The George Pub and Two Rivers which was not outside my shop but next door as it happening on public highway, I do instruct my staff to request these youth to stay calm and don't make noise but it's more of police matter when it comes to deal with such issues after they getting drunk on public highway. As a business we can only request but can't enforce what's happening on the road/highways. Please advise what differ we can do to help us and others in the area? Staff ive they don't have time to stand because there is much work to be done after we are closed, in terms of cleaning and other duties. Again ive asked and integrate with my staff who told me they were busy in the kitchen. It might be again we are being mistaken for (Uber/Just Eat/Other private parcel collector's). We have no control on other drivers not employed by us , as I said I will be in contact with Uber/Just Eat team to make them aware if there is any issues causing by them as a matter of complaint's, our drivers 2x are obeying in principal with code of conduct they have signed for.

Q. This is completely unacceptable and i have advised you regarding your staff to have their conversations inside the premises You need to ensure that your delivery drivers are not honking their horns no matter what time of day. There is no need for them to do this.

A. Yes, they have been told by myself and they are adhering to my instructions. I will also ensure that other drivers who are here they don't make noise from now on..Or we stop

serving them for causing unpleasant to our kind neighbours. Please check the attached pictures for sign displayed inside our store.

Kind regards

Mr Habib

On 25 Aug 2020, at 20:04, Catlyn, Lucy <L.Catlyn@spelthorne.gov.uk> wrote:

Dear Habib

I have received several complaints from a resident from the weekend just gone.

- The complainant has advised that your driver made a Hands free mobile call in street and honked his car horn at 3.34am. The complainant has asked that you ask delivery drivers to sit inside the shop after 1am. Would you agree to this? if so we will add this as a condition onto your premises licence.
- Please can you tell me why your delivery driver was honking his horn at 3.34am on 23 August 2020? The complainant has also advised me that at 1.18am delivery drivers were honking their horns as well.
- In addition to the honking of horns we have been advised that people were standing outside screaming and shouting at 1.18am on 23 August 2020. This is not acceptable. Please can you advise what happened?
- The complainant has advised that at 02.08am on 23 August staff were standing on the pavement speaking loudly to each other. This is completely unacceptable and I have advised you regarding this in the past. Please ask your staff to have their conversations inside the premises.

You need to ensure that your delivery drivers are not honking their horns no matter what time of day. There is no need for them to do this.

I look forward to hearing from you as a matter of urgency.

Kind regards

Lucy

Lucy Catlyn
Temporary Principal Licensing Officer
Environmental Health and Licensing

Spelthorne Borough Council, Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB
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