

New evidence to considered by sub-committee from the Licensing Authority

The Licensing Authority has submitted a representation in support of the recommended revocation of the Premises Licence by the Environmental Health Authority for Vegan Pind Ltd at the premises known as Vegan Pind.

Since the representation was submitted the Licensing Authority has received the below complaints from the Environmental Health team covering 3 weekends:

20 November at 02.04 report to out of hours team	Complainant advised music stopped as of 2am.
25 November 2022 at 21.30 report to out of hours team	<p>Six customers had been standing on the outside balcony talking loudly & believed that the maximum number permitted is five. They said that they were on the balcony for 20 minutes before going back inside. Also wanted to inform the case officer that the music continued last weekend until 0158 hours on Sunday 20/11/22 & the restaurant should've been closed by 0130.</p> <p>Further call received from the call centre to contact complainant. Informed me that the music was turned off at 0136 hours but then turned back on again at 0145 hours. As we were speaking, the complainant confirmed that the music had stopped at 0159 hours.</p>
04 December 2022 at 02:36hrs report to out of hours team	People still inside restaurant and loud music.

The Licensing Authority has requested CCTV and SIA door supervisor book on multiple occasions but this has not been forthcoming, despite giving a deadline which was exceeded. Please find at the end of this document the email exchange.

The Premises Licence has the below condition in respect of CCTV:

24.: Viewing of recordings shall be made available immediately upon the request of Police or authorised officer of the Council.

Complaints about the noise and breaches of licensing conditions and licensable hours are still being received. The Licensing Authority are extremely concerned that the licensing objectives are not being upheld, there is a lack of cooperation with the Licensing Authority. The Licensing Authority has not been able to investigate the complaints as the CCTV requests have been forthcoming. Mr Dhunay has stated that he needed to get a new cable,

however, this was some time after the request for CCTV was made. In addition, Licensing Authority was under the impression that CCTV could be accessed on Mr Dhunay's mobile phone.

CCTV was finally received on the 1 December 2022; 3 emails of CCTV were received however one was a duplicate.

This did not include the full times that were asked for on the 20 November but did show the premises closing.

The Licensing Authority has replied to Mr Dhunay to request the CCTV for the most recent complaint from 4 December 2022 and to query regarding the duplicate footage. **At this time, no reply has been received and no SIA books have been provided:**

Date on the CCTV	Time of start of CCTV Video	Time shutters close to premises	Time CCTV video ends
20 November 2022	01:55hrs - customers observed still premises	01:58hrs – leaving 4 Bar staff and 2 SIA Staff	01:59hrs
26 November 2022	01:50hrs - customers observed still premises	01:58hrs – leaving 3 Bar staff and 2 SIA Staff	01:59hrs

The above CCTV is attached to this evidence and is available should the Licensing Sub Committee wish to view it.

The premises licence states:

The opening hours of the premises
Every day from 07:00 until 01:30 and from 07:00 until 02:00 on public and bank holidays

Its is unknown why the premises would be closing at 01:58hrs rather than 01:30hrs.

Submitted by:
Lucy Catlyn, Principal Licensing Officer
Laura McCulloch, Licensing Enforcement Officer
06.12.2022

Licensing emails to Vegan Pind requesting CCTV and Log books

From: Licensing
Sent: 16 November 2022 12:05
To: Bobby Dhunay
Subject: FW: Vegan Pind 21B Clarence Street Staines

Hi Bobby,

Please get the following to us by 21 November 2022.

- We still haven't had the CCTV covering the incident on the 15th, as discussed with Raj when we visited it said it was timed out.
- SIA staff training logs as these were not available when we visited Raj
- Incident and SIA logbook that was missing on the last visit.
- CCTV from 29th 2300hrs – 00:00 hrs / 30th October 00:00 – 03:00

Kind Regards
Laura McCulloch

From: Licensing <licensing@spelthorne.gov.uk>
Sent: 21 October 2022 10:29
To: Bobby Dhunay
Subject: RE: [EXTERNAL] Re: Visit
Importance: High

Bobby,

Just reminding you today is the deadline Lucy gave you to send in CCTV and Staff training. We expect to receive this by the end of the day.

Kind Regards
Laura McCulloch

From: Licensing
Sent: 21 November 2022 14:53
To: Bobby Dhunay
Subject: New CCTV Request following Complaint
Importance: High

Hi Bobby,

We still haven't received the last CCTV requested last week.
We have had a complaint this weekend regarding your premises.

Please provide the CCTV:

- 01.30am till 02.10am on the 20.11.2022

Can we please have this as soon as you can please, along with a reponse to our other requests for CCTV and training logs and SIA book.

Kind Regards
Laura McCulloch
Licensing Enforcement Officer

From: Bobby Dhunay
Sent: 22 November 2022 17:51
To: Licensing <licensing@spelthorne.gov.uk>
Subject: [EXTERNAL] Re: New CCTV Request following Complaint

This message originated from outside your organization

Hello we are waiting for a hdmi cable to be delivered from amazon. Our one has broken so we can connect to the tv to download.

Will send you the footage soon as it comes it should be here tomorrow or day after latest.

Kind Regards
Bobby Dhunay

From: Licensing
Sent: 23 November 2022 13:31
To: Bobby Dhunay
Subject: RE: [EXTERNAL] Re: New CCTV Request following Complaint

Hi

We have requested quite a bit of CCTV from you. How long has it needed a new HDMI cable?

Kind Regards
Laura McCulloch
Licensing Enforcement Officer

From: Licensing
Sent: 25 November 2022 11:37
To: Bobby Dhunay
Subject: RE: [EXTERNAL] Re: New CCTV Request following Complaint

Hi

I thought you got the downloads directly to your phone?

Laura

From: Bobby Dhunay

Sent: 25 November 2022 12:43

To: Licensing <licensing@spelthorne.gov.uk>

Subject: Re: [EXTERNAL] Re: New CCTV Request following Complaint

This message originated from outside your organization

I can play it back on my phone

Kind Regards
Bobby Dhunay

From: Licensing <licensing@spelthorne.gov.uk>

Sent: 29 November 2022 09:59

To: Bobby Dhunay

Subject: RE: [EXTERNAL] Re: New CCTV Request following Complaint

Good morning, Bobby,

We are still not in receipt of your CCTV as requested. When Leslie came out last Friday your manager Raj advised we would have it **Saturday**. We have asked you multiple times for this CCTV and the SIA logbook, your noncompliance in this matter will be brought up at the licensing sub-committee.

We have also had another complaint about your premises last weekend on the 26.11.2022 at 01:51hrs there was music playing and people could be seen dancing within your premises.

The weekend before 20.11.2022 we have a complaint that the music continued till 01:58hrs.

I will take this opportunity to again remind you of your opening hours

The opening hours of the premises - Every day from 07:00 until 01:30

Do you have any comment on this allegation, can you provide CCTV to prove or disprove it?

Kind Regards

Laura McCulloch

Licensing Enforcement Officer