

**CANNOCK CHASE DISTRICT COUNCIL****LICENSING SUB COMMITTEE****WEDNESDAY 14 JULY 2021 AT 09.30AM****REPORT OF THE HEAD OF ECONOMIC PROSPERITY****LICENSING ACT 2003-SECTION 34****APPLICATION FOR A VARIATION TO AN EXISTING PREMISES LICENCE****INDIAN SMOKEHOUSE, 35 MARKET STREET, HEDNESFORD, STAFFORDSHIRE, WS12 1AY****1. Reason for Hearing**

This application cannot be granted under Officers' delegated powers because representations have been received from two responsible authorities, namely, Staffordshire Police and the Licensing Authority. Both responsible authorities have concern that the current management controls at the premises are not sufficiently good to ensure that the licensing objectives are met. The representations received are relevant representations and the Council must therefore hold a hearing to consider these.

**2.**

Name and Address of Premises.	Indian Smokehouse 35 Market Street Hednesford Staffordshire WS12 1AY
Applicant Details	Mr Manjit Singh
Date of Application	26 May 2021
Responsible Authority Representation	There are representations from . 1) Staffordshire Police 2) The Licensing Authority
Representations from other persons	No representation has been received from other persons.

### 3. Matters for consideration

On 26 May 2021, an application to vary an existing premises licence was received from Mr Manjit Singh of the Indian Smokehouse in Market Street, Hednesford.

The existing premises licence for the Indian Smokehouse is attached as Annex 1 to this report. The application to vary the existing licence is attached as Annex 2 to this report. The detail of the proposed variation is briefly outlined below:

1.	<p><b><u>Sale by Retail of Alcohol</u></b></p> <p>To vary the existing premises licence to permit the sale by retail of alcohol-</p> <p><u>From:</u></p> <p>Monday to Saturday – 17.00hrs to 23.00hrs</p> <p>Sunday – 12.00hrs to 23.00hrs</p> <p><u>To:</u></p> <p>Monday to Saturday 11:00hrs to 24.00hrs midnight</p> <p>Sunday 11:00hrs to 23:00hrs</p> <p>Sunday preceding Bank Holiday 11:00hrs to 24.00hrs midnight</p> <p>New Years' Eve-11:00hrs to 01:00hrs</p>
2.	<p><b><u>Sale by Retail of Alcohol</u></b></p> <p>To vary the existing premises licence to permit the sale by retail of alcohol for consumption ON or OFF the premises</p>

1.	<p><b><u>Provision of Regulated Entertainment</u></b></p> <p>To vary the existing premises licence with respect to Recorded Music</p> <p><u>From:</u></p> <p>Monday to Saturday 17.00hrs to 23.00hrs</p> <p>Sunday 12.00hrs to 23.00hrs</p> <p><u>To:</u></p> <p>Permit recorded music as a source of entertainment at the venue.</p>
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	<p><u>Proposed hours and days for Recorded Music-</u></p> <p>Monday to Saturday 11:00hrs to 24.00hr</p> <p>Sunday 11.00hrs to 23.30hrs</p> <p>New Years Eve / New Years Day – recorded music as a source of entertainment until 01.00 hrs</p>
2.	<p><b><u>Provision of Regulated Entertainment</u></b></p> <p>To vary the existing premises licence with respect to live music and to add it to permitted regulated entertainment.</p> <p><u>Proposed times and days for Live Music-</u></p> <p>Friday and Saturday 19:00hrs to 23:30hrs</p> <p>Sunday 12:00hrs to 20.00hrs</p> <p>Sunday preceding a Bank Holiday, live music until 23:30hrs.</p> <p>Bank Holidays 12:00hrs to 23:30hrs</p>

1.	<p><b><u>Licence Conditions</u></b></p> <p>To vary the existing premises licence to remove the following condition:</p> <p>“Alcohol may only be sold to patrons over the age of 18 years and who are attending the premise for the purpose of consuming a meal. This will include all patrons who are waiting to be served a meal, consuming a meal or having consumed a meal.”</p>
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1	<p><b><u>Opening hours</u></b></p> <p>Mr Singh has not made mention of a proposed variation to his opening hours on the application form. Normal convention would be that the premises closes 30 minutes after licensable activities have ceased.</p> <p>The current opening hours of the premises are:</p> <p>Monday to Saturday – 17.00hrs to 23.00hrs</p> <p>Sunday – 12.00hrs to 23.00hrs</p> <p>The Council's Planning Department have made the Licensing Unit aware that there are current planning restrictions on the opening hours of the premises. Current planning permission states:</p>
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	<p>The premises shall not be open for business outside the hours of 5.00 p.m. to 1.00 a.m. on any day.</p> <p>Reason</p> <p>To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policies.</p>
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#### **4. Representations received**

- 4.1 On 22 June 2021, the Council's Licensing Unit received valid representations from Staffordshire Police and the Licensing Authority. Both responsible authorities are concerned that current management controls at the premises are not sufficient to ensure that the licensing objectives are secured. The representation from Staffordshire Police is attached as Annex 3 to this report and the representation from the Licensing Authority is attached as Annex 4.

#### **5. Human Rights Act 1998 Implications**

- 5.1 Article 6 of the Act provides that where a person's civil rights and obligations are being determined, s/he is entitled to a "fair trial". The Council complies with Article 6 in that it will hear the matter, giving the person(s) the opportunity to state their case, make a decision within a reasonable period of time and give reasons for its decision.
- 5.2 The Article also provides for the issue to be determined by an independent tribunal. The right of appeal to the Magistrates' Court against the Council's decision fulfils this.
- 5.3 The Council observes the rules of natural justice and its procedures are consistent with Article 6 of the Human Rights Act 1998.

#### **6. Legal Implications**

- 6.1 This matter concerns an application to vary a premises licence under section 34 of the Licensing Act 2003 ("the Act")
- 6.2 As relevant representations have been made in respect of this application and no agreement has been reached between the parties, the licensing authority must hold a hearing to consider the representations made.
- 6.3 The Licensing Sub Committee must have regard to the representation and take such steps, if any, as it considers necessary for the promotion of the licensing objectives.
- 6.4 In accordance with s.18(4) of the Act, the steps that can be taken by the Licensing Sub Committee in dealing with this application are limited to:
- (a) grant the premises licence, together with such modification of the conditions of the licence as considered appropriate for the promotion of the licensing objectives;
  - (b) rejection of the whole or part of the application.
- 6.5 The Licensing Sub Committee must only consider relevant representations which are for the purposes of this application:

- (a) are about the likely effect of the grant of the application on the promotion of the licensing objectives;
- (b) are made by an interested party or responsible authority;
- (c) have not been withdrawn; and
- (d) are not frivolous or vexatious if made by other persons.

6.6 The applicant and other person who made relevant representation in relation to the application have a right of appeal to the Magistrates Court should they disagree with the Licensing Sub Committee's decision.

**7. Financial Implications**

7.1 Fees for a premises licence are payable upon application. They are not refundable should the application be refused.

7.2 Should the application be refused or be granted subject to conditions, the applicant has a right of appeal to the Magistrates' Court. Should the application be granted, with or without conditions, then equally, the responsible authority and any other persons having made relevant representations, have a right of appeal to the Magistrates Court against the decision.

7.3 All appeals carry financial costs and the Court can set whatever order it deems fitting with regards to the payment of costs. The Court is, however, less likely to award costs against the Council if it is satisfied that the Council had acted honestly, reasonably and properly and on grounds which appeared to be sound.

**8. Annexes**

Annexes Attached	Annex 1 Existing Premises Licence
	Annex 2 Application to vary the existing licence
	Annex 3 Representation from Staffordshire Police
	Annex 4 Representation from the Licensing Authority

Determination Required	<p>Members are asked to determine whether the application to vary the Premises Licence at The Indian Smokehouse, Market Street, Hednesford, WS12 1AY, can be granted, having due regard to the 4 Licensing Objectives, Cannock Chase Council's Licensing Policy and Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The 4 Licensing Objectives are:</p> <ul style="list-style-type: none"> <li>● The Prevention of Crime &amp; Disorder</li> <li>● Ensuring Public Safety</li> <li>● The Prevention of Public Nuisance</li> <li>● The Protection of Children from Harm</li> </ul>
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**CANNOCK CHASE DISTRICT COUNCIL**  
**LICENSING ACT 2003**



**Premises licence number; CCDC/PREM/14/410**

**Part 1 – Premises details**

Postal address of premises (amended 4/6/18)  
**THE INDIAN SMOKEHOUSE**  
**35 MARKET STREET, HEDNESFORD, STAFFS, WS12 1AY**

Where the licence is time limited the dates  
**NOT APPLICABLE**

Licensable activities authorised by the licence  
**SALE BY RETAIL OF ALCOHOL**  
**PROVISION OF REGULATED ENTERTAINMENT**  
**RECORDED MUSIC**

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

The times the licence authorises the carrying out of licensable activities  
**SALE BY RETAIL OF ALCOHOL**  
**MONDAY TO SATURDAY – 17.00 TO 23.00**  
**SUNDAY – 12.00 TO 23.00**  
**PROVISION OF REGULATED ENTERTAINMENT**  
**RECORDED MUSIC**  
**MONDAY TO SATURDAY – 17.00 TO 23.00**  
**SUNDAY – 12.00 TO 23.00**

The opening hours of the premises  
**MONDAY TO SATURDAY – 17.00 TO 23.00**  
**SUNDAY – 12.00 TO 23.00**

**Part 2**

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence  
**MANJIT SINGH**  
Telephone \_\_\_\_\_

Registered number of holder, for example company number, charity number (where applicable)  
**NOT APPLICABLE**

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol  
**MANJIT SINGH**  
Telephone \_\_\_\_\_

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol  
**CCDC/PLH/05/228**  
**CANNOCK CHASE DISTRICT COUNCIL**

Approved by \_\_\_\_\_ On behalf of the Council  
**T. McGovern**

CCDC/PREM/14/410

Granted issued on: 21<sup>st</sup> day of May 2014  
Re-issued following amendment on: 4<sup>th</sup> day of June 2018

Annex 1 – Mandatory Conditions

**APPLYING TO ALCOHOL SALES**

- 1) No supply of alcohol may be made under this licence;
  - (a) at a time when there is no Designated Premises Supervisor in respect of this premises licence, or
  - (b) at a time when the Designated Premises Supervisor does not hold a personal licence, or his/her personal licence is suspended.
- 2) Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
- 3) (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- 4) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 5) The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6) (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- 7) The responsible person shall 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; and

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Annex 1 – Mandatory Conditions continued

(b) customers are made aware of the availability of these measures.

8) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

9) For the purposes of the condition set put in paragraph 1 –

(a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979 (6);

(b) 'permitted price' is the price found by applying the formula –

$$P = D + (D \times V)$$

where –

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence –

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) 'valued added tax' means value added tax charged in accordance with the Value Added Tax Act 1994(7).

10. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

11. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ('the first day') would be different from the permitted price on the next day ('the second day') as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

NB Annex 2 of this Licence is reproduced directly from the licence application

Annex 2 - Conditions consistent with the operating schedule

**GENERAL**

Robust risk assessments & staff training in place, regular briefings & updates given to all staff, good record keeping & general maintenance of premises.

**PREVENTION OF CRIME & DISORDER**

(I) Alarm – intruder alarm when premises are closed or empty

(II) All emergency exits alarmed when premises are open to public so staff are aware of unauthorised opening or tampering

(III) CCTV monitoring

(IV) Duty of care policy

(V) Drink aware posters

(VI) Staff training & briefing & records

**PUBLIC SAFETY**

Risk assessments in place regarding first aid, fire evacuation, challenge '25' policy, CCTV internal & external, trained member of staff on premises with recognised qualification in first aid, first aid boxes available on premises. Bottle bins in locked car park.

**PREVENTION OF PUBLIC NUISANCE**

CCTV – internal & external

Display public notices – leaving premises i.e. quickly & quietly

Recording music – will only be played as background music only. Will not cause noise nuisance



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Annex 2 - Conditions consistent with the operating schedule continued

**PROTECTION OF CHILDREN FROM HARM**

(I) Children can only be permitted if they accompanied by an adult

(II) Operate strict – no sale – no ID policy challenge 25 scheme (underage sales policy) – posters

(III) Proxy sales – adequate staff training to be given. Refusals book in place, regular staff briefing

**THE FOLLOWING CONDITIONS, WHICH ARE CONSISTENT WITH THE OPERATING SCHEDULE,  
WERE AGREED BETWEEN THE LICENCE HOLDER AND STAFFORDSHIRE POLICE  
ON 1 MAY 2014**

**PREVENTION OF CRIME & DISORDER**

- The designated premise supervisor will keep an incident log at the premises recording any incident of disorder. This log may be inspected at any time by an officer from any responsible authority.
- All persons involved in the sale of alcohol who are not the holder of a personal licence to sell alcohol will receive initial and regular 3 monthly refresher training by the Designated Premises Supervisor with regards to the law in relation to the sale of alcohol. Such training will be recorded and up to date training records of all such persons will be maintained at the premises and produced and made immediately available for inspection upon request by a responsible authority.
- Alcohol may only be sold to patrons over the age of 18 years and who are attending the premise for the purpose of the consumption of a meal. This will include all patrons who are waiting to be served a meal, consuming a meal or having consumed a meal.
- CCTV to be installed internally and cover all areas where licensable activities take place. Images must be clear enough to identify a person.
- A competent trained person in the use and operation of the CCTV equipment will be in attendance at the premise at all times that licensable activities take place and be able to fully operate the system and be able to download in a recognised format any information requested by the Police.
- All CCTV images to be retained for a period of not less than 31 days and any evidential incidents will be downloaded and stored in a secure system until such time as collected by an appropriate authority.
- No alcoholic drinks or any glass wear to be taken outside of the building.

**PUBLIC SAFETY**

None

**PREVENTION OF PUBLIC NUISANCE**

- Clear and legible signage will be displayed at all exit points instructing all persons leaving the premises to do so in a quiet and orderly manner.

**PROTECTION OF CHILDREN FROM HARM**

- A Challenge 25 policy will be adopted and enforced at the premises. All persons will be challenged for suitable identification if they appear to be under the age of 25 years when purchasing alcohol.
- Challenge 25 signs to be displayed at the entrance and behind the serving area.
- All refusals of sales will be recorded in a recognised refusal of sales register which will be maintained at the premises. The register will be produced and made available for inspection upon request by a responsible authority.
- No persons under the age of 18 to be allowed on the premises after 2100hrs unless accompanied by a responsible adult.

Annex 3 – Conditions attached after a hearing

**NOT APPLICABLE**

**Application to vary a premises licence 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/We Manjit Singh

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

<b>Premises licence number</b> CCDC/PREM/14/410
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**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description The Indian Smokehouse 35 Market Street			
Post town	Hednesford	Postcode	WS12 1AY

Telephone number at premises (if any)	01543 422457
Non-domestic rateable value of premises	£23,500

**Part 2 – Applicant details**

Daytime contact telephone number	01543 422457		
E-mail address (optional)	Info@indiansmokehouse.com		
Current postal address if different from premises address	n/a		
Post town		Postcode	

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect? 

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

Sale by retail of alcohol for consumption ON OR OFF the premises

Sale By Retail Alcohol:  
Monday to Saturday 11:00 hrs – 00.00 hrs midnight  
Sunday 11:00 hrs – 23:00 hrs  
Sunday preceding Bank Holiday 11:00 hrs – midnight  
New Years' Eve 11:00 hrs – 01:00 hrs

Remove condition from 01.05.2014:-  
"Alcohol may only be sold to patrons over the age of 18 years and who are attending the premise for the purpose of consuming a meal. This will include all patrons who are waiting to be served a meal, consuming a meal or having consumed a meal."

Allow LIVE music at the venue.

Allow recorded music as a source of entertainment at the venue.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend: 

n/a
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**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b>   |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>            |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>            |

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----	<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----	State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon	-----	-----			
Tue	-----	-----	<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)</u>		
Wed	-----	-----			
Thur	-----	-----	<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			



E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon	-----	-----			
Tue	-----	-----	<u>State any seasonal variations for the performance of live music (please read guidance note 6)</u>		
Wed	-----	-----			
Thur	-----	-----	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)</u> Sunday preceding a Bank Holiday, live music until 23:30hrs.  Bank Holidays live music 12:00 hrs – 23:30 hrs		
Fri	19:00	23:30			
Sat	19:00	23:30			
Sun	12:00	20.00			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon	11:00	00.00						
Tue	11.00	00.00						
Wed	11.00	00.00				<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	11.00	00.00						
Fri	11.00	00.00				<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) New Years Eve / New Years Day – recorded music as a source of entertainment until 01.00 hrs		
Sat	11.00	00.00						
Sun	11.00	23.30						

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----			
Wed	-----	-----	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur	-----	-----			
Fri	-----	-----	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	-----	-----			
Sun	-----	-----			

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon	-----	-----		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	-----	-----	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed	-----	-----			
Thur	-----	-----	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Fri	-----	-----			
Sat	-----	-----	<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sun	-----	-----			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----			
Wed	-----	-----	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur	-----	-----			
Fri	-----	-----	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	-----	-----			
Sun	-----	-----			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) Sunday preceding Bank Holiday 11:00 hrs – midnight New Years’ Eve 11:00 hrs – 01:00 hrs  <b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7) Sunday preceding Bank Holiday 11:00 hrs – midnight New Years’ Eve 11:00 hrs – 01:00 hrs		
Mon	11:00	00.00			
Tue	11:00	00.00			
Wed	11:00	00.00			
Thur	11.00	00.00			
Fri	11.00	00.00			
Sat	11.00	00.00			
Sun	11.00	23.00			

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 10).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b><u>State any seasonal variations</u></b> (please read guidance note 6)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- Please tick as appropriate
- I have enclosed the premises licence

- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.



**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

**b) The prevention of crime and disorder**

**c) Public safety**

**d) The prevention of public nuisance**

**e) The protection of children from harm**

Checklist:

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Manjit Singh
Date	25/5/21
Capacity	Owner

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

<p>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</p>			
Post town		Post code	
Telephone number (if any)			
<p>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  <a href="mailto:info@indiansmokehouse.co.uk">info@indiansmokehouse.co.uk</a></p>			

## Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

**Sean OMeara**

---

**From:** Nicola Bills < >  
**Sent:** 22 June 2021 18:51  
**To:** LicensingUnit CCDC  
**Cc:** Sean OMeara  
**Subject:** The Indian Smokehouse, Market Street, Hednesford

CAUTION: This email originated from outside of the Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Licensing,

Ref:- Indian Smokehouse, 35 Market Street, Hednesford, Staffordshire WS12 1AY - Application for a variation to a Premises Licence to be granted under the Licensing Act 2003.

In relation to the above application received by Staffordshire Police on the 26<sup>th</sup> May 2021, Staffordshire Police wish to make representations on the basis that it is considered that the application in its current form would not promote the licensing objectives.

This is based on recent experience of the poor management of the premises, in particular, the breach of conditions attached to the Premises Licence by the Premises Licence Holder/Designated Premises Supervisor.

Supporting documentation which Staffordshire Police will seek to rely on will be submitted prior to any forthcoming hearing.

If you have any queries, please do not hesitate to contact me.

Kind Regards

Sent on behalf of Sgt 4613 Finn

**8505 Nicky Bills**  
**Licensing Officer**




Early Intervention and Prevention Unit,  
Staffordshire Police, Block 9, Ground Floor, Police Headquarters, Weston Road, Stafford, ST18 0YY  
Tel: \_\_\_\_\_  
Work mobile: \_\_\_\_\_  
e: \_\_\_\_\_

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\*\*\*\*\*

**Sean OMeara**

---

**From:** Nicola Bills < >  
**Sent:** 06 July 2021 10:35  
**To:** LicensingUnit CCDC  
**Cc:** Sean OMeara; James Finn  
**Subject:** The Indian Smokehouse, 35 Market Street, Hednesford, Staffordshire, WS12 1AY  
**Attachments:** Supplimentary evidence.pdf

CAUTION: This email originated from outside of the Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

Please find attached further information in relation to this application.

Unfortunately, Sections 2 and 6 (CCTV/Body Worn Video), will be supplied as soon as we are able.

Attendees to the hearing on the 14<sup>th</sup> July 2021 will be;

Sgt 4613 Finn  
LO 8505 Bills  
PC 4910 Gallimore

Kind Regards

**8505 Nicky Bills (Sent on behalf of Sgt 4613 Finn)**  
**Licensing Officer**



Early Intervention and Prevention Unit,  
Staffordshire Police, Block 9, Ground Floor, Police Headquarters, Weston Road, Stafford, ST18 0YY

Tel: \_\_\_\_\_

Work mobile: \_\_\_\_\_

e: \_\_\_\_\_

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STAFFORDSHIRE  
**POLICE**

Licensing Department  
Cannock Chase District Council  
PO Box 28  
Beecroft Road  
Cannock  
Staffordshire  
WS11 1BG

6<sup>th</sup> July 2021

Staffordshire Police  
Police Headquarters  
Block 9  
EIPU, Ground Floor  
Weston Road  
Stafford  
ST18 0YY

Dear Licensing,

Ref:- Indian Smokehouse, 35 Market Street, Hednesford, Staffordshire WS12 1AY - Application for a variation to a Premises Licence to be granted under the Licensing Act 2003.

Further to the representation submitted to Cannock Chase District Council 22<sup>nd</sup> June 2021, Staffordshire Police submit the following information which will be relied upon at any forthcoming licensing hearing.

This premises has been notable over a period of time for lack of compliance with conditions attached to the operating schedule of the Premises Licence by the current Premises Licence Holder/Designated Premises Supervisor, the current applicant.

As the Local Authority were in receipt of complaints in relation to the management of this premises they took the lead for intervention and completed a stepped approach in an attempt to promote the licensing objectives regarding the operation and management of this premises.

Below is a chronological order of events in relation to this premises.

On Saturday 16<sup>th</sup> March 2019 at 2223hrs, a call was received in the Police Control Room reporting disorder at the premises where two groups of football fans were fighting. A further call was also received from a member of staff at the premises further reporting the same and that about 150 people were inside, kicking off over the football with punches flying. Police patrols did attend however the disorder had concluded prior to their arrival and no party present wished to pursue a complaint.



On Saturday 13<sup>th</sup> July 2019 at 2234hrs, a call was received in the Police Control Room reporting a large fight (approximately 15 males) where one party was on the floor being stamped on. It was confirmed that the incident occurred inside the premises, the staff present subsequently put the shutters down on the premises and the injured party left the scene prior to Police arrival. Later the same night the mother of a male who had been at the premises also contacted the Police Control Room advising that her son had been in the premises and witnessed a fight inside consisting of a group of lads stamping on another males head. Her son had attempted to intervene and had been chased from the premises by the group who assaulted him causing facial injuries.

On Sunday 28<sup>th</sup> July 2019, in relation to the previous incident, an officer who had been assigned to deal with the assaulted male, emailed the Police Licensing Unit to advise that on contacting the premises to obtain CCTV, staff would not answer any questions but provided the name of the manager (the current applicant) and a contact number. Having attempted to contact the applicant via call, voice mail and text and receiving no reply an officer was sent to the premises to carry out the enquiries. On arrival the staff were unhelpful and again referred the second officer to the applicant, who was still not responding. However the staff advised that CCTV was only retained for 7 days.

This is a breach of the following licence condition:-

*All CCTV images to be retained for a period of not less than 31 days and any evidential incidents will be downloaded and stored in a secure system until such time as collected by an appropriate authority.*

Section 1. A copy of PC 5551 Kelly BLAGBROUGH email.

On Friday 2<sup>nd</sup> August 2019 at 2220hrs, Police officers attended the premises and found a group of at least 50 people who were stood outside drinking. Bottles were on the road along with smashed drinking glasses. Mr. Singh was spoken to and these matters highlighted to him as this was a breach of the following licence condition:-

*No alcoholic drinks or any glass wear to be taken outside of the building.*

On Saturday 7<sup>th</sup> September 2019 at 1700hrs, two Police officers visited the premises, which was when England were playing an international televised football fixture. There were a number of people at the premises who were not eating, but drinking alcohol, with no signs of food being ordered or having been served at the tables.

This is a breach of the following licence condition:-

*Alcohol may only be sold to patrons over the age of 18 years and who are attending the premise for the purpose of the consumption of a meal. This will include all patrons who are waiting to be served a meal, consuming a meal or having consumed a meal.*

On Wednesday 3<sup>rd</sup> February 2021, officers attended the premises and seized the hard drive for evidential purposes due to concerns that the applicant had been operating in breach of Covid isolation legislation.

The footage contained on the system complied with the retention requirement of the relevant condition on the premises licence, the retention being from 19<sup>th</sup> October 2020 until the day of seizure. However, upon scrutinising the footage there were numerous and consistent breaches of the premises licence conditions on a daily basis relating to the following conditions:-



*Alcohol may only be sold to patrons over the age of 18 years and who are attending the premise for the purpose of the consumption of a meal. This will include all patrons who are waiting to be served a meal, consuming a meal or having consumed a meal.*

*No alcoholic drinks or any glass wear to be taken outside of the building.*

**On Tuesday 18<sup>th</sup> May 2021**, the applicant, at Police request, attended Cannock Police Station and was interviewed under caution in relation to breaches of these conditions. He did have legal representation present by way of a solicitor and a sample of the footage was utilised as evidence for the interview. The result was that the matters put to the applicant were fully admitted and he was issued a Conditional Caution for two offences. The punitive measure attached to the Conditional Caution was a £50 fine which was paid on Tuesday 22<sup>nd</sup> June 2021.

**Section 2.** A copy of the CCTV footage, marked exhibit NB1, used during the interview.

**Section 3.** A copy of the Conditional Caution form.

**On Wednesday 26<sup>th</sup> May 2021**, Staffordshire Police, being a Responsible Authority under the Licensing Act 2003, received an application to vary the existing Premises Licence. The application outlines the extending of the hours in which alcohol can be sold and add other licensable activities and remove the following condition:-

*Alcohol may only be sold to patrons over the age of 18 years and who are attending the premise for the purpose of the consumption of a meal. This will include all patrons who are waiting to be served a meal, consuming a meal or having consumed a meal.*

The concern around the removal of this condition is that it changes the ethos of the premises, in addition to the extension of hours, it significantly alters the risk associated with the premises and therefore steps need to be taken to ensure the licensing objectives will be met.

It should be noted that the Revised Guidance Issued under Section 182 of the Licensing Act 2003 makes specific points in relation to applications, notably Ch. 8. Para. 43 as shown below:-

*Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.*

No such positive statements were contained within the application.

As would be normal practice, during the consultation period, attempts were made to negotiate with the applicant in relation to confirming the steps that they would be prepared to take by way of adding conditions to the Premises Licence should it be granted.

**On Tuesday 8<sup>th</sup> June 2021**, an email was sent to the applicant requesting changes and additions to the current operating schedule of the Premises Licence, however this request was declined.

**Section 4.** A copy of the email correspondence between the Police Licensing Unit, the applicant and his legal representation.



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**On Friday 18<sup>th</sup> June 2021 at 2130hrs**, four Police officers conducted a visit to the premises which was screening the England V Scotland Euros fixture. A number of customers were spoken to and confirmed that they had either eaten elsewhere or weren't intending to eat at all, these persons were consuming alcohol. Again this is a breach of the following licensing condition:-

*Alcohol may only be sold to patrons over the age of 18 years and who are attending the premise for the purpose of the consumption of a meal. This will include all patrons who are waiting to be served a meal, consuming a meal or having consumed a meal.*

It should be noted that a full licensing inspection was not carried out due to the attending officers concerns about the rowdy behavior of customers and how full the premises was, this gave them the opinion that there was a limited, if any, amount of control at the premises. The attending officer expressed his opinion in an email.

**Section 2.** A copy of the attending officers Body Worn Video, marked NB2.

**Section 5.** A copy of SC 28435 Cameron Thomson's email.

Following this visit, concerns were also raised regarding the management of the premises in line with The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 and The Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020. As this was a public health matter the concerns were shared with Environmental Health of Cannock Chase District Council as is normal practice.

**On Tuesday 22<sup>nd</sup> June 2021 at 1700hrs**, a licensing visit was conducted at the premises by LO Nicola BILLS and PC Dominic GALLIMORE, the applicant being the current Premises Licence Holder/Designated Premises Supervisor was in attendance. The inspection highlighted the following breaches of the premises licence conditions:-

*The designated premise supervisor will keep an incident log at the premises recording any incident of disorder. This log may be inspected at any time by an officer from any responsible authority.*

No incident book could be produced.

*All persons involved in the sale of alcohol who are not the holder of a personal licence to sell alcohol will receive initial and regular 3 monthly refresher training by the Designated Premises Supervisor with regards to the law in relation to the sale of alcohol. Such training will be recorded and up to date training records of all such persons will be maintained at the premises and produced and made immediately available for inspection upon request by a responsible authority.*

A male believed to be the son of the applicant was present, but details could not be obtained to confirm whether or not he had either a personal licence or had received training, this was due to the behaviour of both the male and the applicant.

In addition there was a female present whose first name was "Leah". Specifically she was asked if she worked behind the bar to which she replied, "Yes", however the applicant when asked for training records stated she was waiting on staff and he did not appear to have any training for her.



STAFFORDSHIRE  
**POLICE**

When Police Licensing Officers attended they explained their reason for their visit and commenced the inspection. The demeanour of the applicant was best described as civil. This changed on the introduction of Local Authority Environmental Health and Licensing Officers who explained the reason for their visit. The mood of the applicant changed completely and he started to use totally uncalled for and inappropriate language saying, "Is it cos I'm brown, is that the problem?" and then pointed to Mr. Sean O'Meara, Senior Licensing Officer of Cannock Chase District Council, and used the words, "That guys a fucking fascist".

During this visit Police Officer Body Worn Video was being utilised as was that of the Environmental Health Officers.

Customers were present in the foyer area of the premises and during the visit the demeanour of the customers also became more hostile at the same time as the applicant, to the point PC GALLIMORE requested via radio that further officers attend the premises in support of the visit. As they arrived the male believed to be the son of the applicant initially refused to allow them entry to the premises which caused further issue to an already unpleasant situation.

**Section 2.** A copy of the attending officers Body Worn Video, marked NB2, and  
**Section 6.** A copy of the Environmental Health Officers Body Worn Video, marked JJ1.

### **Conclusion**

The applicant has shown a disregard for compliance with the conditions attached to the current Premises Licence over an extended period of time and has been given an opportunity to improve when lack of adherence has been identified.

There has also been an opportunity for negotiations to take place in relation to this application and these were started with the applicant who declined the initial Police requests. It is recognised that this is the prerogative of an applicant, however, there is also an expectation that they themselves will put forward, when submitting an application, the steps they propose to take and none were forthcoming.

Following the events of Friday 18<sup>th</sup> June 2021 onwards the opportunity is now taken to highlight the Police position has changed and that it would not be appropriate to negotiate conditions to allow the application to proceed, as the applicant has shown that even after receiving Conditional Caution, a formal sanction for non-compliance, and having submitted this application he has further displayed an inability to adhere to conditions, not be compliant with Covid legislation and disturbingly on Tuesday 22<sup>nd</sup> June 2021 when representatives of several Responsible Authorities were in attendance has acted in a manner that no responsible retailer should.

Therefore Staffordshire Police respectfully request that the application be refused.

Yours sincerely

---

Sgt 4613 Finn  
Licensing Manager  
Enc.

# SECTION 1

946 130719 AND 006 140719.TXT

From: Kelly Blagbrough  
Sent: 28 July 2019 19:06  
To: Southern Licensing  
Subject: 946 13/07/19 and 006 14/07/19

Evening,

Just a quick one, I have picked up an assault in the resolution centre whereby there has been some sort of a fight in the Indian Smokehouse in Hednesford which has spilled out into the street.

The offenders are unknown and unfortunately the local CCTV was not focused on that premises at the time.

I have phoned the restaurant and asked about CCTV and witnesses however the staff would not answer my questions and provided me with a number for the manager Manjit -

however he is not answering my calls, responding to voicemail or texts.

I have sent an officer to the restaurant to make enquires and have been updated that the staff were unhelpful and referred them again to Manjit who is still not answering calls.

The staff informed the officers that the CCTV only keeps for 7 days.

Just to make you aware

Kind regards

Kelly  
PC 5551 Kelly Blagbrough  
Western response hub shift 1

# SECTION 2



# SECTION 3

Restricted (when complete)

**ADULT CONDITIONAL CAUTION**

Offender Last Name:	SINGH		
Offender Forename(s):	Manjit		
A/S Ref:	Crime Ref:	Custody/VISP Ref:	
D.O.B:	Gender: F <input type="checkbox"/> M <input type="checkbox"/>	Ethnicity Code: PNC:	(16 + 1): <input type="checkbox"/>
Address:	Cannock, Staffordshire.		Postcode:
Telephone (home):	Mobile:	E-mail: INFO@INDIANSMOKEHOUSE.COM	
<b>Appropriate Adult (if required)</b>			
Name:			
Relationship:			
Address:			
Telephone/Mobile Number:			
<b>Details of the offence(s)</b> - Include facts as if charged, date(s) of offence(s). NB: If a Sexual Offence, as listed in Schedule 3 of the Sexual Offences Act 2003, is included then a Form SO1 must also be completed and the offender must be informed of the registering/reporting requirements commensurate with the type of offence.			
Offence(s)	G/ISSS Code	Notifiable / Recordable	
Between the 20 <sup>th</sup> October 2020 and 23 <sup>rd</sup> October 2020 in Cannock, Staffordshire, namely The Indian Smokehouse Sports Bar & BBQ Grill, carried on a licensable activity namely sold alcohol on or from the premises namely otherwise than under and accordance with an authorisation issued under the Licensing Act 2003. Contrary to section 136 of the Licensing Act 2003		Yes: No: X	
On the 23 <sup>rd</sup> October 2020 in Cannock, Staffordshire, namely The Indian Smokehouse Sport Bar & BBQ Grill, carried on a licensable activity namely sold alcohol on or from the premises namely otherwise than under and accordance with an authorisation issued under the Licensing Act 2003. Contrary to section 136 of the Licensing Act 2003		Yes: No: <input type="checkbox"/>	
		Yes: <input type="checkbox"/> No: <input type="checkbox"/>	
Condition(s)	Compliance Date		
To pay a fine of £50.00. Payment to be made to Justice Services Support Unit, Staffordshire Police, tel 01785234388.	<del>17/12/2020</del>		
	18/8/21		

Restricted (when complete)

Offender Declaration

- 1) I have been informed before completion of this form of my right at any time to consult and communicate with a solicitor and that free and independent legal advice is available;
- 2) I acknowledge that the conditions will facilitate my rehabilitation, ensure that I make reparations for the offence, or punish me for the offence;
- 3) If I do not fulfil the conditions, the conditional caution process is not complete and I will be liable for prosecution for the offence(s) outlined above. In this case, this signed form may be presented as part of the case against me in a court of law;
- 4) I will inform Staffordshire Police without delay if:
  - I am unable to comply with any of the conditions set (with a full explanation);
  - I change my normal place of residence or any contact details, as recorded on this form.
- 5) A record of this conditional caution will be kept on police databases for an indefinite period.
  - My details may be shared with partner agencies for the purposes of prevention and detection of crime, disorder and anti-social behaviour including providing education or other support as part of the conditional cautioning process.
  - The conditional caution may be disclosed, when appropriate, in connection with any future criminal proceedings;
- 6) If I apply for certain jobs, either paid or unpaid, and the organisation requires me to have a criminal records check via the Disclosure and Barring Service (DBS check), I will disclose this conditional caution on a Standard or Enhanced Disclosure Certificate (DBS checks may be requested by an employer for jobs or voluntary work where you work with vulnerable groups including children, as well as for other sensitive jobs involving a high level of trust);
- 7) If the offence I have admitted is included in the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009 (as amended), accepting this conditional caution means I may not be allowed to do certain activities which involve working with children or adults.
  - I will inform the Police if this will be the case.
  - I will be committing an offence if I carry out (or try to carry out) any of those activities.
  - I will provide details of this conditional caution to the Disclosure and Barring Service, who may consider me for inclusion in the Children's Barred List and / or the Adults Barred List which are lists kept by the Disclosure and Barring Service in reaching decisions about the suitability of persons to work with vulnerable groups;
- 8) Where one or more of the above offence(s) is listed in Schedule 3 of the Sexual Offences Act 2003 and the relevant age and disposal thresholds are met, I acknowledge that I will become subject to the notification requirements of Part 2 of that Act (commonly known as the Sex Offenders Register);
- 9) Information on my compliance of the conditional caution will be shared between the Police and relevant service providers, such as substance misuse schemes and victim awareness schemes;
- 10) I understand that a victim may still take out a private prosecution or civil action against me. The Police may disclose my details to a victim for this purpose.

Restricted (when complete)

MG14A (Rev 20/11/2018)

I, Manjit SINGH, freely admit the offences and agree to the conditions as above. I have read (or had read to me) the above declaration and I fully understand the consequences of agreeing to this conditional caution.

Signature of person cautioned: ..... Date: 18/05/2021

Signature of appropriate adult (where applicable): .....

**Conditional Caution administered by** – (the officer who obtains the signature of the offender and explains the above must complete the below section and sign it):

Officer name: PC 5281 <sup>CLWE</sup> COOPER Rank & N<sup>o</sup>: PC 5281 Date: 18/05/2021  
Officer signature: ..... Station: H.Q.

Name, Rank & N<sup>o</sup> of officer deciding a Conditional Caution is appropriate:

Sgt 4613 FINN

# **SECTION 4**

## Nicola Bills

---

**From:** Nicola Bills  
**Sent:** 08 June 2021 14:40  
**To:** 'info@indiansmokehouse.com'  
**Cc:** Cannock Licensing Unit  
**Subject:** Indian Smokehouse - Variation of Premises Licence  
**Attachments:** The Indian smokehouse.docx

Hi Manjit,

I have tried calling you to discuss the variation, however, unfortunately I have been unable to get hold of you hence this email.

I have attached a set of conditions that we would be looking for to form part of the premises licence, if granted, to help to uphold the objectives of the Licensing Act.

If you are happy with these to form part of the premises licence, if granted, then please respond to this email with agreement, should you, however, have any queries then please contact myself on the number below and I'll be more than happy to discuss.

This is a timely application so a response as soon as possible will be appreciated.

Kind Regards

**8505 Nicky Bills**  
**Licensing Officer**




Early Intervention and Prevention Unit,  
Staffordshire Police, Block 9, Ground Floor, Police Headquarters, Weston Road, Stafford, ST18 0YY  
Tel:


Work mobile: . . . . .

e:

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 [www.youtube.com/StaffordshirePolice](https://www.youtube.com/StaffordshirePolice)

official

The Indian Smokehouse  
35 Market Street  
Hednesford  
WS12 1AY

Prevention of Crime and Disorder

1. CCTV must be installed and operating correctly to manufacturer's instructions internally and externally and must cover all public areas including where smokers/patrons congregate and wherever licensable activity takes place whilst the premises is open to the public.
2. The time and date must be set to the correct time relating to BST/GMT.
3. A competent trained person in the use of and operation of the CCTV must be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system, to be able to down load at the time of the visit/upon request in a recognised format any information requested by the Police or any Responsible Authority.
4. All images must be kept for a consecutive 28 day period and to be produced to the Police or any Responsible Authority in relation to the investigation of crime/disorder issues and suspected licensing breaches, whereby it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders where disclosure is required by law. These must be stored in a secure system until such time requested by Police or any Responsible Authority.
5. All persons involved in the sale of alcohol who are not the holder of a Personal Licence to sell alcohol must receive initial and regular 3 monthly refresher training by the Designated Premises Supervisor or recognised training provider with regards to the law in relation to the sale of alcohol. Such training must be recorded and up to date training records of all such persons must be maintained at the premises and produced and made available for inspection at the time of the visit/or requested by a responsible authority. There must be twelve months records retained.

6. An incident register of all occurrences and ejections from the premises must be maintained at the premises and any details of any incidents of crime or disorder or misuse of drugs must be recorded. The register must be produced and made available at the time of the visit/upon request to any responsible authority.
  
7. A minimum of 2 Security Industry Authority (SIA) registered Door Supervisors must be present when the premises are open for trade on a Friday, Saturday, Sunday before a Bank Holiday and Bank Holidays from 21:00 hours and must remain at the premises until such time the premises are closed and all members of the public have left the venue.
  
8. The Premises Licence Holder/Designated Premises Supervisor must identify the requirement for Door Staff on any day other than detailed in condition 7, by way of a written risk assessment. Where the Risk Assessment identifies the need for Door Staff to be deployed, Door Staff must be of sufficient number to be able to control entry to the premises and deal with any instances of disorderly behaviour within the premises simultaneously. Door Staff must remain at the premises until such time the premises are closed and all members of the public have left the venue. The risk assessment must be maintained at the premises and produced and made available for inspection at the time of the visit/or requested by a responsible authority. There must be 12 months records retained.
  
9. Where Door Staff are employed there must be a register of every SIA person employed at the premises that contains the following details:
  - Name, date of birth and home address
  - Security Industry Authority licence number
  - Time and date each security staff starts and finishes duty
  - Each entry must be signed by the security staff
  - All persons utilised at the premises in the capacity of a Door Supervisor must wear yellow high visibility clothing at all times they are deployed.
  
10. That register must be kept fully updated at all times and remain at the licensed premises and be available for inspection immediately by an authorised officer of the Licensing Authority, the Security Industry Authority or Police.



Public safety

11. No persons will be permitted to take any open vessels containing any alcoholic/non-alcoholic drinks outside of the building.

The Prevention of Public Nuisance

12. A notice advising customers to leave the premises quietly must be displayed at each public exit of the premises.

The Protection of Children from Harm

13. A Challenge 25 policy must be adopted and enforced at the premises where all persons who appear to be under the age of 25 must be challenged for acceptable identification to prove they are over the age of 18 prior to the purchase of alcohol.
14. The only acceptable forms of identification will be a valid photo driving licence, valid passport or a valid PASS approved proof of age card.
15. Challenge 25 posters must be displayed at all entrances to the premises, all areas where alcohol is displayed and at the cash till payment area.
16. A refusals register with details of all refusals must be maintained at the premises. The register must contain details of the staff member refusing the sale and must be checked on a monthly basis by the Designated Premises Supervisor and signed and dated by the Designated Premises Supervisor.
17. The refusals register must be produced and made available for inspection at the time of the visit/ or upon request by any Responsible Authority.

## Nicola Bills

---

**From:** Antony Schiller  
**Sent:** 18 June 2021 13:19  
**To:** Nicola Bills  
**Cc:** info@indiansmokehouse.com  
**Subject:** Indian Smokehouse - Variation of Premises Licence  
**Attachments:** The Indian smokehouse.docx

Dear PC Bills

As you are aware I represent the above named. Please see the email thread below. I apologise for not responding more rapidly but I have been in court everyday and have not had much "desk time".

With respect the conditions suggested are not acceptable. They are disproportionate given the nature of the premises and the type of patrons who attend. The suggested conditions are with respect significantly out of step with other licensed premises in the locality. What has been suggested therefore is being opposed as being not only disproportionate but also uneconomical and not reasonably necessary to satisfy licensing requirements.

We are willing to discuss this with you to see if an amicable compromise can be reached?

Kind regards

Yours sincerely

*Antony Schiller*

**Director / Senior Partner**  
**Dennings Solicitors**

**From:** info <info@indiansmokehouse.com>  
**Sent:** 09 June 2021 08:46  
**To:** Antony Schiller  
**Subject:** FW: Indian Smokehouse - Variation of Premises Licence

Sent from my Galaxy

----- Original message -----  
**From:** Nicola Bills <\_\_\_\_\_  
**Date:** 08/06/2021 14:40 (GMT+00:00)  
**To:** "'info@indiansmokehouse.com'" <info@indiansmokehouse.com>  
**Cc:** Cannock Licensing Unit <licensingunit@cannockchasedc.gov.uk>  
**Subject:** Indian Smokehouse - Variation of Premises Licence

# SECTION 5

## Nicola Bills

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**From:** Cameron Thomson  
**Sent:** 19 June 2021 04:22  
**To:** Nicola Bills  
**Subject:** The Indian Smokehouse

Hi Nicola,

Just an email regarding the visit to the Indian Smokehouse.

We initially intended on doing a full license visit however as the customers were quite rowdy due to the football, and the fact there were 130 people in there, we did not feel this was the best option and only did a partial check.

During this brief check we only found one breach. They were selling alcohol to people who admitted to us and to the staff they were not eating and their sole intention there was to drink, breaching the license.

I will mention – there were around 130 people in there and it seemed very full, aswell as a large crowd gathering outside, weather waiting to go in or just customers out smoking, either way there seemed to be no form of control inside or out and in my opinion was more full that it should be. This is shown on BWV.

Thanks  
Cameron Thomson - 28435

# SECTION 6

**Sean OMeara**

---

**From:** Sean OMeara  
**Sent:** 22 June 2021 19:00  
**To:** LicensingUnit CCDC  
**Cc:** Sean OMeara; Scot Kearney  
**Subject:** Indian Smokehouse, Hednesford.

Dear Licensing Unit

With reference to the above named premises, the Council's Licensing Unit wishes to make representation in respect of the recent s34 application to vary the existing premises licence.

The Council's Licensing Unit objects to the grant of the said application because we believe that the application to vary does not sufficiently promote licensing objectives.

The premises licence holder is Mr. Manjit Singh who owns, operates and manages the Indian Smokehouse.

The premises has a history of non-compliance with licence conditions and a recently police investigation resulted in Mr. Singh accepting a Caution from Staffordshire Police after admitting a number of offences under the Licensing Act 2003.

This new application seeks to extend the hours during which alcohol may be sold both on and off the premises; add live and recorded music to the licence and remove a condition from the licence which only permits the sale of alcohol with a meal.

Although Mr. Singh seeks to extend and add licensable activities to his licence, the application does not contain any mention of steps which will be taken to ensure that the licensing objectives are met.

In consequence, the licensing authority cannot be satisfied that Mr. Singh will ensure that the licensing objectives are secured.

Further, both Staffordshire Police and the Council's Covid Support Team have recently had occasion to visit the premises following concerns about the management of the premises whilst screening football matches during the current Coronavirus pandemic.

Yours Sincerely,

Sean O'Meara



Sean O'Meara | Senior Licensing Officer  
Cannock Chase Council | Civic Centre | Beecroft Road | Cannock | WS11 1BG  
01543 464244 | [www.cannockchasedc.gov.uk](http://www.cannockchasedc.gov.uk)

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**CANNOCK CHASE DISTRICT COUNCIL**

**STATEMENT OF WITNESS**

(C.J. Act, 1967; S.9 M.C. Act 1980, S102; M.C. Rules, 1981, r.70)

<b>STATEMENT OF: Sean O'Meara</b>	
Age (if over 18 enter "Over 18") Over 18	Occupation: Senior Licensing Officer
Address: Civic Centre, Beecroft Road, Cannock, Staffs, WS11 1BG.	
Telephone Number: 01543 464244	
This statement (consisting of 5 page 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 anything which I know to be false or do not believe to be true.	
Dated: 7 day of July 2021	Signed: _____
<p>My Name is Sean O'Meara and I am employed by Cannock Chase District Council as the Senior Licensing Officer. My duties include the administration, compliance and enforcement of the provisions of the Licensing Act 2003. The premises known as the Indian Smokehouse in Market Street, Hednesford, Staffordshire was first licensed by Cannock Chase Council on 21 May 2014. The applicant and Premises Licence Holder was Mr Manjit Singh and at that time, the restaurant premises was called Cuizine. Mr Singh also lives within the Cannock Chase District and obtained a Personal Licence from the Council's Licensing Unit on 14 October 2005. On 21 May 2009, however, Mr Singh was convicted of a relevant offence under the Licensing Act 2003, after he was prosecuted by the Trading Standards Department for selling alcohol to a person under 18 years of age. Mr Singh was required to notify the Licensing Unit of this conviction and as he did not notify the Licensing Unit, I wrote to him on 30 June 2009 advising him that he needed to properly notify us of the said offence and in addition, return his Personal Licence so that it could be endorsed. On 23 July 2009, Mr Singh returned his Personal Licence and it was amended and re-issued by the Licensing Unit on 29 July 2009. It was endorsed following his conviction for selling alcohol to a person under 18 years old on 21 May 2009. On 4 June 2018, the Premises Licence was amended in order to change its name from Cuizine to the Indian Smokehouse. Soon afterwards, the complexion of the premises seemed to change and the Council started to receive complaints from local residents about alleged noise nuisance and patrons congregating and drinking outside of the premises. I visited the premises at 22.15hrs on 7 September 2018 and noted a number of</p>	



patrons drinking outside the premises and not eating. I spoke to Mr Singh at that time and wrote to him on 13 September 2018 about the breaches of the Premises Licence. I annex and exhibit a copy of this letter as SOM1. On 19 September 2018, the Council's Licensing Unit received an application from Mr Singh to vary the Indian Smokehouse Premises Licence and on 10 October 2018 Mr Scot Kearney, the Council's Licensing & Enforcement Officer sent an email to PC David Evans following a visit Mr Kearney had made to the premises on the same day. I annex and exhibit a copy of that email as SOM2. Following a Police attempt to agree some amended licence conditions with Mr Singh, the variation application was withdrawn on 15 October 2018. My records show that Mr Kearney returned to the premises with PC David Evans on 19 October 2018 and Mr Kearney also wrote to Mr Singh on 22 October 2018 raising concern about Mr Singh's non-compliance with licence conditions and management of the premises. I annex and exhibit Mr Kearney's letter of 22 October 2018 as SOM3. On 24 October 2018, Mr Singh responded to Mr Kearney's letter of 22 October 2018 and on 24 October 2018, Mr Singh emailed Mr Kearney stating that the areas of non-compliance had been dealt with. I annex and exhibit a copy of that email as SOM4. On 17 July 2019, Staffordshire Police advised the Council's Licensing Unit that there had been a serious assault at the premises some days before and that when the Police had requested the premises CCTV footage of the incident, Mr Singh had informed them that the CCTV system was not working on that day. This was a clear breach of Mr Singh's licence conditions. On Friday 23 August 2019, I visited the premises with officers from Staffordshire Police. Mr Singh was not at the premises on that evening but I spoke to him over the telephone at the time of our visit and advised him about the breaches of his licence conditions that we had found. Following the visit on 23 August 2019, I received a written statement from Special Inspector Neil Winter dated 19 September 2019. I annex and exhibit a copy of Special Inspector Winter's statement as SOM5 I also annex and exhibit a copy of my statement in connection with the visit on 23 August as SOM6. I also annex and exhibit 2 photographic stills from the Cannock Chase Council's CCTV system dated 2 August 2019 which illustrates a number of people congregating and drinking outside the premises as SOM7 and SOM8. Following my visit of 23 August 2019, I wrote to Mr Singh on 17 September 2019. I annex and exhibit a copy of that letter as SOM9. I arranged to meet Mr Singh at the premises on 24 September 2019 in order to discuss the non-compliance with licence conditions; our wider concern about the manner in which the premises is being managed and Mr Singh's inability to secure the licensing objectives. The said

visit took place on 24 September 2019 and I again found some non-compliance with the licence conditions. I also remained concerned about the manner in which the premises was being managed. As a result, I prepared a statement outlining the non-compliance at the premises. The statement is dated 27 September 2019 and is annexed and exhibited to this statement as SOM10. Mr Singh submitted an Action Plan to the Council's Licensing Unit and I re-visited the premises by appointment on 2 October 2019, to discuss it. Mr Singh did not attend the meeting. Instead I met Kay Didcote and her son Tom. Mrs Didcote had been present at our meeting of 24 September 2019. It was clear that a number of improvements had been made since my last visit and that Mr Singh had put in place an Action Plan which outlined improvements required and the timescale in which he would meet those requirements. On 22 November 2019, I again visited the premises with officers from Staffordshire Police and although some improvements were noted, it was clear that Mr Singh still had some work to do. I wrote to Mr Singh on 7 January 2020, and provided him with a number of training materials, posters and booklets which would assist him in complying with his licence conditions. I annex and exhibit a copy of that letter as SOM11. On 23 January 2020, Mr Singh emailed me his updated Action Plan which I annex and exhibit as SOM 12. On 3 February 2020, I responded with my comments and on 4 February 2020, I received an email from Staffordshire Police which alleged that a customer had seen drug use taking place at the premises. I then emailed Mr Singh to advise him of the allegation and asked him to deal with any drug taking as part of his action plan. I also suggested that the employment of registered door supervisors to assist him in reducing the possibility of drug taking activity taking place at his premises. I annex and exhibit the email thread as SOM 13. On 12 September 2020, I visited the premises with a member of the Council's Environmental Protection Team. We did not enter the premises but we noted that there were a number of people drinking outside of the premises contrary to Mr Singh's Licence conditions. Although we did not speak to Mr Singh at the time of our visit, Mr Singh saw us standing outside the premises and he quickly ensured that his patrons moved inside the premises. I wrote to Mr Singh on 18 September 2020 and I annex and exhibit a copy of that letter as SOM14. On 26 January 2021, I visited the premises along with officers from Staffordshire Police and Mr James Johnson from the Council's Covid Support Team in respect to a Covid 19 self-isolation matter and as a result the Covid Support Team served a Statutory Notice on Mr Singh which closed the business for 48 Hours. Following that visit, Staffordshire Police took formal action against Mr Singh and on 18 May

2021, Mr Singh admitted his guilt in connection with a number of breaches of his Premises Licence and he was issued with a Police Caution for breaches of his Premises Licence conditions under section 136 of the Licensing Act 2003. On Friday 11 June 2021, I visited the premises along with Mr Wayne Baillie from the Council's Covid Support Team and Special Sgt Kevin Lee from Staffordshire Police. The reason for our visit was to provide a printed hard copy of the British Beer & Pub Association's Guidance "Managing Euro 2020 Success-Advice for licensees showing the European Championship football matches in 2021". However, Mr Singh was not available at the time of our visit and in consequence, I left the said documents and some posters printed by the Council which intended to raise awareness of domestic violence during the football tournament. I informed Mr Singh's father that I would call Mr Singh to discuss the content. On the afternoon of Friday 18 June 2021, I rang Mr Singh and we discussed the guidance document which I had left for his attention. I also emphasised that the England v Scotland game that evening was of particular concern to the Police and the Covid Support Team and that he must be aware of those concerns and amend his risk assessment accordingly if he was going to show the match. Mr Singh assured me that he had read and understood the document and acknowledged that showing the football increased the risk of Covid19 infection at the premises. He was advised that this risk was additional to the risk that he was already dealing with when opening his premises to the public. On Monday 21 June 2021, I became aware of social media post from the premises and that officers from Staffordshire Police had also been to the premises during the England v Scotland game on the evening of Friday 18 June 2021. I was aware that both Staffordshire Police and the Covid Support Team intended to act upon the information they had been given. On Tuesday 22 June 2021, I was contacted by Staffordshire Police and Mr James Johnson from the Council's Covid Support Team who told me that they intended to visit the premises at 5pm on Tuesday 22 June 2021, in order to act upon the information they possessed. Mr Johnson invited me to attend the premises with him and the Police. I visited the premises at approximately 5pm on Tuesday 22 June 2021, along with Mr James Johnson and Mr Wayne Baillie from the Covid Support Team and PC Dominic Gallimore and the Police Licensing, Officer Nicky Bills. The Covid Support Team served a Statutory Notice on Mr Singh at the time of our visit which had the result of closing the premises. During the visit, Manjit Singh became very angry and both he and his son were rude, aggressive and threatening towards me. In my opinion, their behaviour failed to meet the Council's reasonable expectation of its licence holders. Mr Singh

accused me of being a "fucking fascist" and of being racist. He also made various accusations of corruption and unfairness. I am aware that Mr Baillie returned to the premises on 23 June 2021, to serve an Improvement Notice and a Fixed Penalty Notice on Mr Singh. I re-visited the premises on the afternoon of Tuesday 29 June 2021, along with Mr James Johnson, Mr Wayne Baillie and Special Sgt Kevin Lee from Staffordshire Police. The intention was for the Covid Support Team to ensure compliance with the Improvement Notice that Mr Baillie had served on Mr Singh on 23 June 2021. Mr James Johnson has provided a statement which outlines his involvement with the premises since January 2021 and I annex Mr Johnson's statement to this statement as SOM15. On 26 May 2021, Mr Singh made application to the Council's Licensing Unit to vary his existing Premises Licence. The intention of the application is to extend the hours during which alcohol can be sold and add some licensable activities to the existing Premises Licence. Mr Singh also wishes to remove the condition from his licence which only permits the sale of alcohol to patrons over 18 years of age who are consuming a meal at the premises. The Council's Licensing Unit objects to the proposed variation to the existing Premises Licence and has made representation to the Licensing Authority in respect of this. The grounds for objection is based on Mr Singh's persistence non-compliance with the conditions on the existing Premises Licence; his recent admission of guilt and subsequent Police Caution for breaching the conditions of the Premises Licence and continued concerns that Mr Singh's current management controls at the premises are not sufficiently good to ensure that the licensing objectives are met.

Signed :



Dated: 7 July 2021

**Please ask for:** Mr. Sean O'Meara

**Your Ref:**

**Extension No:** 4244

**My Ref:** SOM/85587

**E-mail:** [licensingunit@cannockchasedc.gov.uk](mailto:licensingunit@cannockchasedc.gov.uk)

---

13 September 2018

Mr Manjit Singh  
Indian Smokehouse/Krafft  
33 Market Street  
Hednesford  
WS12 1TA

Dear Mr Singh,

**Licensing Act 2003**

**Indian Smokehouse/Krafft Bar, Market Street, Hednesford, WS12 1TA**

I write with reference to the above and my visit to your premises along with colleagues at 22.15hrs on Friday 7 September 2018. You will recall our conversation at the time and would take this opportunity to advise you as follows:

- 1) Please do not permit your patrons to take their drinks onto the street. This activity creates unnecessary disturbance and noise complaints. Further, the potential for disorder increases because of the length of time your patrons may spend on the street.

Patrons who wish to smoke outside should be encouraged to return to the premises as soon as they have finished smoking. You should undertake a risk assessment for this activity and consider employing licensed door supervisors if appropriate.

Any risk assessment you undertake should demonstrate the reasons why you have/have not chosen to employ licensed door supervisors at your premises.

- 2) You are aware that there is condition on the Indian Smokehouse licence which states that:  
*Alcohol may only be sold to patrons over the age of 18 years and who are attending the premise for the purpose of the consumption of a meal. This will include all patrons who are waiting to be served a meal, consuming a meal or having consumed a meal.*

You must ensure that this and all other conditions of your licence are being complied with. Failure to do so may result in more formal action being taken.

Thank you for your anticipated co-operation in dealing with these matters.

Yours Sincerely,

**Sean O'Meara**  
**Senior Licensing Officer**

**Sean OMeara**

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**From:** Scot Kearney  
**Sent:** 10 October 2018 15:48  
**To:** \_\_\_\_\_  
**Cc:** Sean OMeara  
**Subject:** The Indian Smoke House  
**Attachments:** Warning Letter - Kraftt Bar.pdf

Good afternoon Dave,

**The Indian Smoke House**  
**Premises Licence Number: CCDC/PREM/14/410**

I attended the premises today at 13.20hrs to discuss the current application to vary the above premises licence with Manjit Singh.

I explained to him the scenario regarding his application and how both the Police and Licensing are unhappy with the wording of the condition he has submitted regarding sales of alcohol. I explained to him that if he is unhappy with the proposed condition from the Police regarding meals being purchased in order to be able to obtain alcohol, then he will have to propose providing door supervisors from 10pm – 1am – Thursday to Saturday plus any Sundays preceding a Bank holiday Monday. He seemed adverse to having to pay for door supervisors and mentioned that he doesn't intend to open until 1am and will probably shut at 11.45pm. I advised him then he should have applied for those hours instead.

Furthermore I noted the following non compliances of his current premises licence conditions.

- 1 – No incident log book.
- 2 – A refusals register was in place but hadn't been used to record any refusals and only contained table bookings.
- 3 – No staff training records.
- 4 – No written policy or risk assessment in relation to staff training, first aid, fire evacuation or challenge 25 policy.
- 5 – No challenge 25 posters or literature on display.
- 6 - No signage at door asking patrons leaving the premises to do so in a quiet and orderly manner
- 7 – A competent trained person in the use of the CCTV equipment. CCTV footage took some time to obtain and I believe Mr. Singh went off to call somebody to be told how to operate the system. When he eventually managed to get it working we were able to review footage as far back as 12<sup>th</sup> September 2018.

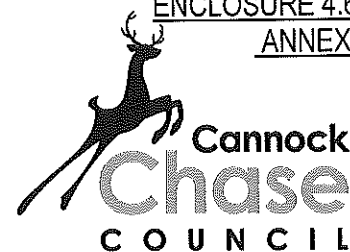
All of the above problems pretty much mirrored a similar inspection at The Kraftt Bar next door with Manjit Singh on 20<sup>th</sup> April 2018 (see attached).

It seems quite obvious that he wants the premises to have all the options of both a restaurant and a bar. He claims they can cater for up to 180 places in the restaurant. I advised him that 180 customers sitting down drinking alcohol plus whatever number standing up too needs to be properly managed and he should expect to have SIA door supervisors as part of his licence.

I advised him if he wants to be open until the early hours 7 days a week operating what would be classed as a bar if the majority of people are not ordering meals, then he needs to be willing to mediate on his application with the police. Either that or he can go to committee hearing and he potentially may not get anything he's asking for.

Regards,

Scot



Please ask for: Scot Kearney  
Telephone No: 01543 464603  
E-mail:

Your Ref:  
Our Ref: 85037

22 October 2018

Mr Manjit Singh  
The Indian Smokehouse  
35 Market Street,  
Hednesford,  
Cannock,  
WS12 1AY

Dear Mr. Singh,  
**Licensing Act 2003 - Premises Licence CCDC/PREM/14/410**  
**The Indian Smokehouse, 35 Market Street, Hednesford, WS12 1TA**

I write with reference to my visit to the above premise on 10<sup>th</sup> October 2018 and the discussion I had with you at that time regarding your Premises Licence for this site.

**1 – Non Compliance of Premises Licence Conditions**

I noted from my visit that you were not familiar with or complying with certain conditions that apply to your licence. The following matters were identified straight away.

- 1- No staff training records
- 2- No refusals register
- 3- No incident book
- 4- No Challenge 25 Policy / Posters in place
- 5- CCTV not recording for 31 days (only 29 days retention of footage available)
- 6- No clear and legible signage displayed at all exit points instructing all persons leaving the premises to do so in a quiet and orderly manner

I must stress the importance of ensuring that the objectives of the Licensing Act 2003 are being met at all times by you as both the Premise Licence holder and named Designated Premise Supervisor. There needs to be a significant immediate improvement in the way the site is managed in accordance with its Premises Licence.

The required improvements need to be maintained and should not be a temporary action just for show. There will be follow up non-scheduled inspections carried out by the Licensing Unit to ensure compliance of your licence conditions.

Thank you for your anticipated co-operation in dealing with these matters.

Yours faithfully,

**Scot Kearney**  
**Licensing & Enforcement Officer**



**Sean OMeara**

---

**From:** Scot Kearney  
**Sent:** 24 October 2018 15:20  
**To:** 'Indian Smokehouse'  
**Cc:** Sean OMeara; 'David.Evans@staffordshire.pnn.police.uk'  
**Subject:** RE: NON COMPLIANCE THE INDIAN SMOKEHOUSE

Hi Manjit,

Thank you for the update and your prompt actions in dealing with the non compliances I highlighted from my recent visit. As I mentioned in my last letter to you, these requirements/conditions need to be maintained at all times.

Can you confirm if you will be submitting an application to vary your premises licence?

Kind regards,

Scot Kearney

---

**From:** Indian Smokehouse [mailto:info@indiansmokehouse.com]  
**Sent:** 24 October 2018 15:12  
**To:** Scot Kearney  
**Subject:** NON COMPLIANCE THE INDIAN SMOKEHOUSE

Hi Scot,

I write in reference to your visit to the premises on 10th October 2018, Following your findings I can confirm that all non compliance of premises conditions have been rectified.

1.No staff training records.

\*Documented training in place for all staff.

2.No refusals register

\*Register in place

3.No incident Book

\*Incident book in place

4. No challenge 25 policy/posters in place

\*Posters displayed in prominent positions

5.CCTV not recording up to 31 days

\*Extra hard drive fitted to CCTV system to allow extended recording



6. No signs on exits instructing patrons to leave in quiet and orderly manner.

Signage has been ordered and will be displayed at all exits.

Kind Regards

Manjit Singh

RESTRICTED (when complete)

MG11T

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN 21

Statement of: **Neil Edward Winter**

Age **Over 18**

Occupation

**Special 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, or do not believe to be true.

Signature 

Date: 19<sup>th</sup> September 2019

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a Special Inspector with Staffordshire Police currently stationed at Rugeley Police Station. Part of my role is to work closely with the Southern Licensing Unit. As part of my duties I carry out visits to licensed premises, and check that the conditions on each premises licence are being adhered to, in support of the licensing objectives of the Licensing Act 2003.

On Friday 23<sup>rd</sup> August 2019, at approx. 2040 hours, I visited a premises known as The Indian Smokehouse in Market Street, Hednesford, along with 6 other Special Constables, and also with the Senior Licensing Officer and the Licensing and Enforcement officer from Cannock Chase District Council. The reason for our visit was to ensure compliance with the conditions attached to the premises licence which was issued to the premises licence holder, Mr Manjit Singh, under the Licensing Act 2003. Upon approaching the premises it was clear that there was approximately 20 people standing on the public footpath outside the front of the premises and that many of them were smoking and/or drinking alcohol.

I instructed my team of officers to speak with the people standing outside and ask them for proof of age and to ascertain whether they were customers of the premises. Several of the people were sat on the window ledge of the premises – which has large opening windows. Also on the window ledge were several pint glasses that were nearly full of what appeared to be a lager type alcoholic drink. I asked those sat on the window ledge for proof of ID, but none were able to produce any such ID – and none claimed to be consuming the drinks that they were sat by. I was then approached by one of my team who pointed out a male in a red top who was consuming a pint of lager – but who could not produce any ID. I approached the male and asked him how old he was. He stated that he was 18, but did not have any ID on him. I therefore took his drink from him, informing him that he should not be drinking in the street.

I then entered the premises, and removed all of the drinks from the open window and placed them on the bar. I was then joined by the council Senior Licensing Officer and the Licensing and Enforcement officer.

As I had entered the premises, I noted that there were several large screens showing a Sky TV football game. The senior Licensing Officer then asked one of the bar staff about the age of the clientele at the premises as many of them seemed to be under 25 and therefore required challenging about their age before purchasing alcohol. He advised us that everybody who had been served a drink had had their

Signature: \_\_\_\_\_

Signature Witnessed by: \_\_\_\_\_

RESTRICTED (when complete)

MG11T(CONT)

Continuation of Statement of: **Neil Edward Winter**

Identification checked. The senior Licensing Officer and the Licensing and Enforcement officer then carried out further checks with the staff present, whilst I instructed my team to carry out further checks on the customers present within the premises. I estimate that there were approx. 100 people both sitting and standing in the premises, although not many of them appeared to be having a meal. I was also conscious of the number of people who kept leaving and re-entering the premises, some of whom were carrying alcoholic drinks outside and had to be challenged.

My officers carried out checks of the customers within the premises. There were several tables where alcoholic drinks was present, but no-one claimed to be consuming those drinks. It was also not possible for anyone who was asked to produce any form of Id to prove their age. Generally, I would describe the mood of the customers in the premises as "hostile" towards the Police and the Council Officers – some were rude and obstructive, and many kept barging past and into my officers whilst they were trying to carry out their duties.

The visit concluded at approx. 21:05 hours. As we left the premises, there was still a large crowd of people outside the premises, including some on the opposite side of the road drinking alcoholic drinks.

The entire visit was recorded on my Body Worn Video device – which I present as Exhibit NEW/1.



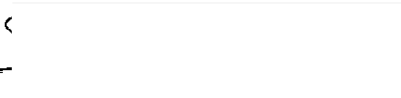
Signature: ✓

Signature Witnessed by: .....

**CANNOCK CHASE DISTRICT COUNCIL**

**STATEMENT OF WITNESS**

(C.J. Act, 1967; S.9 M.C. Act 1980, S102; M.C. Rules, 1981, r.70)

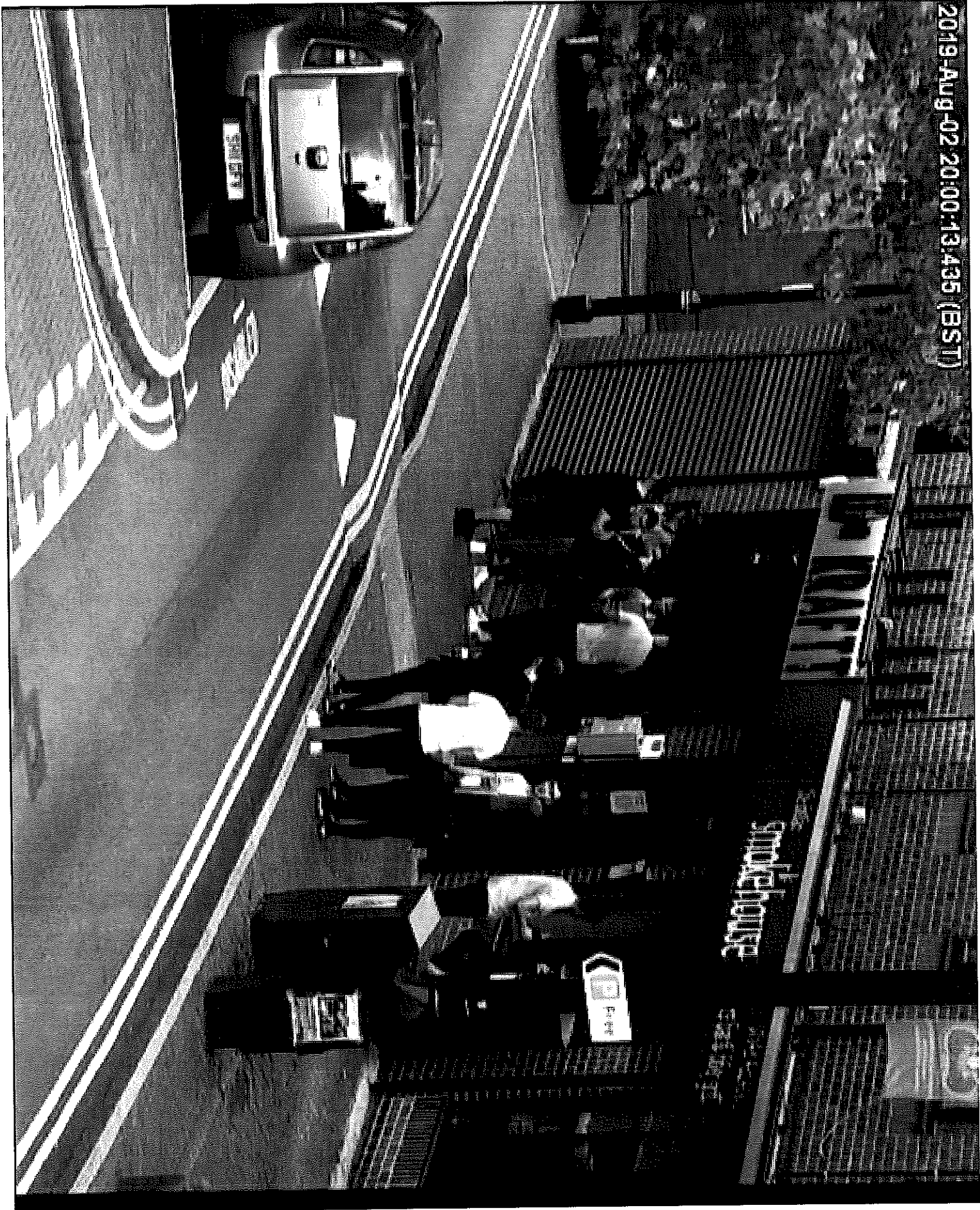
<b>STATEMENT OF: Sean O'Meara</b>	
Age (if over 18 enter "Over 18") Over 18	Occupation: Senior Licensing Officer
Address: Civic Centre, Beecroft Road, Cannock, Staffs, WS11 1BG.	
Telephone Number: 01543 464244	
<p>This statement (consisting of 3 page signed by me) is true to the best of my knowledge 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 anything which I know to be false or do not believe to be true.</p>	
Dated: 26 day of September 2019	Signed: 
<p>My Name is Sean O'Meara and I am employed by Cannock Chase District Council as the Senior Licensing Officer. My duties include the administration, compliance and enforcement of the provisions of the Licensing Act 2003. At 20.40hrs on Friday 23 August 2019, I visited the premises known as The Indian Smokehouse, in Market Street, Hednesford, along with the Council's Licensing &amp; Enforcement Officer and 7 Special Constables from Staffordshire Police. The reason for our visit was to ensure compliance with the conditions attached to the premises licence which was issued to the premises licence holder, Mr Manjit Singh, under the Licensing Act 2003 . Upon approaching the premises it was clear that there was approximately 20 People standing on the public footpath outside the front of the premises and that many of them were smoking and or drinking alcohol. As we entered the premises some police officers started to verify the age of the people standing outside and the other officers and I entered the premises which was showing the SKY TV football game; Aston Villa versus Everton. The atmosphere at the premises was unpleasant and slightly hostile. I approached a young man I now know to be Mitchell Green, who was working behind the Bar of the premises and asked to speak to the owner of the premises Mr Manjit Singh. He advised me that Mr Singh was not at the premises but could be contacted by phone. I explained who I was and informed him as to why the police and council licensing officers were present. I then asked him about the age of the clientele at the premises as many of them seemed to be under 25 and therefore required challenging about their age before purchasing alcohol. He advised me that everybody who had been served a drink had had their Identification</p>	

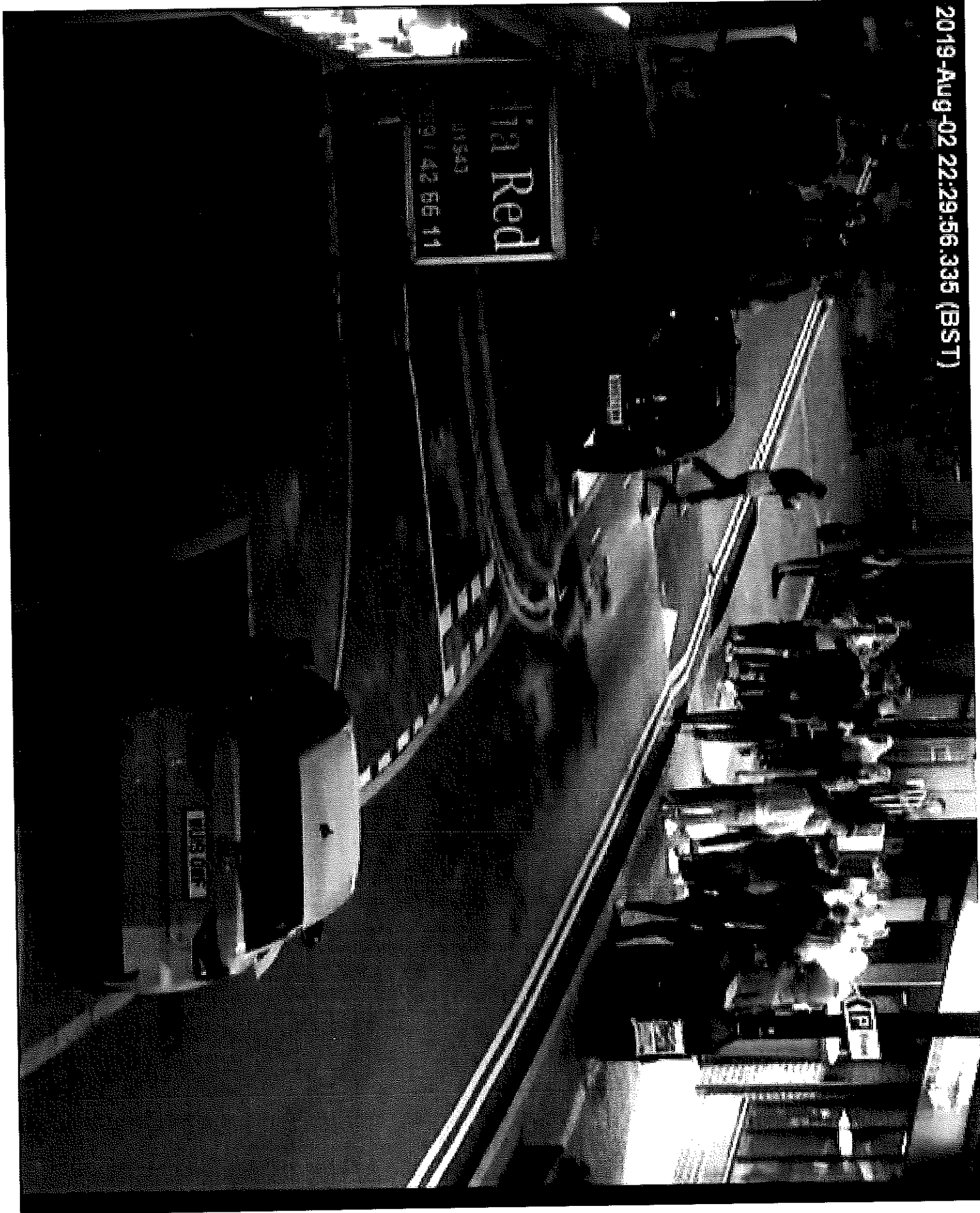
checked. Special Inspector Neil Winter then approached me from outside to say that only a small number of people had showed their identification documents as they said they were not drinking and did not carry any identification. He also said that some of the people were walking away when challenged. Mr Green did not know why this might be and again assured me that everybody who had been served a drink had had their identification checked. I asked him how their identification was checked and he said that there was a prompt on the Till. I asked him how many people had been identification checked that evening and he said he did not know and he did not know how to find that out from the Till. I also asked him about some disorder at the premises some weeks ago and he nodded and said that the people who caused the trouble had now been banned. Mr Green then walked away from the Bar in order to contact Mr Manjit Singh and whilst he did so, I walked over to the food servery and asked a member of kitchen staff how many meals had been served that night. He pointed to a pile of receipts which had been speared onto a receipt spike holder which was on top of the servery counter. He said that that most of the food sale receipts were there but that a small number of people had requested their receipt and so no all of the receipts would be there. I counted 35 receipts and I also counted approximately 100 people both sitting and standing in the premises, this included those standing outside the premises when we entered. I returned to the Bar and a few minutes later Mr Green returned with a mobile phone. He had contacted Manjit Singh and passed the mobile phone to me. I walked outside the premises so that it was quieter and more private and asked Mr Singh if he could attend. He said he could not get to the premises for about 45 minutes. I explained that we would have left the premises by that time. Whilst I was standing outside some patrons were shouting at me in a hostile manner. I advised Mr Singh that there were lots of people standing outside with drinks many of whom were of an age which clearly required challenge under the mandatory licence conditions but who said they were not carrying ID when asked . I also told him that there were more people inside that food receipts counted. I also reminded him that following a violent incident a few weeks ago, the police had asked for the CCTV from the incident and had been told by Mr Singh that the CCTV had not been working at that time. I also advised Mr Singh that there was no written record of him authorising others to sell alcohol when he is not at the premises and asked him who was in charge of the premises whilst he was away. I informed Mr Singh that there were potential a number of breaches of licence condition. He said the sales of alcohol were authorised by the DPS from the Kraftt Gin Bar next door. Mr Singh also owns that premises. He said the name of the

DPS at Kraftt is Sehaj. I also asked him who was in charge of the Indian Smokehouse whilst he was away and he said his Brother-in- Law, Mr Mandip Singh was in charge. I then re-entered the premises and attracted the attention of Mr Mandip Singh. He had not previously identified himself to me or the police as the person in charge of the premises and when I advised him that Manjit had said he was in charge he seemed surprised. I then asked him a number of questions about the premises. He said that he was not a personal licence holder and that he was not aware of any written authorisation to sell alcohol given by Mr Manjit Singh to him or anybody else in Mr Singh's absence. He did show me a refusals book which indicated that the book had recently been used on 24/12/18, 31/12/18, 31/12/18, 22/2/19, 17/5/19, 3/6/19 and 11/7/19. They were all signed by Manjit Singh. Mandip Singh said he did not know how to use CCTV and he has no idea how to download data if required. He said that only Manjit Singh was able to do this. He confirmed that there was a prompt on the Till which reminded them to inspect peoples identity but he could not tell me how many people's identification documents had been seen on the night. Mr Mandip Singh was also asked how the bar staff felt about the lack of security staff at the premises. He said that he did feel threatened at times and as well as serving drinks, bar staff were also required to challenge patrons for ID. He added that they were often rushed off their feet as they were very busy and swamped at times. He said that at times they were too busy to control the premises and admitted that he knew that older people were buying drinkers for under age people who were sitting down but said there was nothing they could do. As I left the premises I noted patrons entering and exiting the premises through the open bi-fold windows which stretch the length of the front of the premises. People were still sitting on the window sills whilst smoking and drinking. The premises smelled heavily of cigarette smoke. I attach and exhibit a copy of the premises licence to this statement as SOM1.

Signed : \_\_\_\_\_

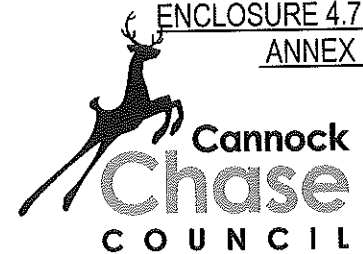
Dated: 26 September 2019





2019-Aug-02 22:29:56.335 (BST)





**Please ask for:** Sean O'Meara  
**Extension No:** 4244  
**E-Mail:** [licensingunit@cannockchasedc.gov.uk](mailto:licensingunit@cannockchasedc.gov.uk)

**Your Ref:**  
**My Ref:** SOM/88784

17 September 2019

Mr Manjit Singh

Dear Mr Singh,  
**Licensing Act 2003**

**The Indian Smokehouse, 35 Market Street, Hednesford, Staffordshire, WS12 1AY**

**Alleged non-compliance with licence conditions**

I write with reference to the above matter and the recent visit to your premises by police and council licensing officers on Friday 23 August 2019.

Although you were not present at the premises at the time of our visit, you will recall that we spoke over the telephone and I advised you of the alleged breaches of your licence conditions. In consequence, licensing officer now wish to meet with you at the Indian Smokehouse premises so as to discuss the matter more fully and investigate the alleged non-compliance with your licence conditions.

**It is therefore proposed that we met you at the Indian Smokehouse at 2pm on Tuesday 24 September 2019. I would ask you to confirm your availability to me at your earliest opportunity.**

In the meantime and in accordance with your licence conditions, The Licensing Unit now requires you to download the CCTV footage from your premises for 20.00hrs until 23.00hrs on Friday 23 August 2019.

I also understand that police officers visited your premises on Saturday 7 September 2019 where issues of alleged non-compliance were noted. As a result, the Licensing Unit now requires you to download CCTV footage from your premises for 16.30hrs until 21.00hrs on Saturday 7 September 2019.

I also understand that Staffordshire Police have previously asked you to provide CCTV footage because of an incident which is alleged to have occurred at you premises on 13 July 2019. I am therefore formally requesting the CCTV footage you have for that evening between 19.00hrs and 23.00hrs.

I shall await your response at your earliest convenience. I am available on 01543 464244.

Yours sincerely

Sean O'Meara  
Senior Licensing Officer

**Tony McGovern | Managing Director**

Civic Centre, PO Box 28 Beecroft Road, Cannock, Staffordshire WS11 1BG  
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**CANNOCK CHASE DISTRICT COUNCIL****STATEMENT OF WITNESS**

(C.J. Act, 1967; S.9 M.C. Act 1980, S102; M.C. Rules, 1981, r.70)

**STATEMENT OF: Sean O'Meara**

Age (if over 18 enter "Over 18") Over 18

Occupation: Senior Licensing Officer

Address: Civic Centre, Beecroft Road, Cannock, Staffs, WS11 1BG.

Telephone Number: 01543 464244

This statement (consisting of 5 page 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 anything which I know to be false or do not believe to be true.

Dated: 27 day of September 2019

Signed: 

My Name is Sean O'Meara and I am employed by Cannock Chase District Council as the Senior Licensing Officer.

My duties include the administration, compliance and enforcement of the provisions of the Licensing Act 2003.

Following my visit to the premises known as The Indian Smokehouse in Hednesford, on Friday 23 August 2019, I

arranged to meet Mr Manjit Singh, the Premises Licence Holder, at the premises at 14.00hrs on Tuesday 24

September 2019. The reason for this visit was to follow up on my previous visit and to carry out an inspection of the

premises with respect of compliance with the Premises Licence conditions. Upon my arrival, Mr Singh was already

seated inside the premises with a colleague of his Kay Didcote. I introduced myself and advised Mr Singh of my

intentions. He agreed that we go through the premises licence and assess the compliance with the licence

conditions imposed upon it. I started with those conditions of the licence which Mr Singh had offered in his original

licence application in May 2014. Those conditions are reiterated in this statement in the same way as they appear on

the Premises Licence. These are:

*Robust risk assessments & staff training in place, regular briefings & updates given to all staff, good record keeping & general maintenance of premises.*

Mr Singh confirmed that he has some robust risk assessments for the premises and that some initial staff training had taken place. We agreed to look at his staff training records as we work our way through the licence conditions.

No issues were raised with the maintenance of the building.

Under the heading PREVENTION OF CRIME & DISORDER the offered conditions were:

- (I) *Alarm – intruder alarm when premises are closed or empty*
- (II) *All emergency exits alarmed when premises are open to public so staff are aware of unauthorised opening or tampering.*

Mr Singh advised me that there were no alarms were fitted at the premises.

- (III) *CCTV monitoring.*

Mr Singh confirmed that there is CCTV equipment monitoring the premises.

- (IV) *Duty of care policy.*

Mr Singh said that he is not aware of the existence of such a policy.

- (V) *Drink aware posters.*

There are a number of posters at the premises but none mention the word Drink Aware.

- (VI) *Staff training & briefing & records.*

Mr Singh acknowledged that he completed some initial staff training and that a record of that training has been kept.

Under the heading PUBLIC SAFETY, the offered conditions states:

*Risk assessments in place regarding first aid, fire evacuation, challenge '25' policy, CCTV internal & external, trained member of staff on premises with recognised qualification in first aid, first aid boxes available on premises. Bottle bins in locked car park.*

Mr Singh confirmed that all of this was true.

Under the heading PREVENTION OF PUBLIC NUISANCE the conditions reads:

- 1) *CCTV – internal & external.*

This was confirmed by Mr Singh.

- 2) *Display public notices – leaving premises i.e. quickly & quietly.*

My inspection revealed that a suitable notice is displayed above the front exit doors.

*Recording music – will only be played as background music only. Will not cause noise nuisance.*

Mr Singh confirmed that recorded music is rarely played at the premises.

Under the heading PROTECTION OF CHILDREN FROM HARM the conditions read:

*(I) Children can only be permitted if they accompanied by an adult*

*(II) Operate strict – no sale – no ID policy challenge 25 scheme (underage sales policy) posters*

Mr Singh confirmed that children must be accompanied and they operate a Challenge 25 Policy. I noted a number of posters around the premises to that effect.

*(III) Proxy sales – adequate staff training to be given. Refusals book in place, regular staff briefing.*

My inspection revealed that staff training is not regular but a refusal book is in place. He showed me the same refusals book that I had seen on the evening of 23 August 2019. It has one new entry dated 23 August 2018. There were 7 previous entries; 3 over Christmas 2018 and one, 1 in each of February, May, June and July of 2019.

We then moved on to the section of the premises licence which is headed THE FOLLOWING CONDITIONS, WHICH ARE CONSISTENT WITH THE OPERATING SCHEDULE, WERE AGREED BETWEEN THE LICENCE HOLDER AND STAFFORDSHIRE POLICE ON 1 MAY 2014. It was Mr Singh, the owner of the premises, who agreed these conditions with Staffordshire police at that time.

Under the heading PREVENTION OF CRIME & DISORDER. The conditions read:

*- The designated premise supervisor will keep an incident log at the premises recording any incident of disorder.*

*This log may be inspected at any time by an officer from any responsible authority.*

Mr Singh said that they did not have any incidents at the premises and did not have an incident log to record such incidents.

*- All persons involved in the sale of alcohol who are not the holder of a personal licence to sell alcohol will receive initial and regular 3 monthly refresher training by the Designated Premises Supervisor with regards to the law in relation to the sale of alcohol. Such training will be recorded and up to date training records of all such persons will be maintained at the premises and produced and made immediately available for inspection upon request by a responsible authority.*

Mr Singh showed me the log he does keep which showed that some members of staff had been trained in August 2018. He admitted that no refresher training for staff had taken place since then.

*- Alcohol may only be sold to patrons over the age of 18 years and who are attending the premise for the purpose of the consumption of a meal. This will include all patrons who are waiting to be served a meal, consuming a meal or*

*having consumed a meal.*

I asked Mr Singh how he ensured that this condition was complied with. He told me that when somebody goes to the bar, they are asked if they are eating and there is a till prompt which ensures that their age is verified.

*- CCTV to be installed internally and cover all areas where licensable activities take place. Images must be clear enough to identify a person.*

This condition is being complied with.

*- A competent trained person in the use and operation of the CCTV equipment will be in attendance at the premise at all times that licensable activities take place and be able to fully operate the system and be able to download in a recognised format any information requested by the Police.*

Mr Singh says that staff may be able to replay the CCTV if requested on the night but would not be able to download images.

*- All CCTV images to be retained for a period of not less than 31 days and any evidential incidents will be downloaded and stored in a secure system until such time as collected by an appropriate authority.*

Mr Singh showed me that the images are actually stored for a longer period than required. However, the time on the CCTV was incorrect. The clock on the CCTV equipment read 13.11hrs. The actual time was 14.28hrs. Mr Singh was advised to put this right without delay.

*- No alcoholic drinks or any glass wear to be taken outside of the building.*

Mr Singh said that since my visit with the police on 23 August, they have employed extra staff to help manage that situation.

Under the heading PUBLIC SAFETY there are no conditions and no questions were asked.

Under the heading PREVENTION OF PUBLIC NUISANCE the conditions read:

*- Clear and legible signage will be displayed at all exit points instructing all persons leaving the premises to do so in a quiet and orderly manner.*

This notice is in place but advice was given as it was not immediately obvious to the eye.

Under the heading PROTECTION OF CHILDREN FROM HARM, conditions read:

*- A Challenge 25 policy will be adopted and enforced at the premises. All persons will be challenged for suitable*

*identification if they appear to be under the age of 25 years when purchasing alcohol.*

I asked Mr Singh how they do this and he told me that there was a Till prompt. I asked him to show me the Till prompt. We rose from our seats and he switched on the Till. Mr Singh looked at the Till screen and then admitted that the Till did not actually have a Till prompt on it. Kay Didcote informed me that a Till prompt was fitted onto the Till when it was initially installed.

*- Challenge 25 signs to be displayed at the entrance and behind the serving area.*

There a number of Challenge 25 posters at the premises.

*- All refusals of sales will be recorded in a recognised refusal of sales register which will be maintained at the premises. The register will be produced and made available for inspection upon request by a responsible authority.*

Mr Singh showed me the refusals register which had a number of entries in it. The latest being 23 August 2019.

*- No persons under the age of 18 to be allowed on the premises after 2100hrs unless accompanied by a responsible adult.* Mr Singh confirmed that this is the case. I attach and exhibit a copy of the premises licence to this statement as SOM1.

Signed :

\_\_\_\_\_

Dated: 27 September 2019

**Please ask for:** Sean O'Meara

**Your Ref:**

**Extension No:** 4244

**My Ref:** SOM/90039

**E-Mail:** [licensingunit@cannockchasedc.gov.uk](mailto:licensingunit@cannockchasedc.gov.uk)

7 January 2020

Mr Manjit Singh

Dear Mr Singh,

**Licensing Act 2003**

**The Indian Smokehouse, 35 Market Street, Hednesford, Staffordshire, WS12 1AY**

**Compliance with licence conditions**

I write with reference to the above matter and our conversation during my most recent visit to your premises by police and council licensing officers on Friday 22 November 2019.

The reason for our visit was to re-inspect your premises following my previous inspection on 23 August 2019 which revealed some significant breaches of your licence conditions. As you know, this visit led to a number of additional licensing visits to your premises and consideration being given to formal action being taken against you.

However, the inspection on 22 November 2019 showed some improvement from my visit in August 2019. During the visit, you were able to demonstrate that the premises:

- Has full CCTV coverage which is now compliant with licence conditions;
- Is displaying Challenge 25 posters and other notices required by licence condition;
- Has signed staff training records;
- Has a Refusals Book as required licence condition. This book must be used whenever an ID challenge is made by your staff and a sale is subsequently refused.
- Has an Incident Log Book as required by licence condition. This book must be used whenever an incident takes place at the premises which may be of interest to other parties or responsible authorities.
- A Till Prompt which reminds staff to ask for ID from customers. Please note that this is only intended to prompt your staff. It does not replace the need for staff to inspect the patrons ID documents.

Although you have completed the above work, more work is required on several aspects of your licence conditions and to complete your Indian Smokehouse Action Plan. The work still required is as follows:

- Staff Training. Although you now have staff training records, they are not comprehensive and such training must be undertaken every 3 months by staff who are not personal licence holders. I have enclosed a number of booklets and training materials which might be of assistance to you.
- A member of staff must be able to download CCTV footage when asked to do so by the Police. I note that your Action Plan mentions this matter.

**Tony McGovern | Managing Director**

Civic Centre, PO Box 28 Beecroft Road, Cannock, Staffordshire WS11 1BG  
Tel: 01543 462621 | fax: 01543 462317 | [www.cannockchasedc.gov.uk](http://www.cannockchasedc.gov.uk)

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- A condition of your licence requires that drinks must only be purchased by people who are consuming meals at the premises. I note your comment that you ensure this condition is complied with simply by asking patrons if they are eating but I must advise you to consider this matter further and take positive steps to ensure that the licence condition is being met. This may require the need for table service or table number ID before alcohol sales take place.
- A licence condition prohibits glasses or drinks being taken outside by patrons. I note that you say you have employed staff to help tackle this issue but I must ask you to ensure that these staff members do not act in an enforcement manner akin to that of a licensed door supervisor. Only registered door supervisors can be used for enforcement purposes.

With respect to the Indian Smokehouse Action Plan (ISAP) you provided to the Licensing Unit on 6 September 2019, I would make the following comments:

- Staff training is an action on the ISAP which is said to be completed on 26 September 2019. You must now ensure that all staff who are not personal licence holders are trained every 3 months.
- The ISAP states that 4 members of staff will complete the Award for Personal Licence Holders by 31 October 2019. Can I ask you to confirm that this has happened and enquire as to whether its your intention to convert those awards into Personal licences with this or any other licensing authority.
- I note that you now attend the Pubwatch meetings in Cannock and I trust that they are of some benefit to you and your staff.
- Can you please confirm that a new alarm has been installed at the premises.
- The addition of proxy sales training to you general staff training is welcome. Please see my previous comments on staff training.
- With respect to the incident log book and glassware being taken outside, please see my comments elsewhere within this letter.
- The introduction of a communications/ team briefings book is welcome. May I ask you to provide me with an update as to its effectiveness
- A member of staff must be able to download CCTV footage when asked to do so by the Police. I note that your ISAP mentions this matter and I would ask you to update me as to the practical features of this measure.

I shall await a response at your earliest convenience please in order that I can amend my records accordingly. You may wish to provide the licensing authority with an updated Action Plan which sets out your intentions for the future of the premises.

I would also take this opportunity to encourage you to look once again at your Premises Licence and act to ensure that all licence conditions are being complied with. Licensing officers and Police officers may take the opportunity to visit your premises over the coming weeks and you should make sure that you are compliant with the said licence conditions.

For their records, a copy of this letter has been to Sgt Finn at the Police Licensing Unit and Sgt Burslem at Cannock Police Station. I am available on 01543 464244 should you wish to discuss the contents of this letter.

Yours sincerely

Sean O'Meara  
Senior Licensing Officer



**Indian Smokehouse Action Plan**

<b>Requirement</b>	<b>Action To Be Taken – How?</b>	<b>By When &amp; By Whom?</b>	<b>Action Completed</b>
<p><b>Protection of children from harm -Challenge 25</b></p>	<ul style="list-style-type: none"> <li>Challenge 25 point of sale till prompts to be updated</li> <li>Staff refresher training on "Underage sales policy" All persons will be challenged for suitable ID if they appear to be under the age of 25 years when purchasing alcohol. No ID = No sale, all challenges will be recorded.</li> </ul>	<p>26/09/19 Manjit Singh</p>	<ul style="list-style-type: none"> <li>Point of sale Challenge 25 till prompt completed 26/09/19</li> <li>Staff training completed 26/09/19</li> </ul>
<p><b>Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.</b></p>	<p>4 members of current staff team will undertake Award for Personal Licence Holders (APLH) training</p>	<p>To be completed by 31/10/2019 by identified staff members</p>	<p>This action has been rescheduled to 24/02/2020 for two new staff members</p>
<p><b>Prevention of crime and disorder – Pub watch</b></p>	<p>A member of staff that holds a personal licence will attend monthly Pub watch meetings, the premises will have a radio link with local members of Pub watch</p>	<p>To be completed by 09/10/2019 - Pub watch meeting</p>	<p>Completed</p>

SOM12

<b>Prevention of crime and disorder – Intruder alarm/emergency exit monitoring</b>	New alarm system to be installed	To be completed by 30/10/2019 Manjit Singh	Completed 30/10/2019
<b>Prevention of crime and disorder – Staff training</b>	Additional staff training to increase awareness of proxy sales and challenge 25 record keeping	To be completed by 26/09/2019 Manjit Singh	Proxy sales and Challenge 25 record keeping training – completed 26/09/2019 Challenge 25 register in place Completed
<b>Prevention of crime and disorder – Incident log</b>	Log book to record to record any incident of disorder to be put in place		Completed 26/09/2019 Manjit Singh
<b>Prevention of crime and disorder – No alcoholic drinks or glass ware to be taken outside the building</b>	Refresher staff training for vigilance of customers leaving premises with alcoholic drinks and glass ware		Completed 26/09/2019 Manjit Singh
<b>Staff training, briefing and records</b>	<ul style="list-style-type: none"> <li>• 4 members of current staff team will undertake Award for Personal Licence Holders (APLH) training</li> <li>• All staff to refresh training and ongoing refresher training every 3 months</li> <li>• Staff training matrix to be introduced and maintained</li> <li>• Communications/team briefing book to be introduced</li> <li>• CCTV operational training for</li> </ul>	To be completed by 31/10/19	Rescheduled dates for APLH courses due to new staff  All staff that are non-personal licence holders have received training Completed 13/01/2020

	<ul style="list-style-type: none"><li>• authorised members of staff</li><li>• Staff briefed real time with information via Pub watch radio</li></ul>		Shift leaders have received operational training of CCTV Completed 31/12/2019
<b>Prevention of Public Nuisance – Improved signage</b>	Relocate and improve signage in line of sight of customers leaving premises		Completed 26/09/19 Manjit Singh

**Sean OMeara**

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**From:** Sean OMeara  
**Sent:** 12 February 2020 09:04  
**To:** 'Indian Smokehouse'  
**Subject:** RE: REF SOM/90039

Good morning Manjit,

You are probably aware that the Police found some empty plastic bags in the toilets on Friday night.

These may have been used to carry drugs.

In light of this, may I ask you to add potential drugs use to your Action Plan and keep me informed of your actions.

You may find that a SIA registered door supervisor/floor walker would assist you in this.

Regards,

Sean

---

**From:** Sean OMeara  
**Sent:** 07 February 2020 08:54  
**To:** 'Indian Smokehouse'  
**Subject:** RE: REF SOM/90039

Hello Manjit,

That seems to be all the information the police have.

May I just ask you to be extra vigilant around potential drug use at your premises.

Regards,

Sean

---

**From:** Sean OMeara  
**Sent:** 06 February 2020 12:47  
**To:** 'Indian Smokehouse'  
**Cc:** James Finn  
**Subject:** RE: REF SOM/90039

Thank you Manjit,

I will speak to the police and come back to you.

Regards,

Sean

---

**From:** Indian Smokehouse [mailto:info@indiansmokehouse.com]  
**Sent:** 05 February 2020 16:44  
**To:** Sean OMeara

**Cc:** James Finn  
**Subject:** RE: REF SOM/90039

Good afternoon Sean,

**Please see my responses below:**

**Page 1**

**Challenge 25 –**

All bar staff that are non personal licence holders are trained every three months, this is recorded in the Refusals Register.

**Supply of alcohol –** As above

**Pubwatch -** share a radio with Kraftt Lounge Bar

**Page 2**

**No drinks to be taken outside –** Staff are vigilant of customers leaving premises with alcoholic drinks and glass ware, staff do not operate as door supervisors, neither do they act in a manner to suggest this. Insistent encouragement has not been required as this is no longer an issue.

**Staff training, briefing and records-** See page 1

**Page 3**

**Good practice would be to move/change signage on a regular basis so that they are noticeable by your patrons –** Signage is displayed prominently for all customers to see

In reference to comments received on the 04/02/2020

In order to establish facts we are happy to investigate the alleged incidents by checking CCTV if you are able to share descriptions of the individuals involved with all three alleged incidents.

Can you please clarify if it was the same patron that witnessed all three alleged incidents, as we have been subject to malicious and unsubstantiated allegations in the past?

We carry out checks every 30 minutes in the toilet areas, this is for the benefit of health and safety i.e. blocked toilets, wet floors. There have never been any reports made by staff or other patrons of drug use or concerns of inappropriate behaviour since we started trading.

regards

Manjit Singh

On 04 February 2020 at 15:58 Sean OMeara <SeanOMeara@cannockchasedc.gov.uk> wrote:

Good afternoon Mr Singh,

Further to my email yesterday, Staffordshire Police advise me today that one of your patrons allegedly saw three separate incidents of males sniffing Cocaine in the open air of the main toilets downstairs between 2115 and 2340hrs.

As part of your Action Plan, may I now ask you to address this issue or the potential for this issue to arise at your premises.

Please be aware that engaging SIA registered door supervisors might assist you in this and other issues which have or might arise at your premises.

I shall await your response in due course.

Regards,

Sean O'Meara



Sean O'Meara | Senior Licensing Officer

Cannock Chase Council | Civic Centre | Deecroft Road | Cannock | WS11 1BG  
01543 464244 | [SeanOMeara@cannockchasedc.gov.uk](mailto:SeanOMeara@cannockchasedc.gov.uk) | [www.cannockchasedc.gov.uk](http://www.cannockchasedc.gov.uk)

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**From:** Sean OMeara  
**Sent:** 03 February 2020 12:52  
**To:** 'info'  
**Cc:** 'James Finn'  
**Subject:** RE: REF SOM/90039

Good afternoon Mr Singh,

With reference to you email below and the Action Plan which was attached to it (attached above).

I have now had an opportunity to look at the said Action Plan and would make the following comments:

**On page 1**

- Challenge 25-

You are required to train any non personal licence holder every 3 months.

This training needs to be recorded appropriately

- Supply of alcohol-

I note that you now intend for 2 of your staff to undertake the APLH by 24 Feb 2020.

Please see my comment above about training non personal licence holders.

- Pubwatch-

I note you say that this action is completed by Staffordshire Police inform me that although you have joined Pubwatch, you do not have a radio.

**On page 2**

- No drinks to be taken outside-

SOM13

Your comments on staff training and vigilance of customers, you must ensure that your staff do not act in manner which might require a licence.

Door Supervisors should be considered if it is necessary for staff to proactively/insistently discourage customers from taking drinks outside

- Staff training, briefing and records-

Please see my comments above on staff training and radio.

On Page 3

- Good practice would be to move/change signage on a regular basis so that they are noticeable by your patrons.

May I ask you to respond to as soon as possible with respect to Pubwatch radio comments and keep me updates as to your intentions and the completed actions.

For his information, I have copied Sgt Finn from the Southern Licensing Unit into this email.

Regards

Sean O'Meara

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**From:** LicensingUnit CCDC  
**Sent:** 23 January 2020 14:26  
**To:** Sean OMeara  
**Subject:** FW: REF SOM/90039

Licensing Unit

Cannock Chase District Council

Civic Centre, P O Box 28, Beecroft Road, Cannock, Staffordshire. WS11 1BG



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**From:** Indian Smokehouse [info@indiansmokehouse.com]  
**Sent:** 23 January 2020 14:12  
**To:** LicensingUnit CCDC  
**Subject:** REF SOM/90039

Dear Mr Omera,

In reference to your letter received 7th January 2020 please find attached updated ISAP, this indicates completed actions.

Kind regards

Manjit Singh

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Follow us on Twitter: [www.twitter.com/cannockchasedc](https://www.twitter.com/cannockchasedc)  
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SOM14**Please ask for:** Sean O'Meara**Your Ref:****Extension No.:** 4244**Our Ref:** SOM/LA03/C19/93709**Email:** [licensingunit@cannockchasedc.gov.uk](mailto:licensingunit@cannockchasedc.gov.uk)

18 September 2020

Mr Manjit Singh  
DPS, Indian Smokehouse  
35 Market Street  
Hednesford  
Staffordshire  
WS12 1AY

Dear Mr Singh,  
**Licensing Act 2003**  
**Coronavirus Act 2020**

I write with reference to the above and my recent observation of your premises on the evening of Saturday 12 September 2020, along with Mrs Julie Turner from the Council's environmental protection noise team.

I can advise you that your premises was generally considered to be complying with the guidance, however at the time of our visit, we observed a number of people standing outside your premises with glassware and drinks in their hands. You are aware that this is contrary to the conditions on your licence but I note that you asked your customers to go back inside the premises after you saw us standing outside your premises.

May I ask you ensure that no glassware or drinks are taken outside the threshold of your premises at any time and that you do not wait until you see enforcement officers before you act to ensure compliance with the conditions on your licence.

A copy of the government guidance can be found here:  
<https://assets.publishing.service.gov.uk/media/5eb96e8e86650c278b077616/working-safely-during-covid-19-restaurants-pubs-takeaway-services-200812.pdf>

May I thank you in anticipation of your continued co-operation in this matter and advise you that should you have any queries about this letter, I am available on 01543 464244.

Yours Sincerely,

**Sean O'Meara**  
**Senior Licensing Officer**

**Tony McGovern | Managing Director**

Civic Centre, PO Box 28 Beecroft Road, Cannock, Staffordshire WS11 1BG  
Tel: 01543 462621 | fax: 01543 462317 | [www.cannockchasedc.gov.uk](http://www.cannockchasedc.gov.uk)

Search for 'Cannock Chase Life' @CannockChaseDC



SOM15  
**CANNOCK CHASE DISTRICT COUNCIL**  
**Environmental Health**

**STATEMENT OF WITNESS**

(Criminal Justice Act 1967, s.9, Criminal Procedure Rules 2015, r.16)

STATEMENT OF: James Johnson

Age of Witness (if over 18 enter "Over 18"): Over 18

Occupation of Witness: Senior Environmental Health Officer

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This statement consisting of three pages 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.

Signed: (

Date: 7 July 2021

I am a Senior Environmental Health Officer employed by Cannock Chase District Council. I hold a BSc (Hons) in Environmental Health, am a Chartered Environmental Health Practitioner and a Fellow of the Chartered Institute of Environmental Health. I have been authorised by the Council to enforce the provisions of the Public Health (Control of Disease) Act 1984 and the various Coronavirus specific Regulations that have been made under it.

At 0924hrs on 26 January 2021 I received information from Public Health England via secure email that Manjit Singh, the owner of the Indian Smokehouse at 35 Market Street, Hednesford, Cannock, WS12 1AY had been instructed to self-isolate as he had been in close contact with a person infected with COVID-19.

At approximately 1700hrs on 26 January 2021 I visited the Indian Smokehouse, 35 Market Street, Hednesford, Cannock, WS12 1AY. On arrival I found Manjit Singh close to the entrance of the restaurant behind the bar where takeaway customers would be served. Witnesses spoken to during this visit stated that Manjit Singh had been regularly working during his period of self-isolation and undertaking activities such as serving takeaway customers and making home takeaway deliveries and then returning to a dwelling at night that he shared with the infected person. Due to this contravention of The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020, I served a Coronavirus Immediate Restriction Notice on Manjit Singh under The Health Protection (Coronavirus, Restrictions) (Local Authority

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Signed:

Date: 7 July 2021


SOM15  
**STATEMENT OF WITNESS**


ENCLOSURE 4.91  
ANNEX 4

(Criminal Justice Act 1967, s.9, Criminal Procedure Rules 2015, r.16)

Continuation Sheet No. 1

Enforcement Powers and Amendment) (England) Regulations 2020 to require the business to close for 48 hours. Instructions were given to Manjit Singh that he must return to the dwelling where he is required to self-isolate, that he must remain there until the self-isolation period ends, that staff present for COVID-19 testing and that the premises be thoroughly cleaned prior to re-opening. Whilst Manjit Singh was being spoken to, he had to be directed to wear a face covering several times. Manjit Singh complied with the requirements of the Coronavirus Immediate Restriction Notice and I took no further action.

Following the England v Scotland football match on 18 June 2021, I received video evidence from Staffordshire Police and from social media that indicated the premises was not managed in accordance with the applicable restrictions in The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 or The Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020. I was aware of the written and verbal guidance that had been provided by Senior Licensing Officer Sean O'Meara to Manjit Singh during the previous week. As this informal support had not had the desired effect, on 22 June 2021 I served a Coronavirus Immediate Restriction Notice on Manjit Singh that required the business to close that evening, other than for takeaway, because of the England v Czech Republic football match and the risk of further exposure to COVID-19 should the premises be managed in the same way as the previous match. The notice was served at a time Staffordshire Police had scheduled a licensing inspection. During the visit, Manjit Singh and his son were very unpleasant towards Senior Licensing Officer Sean O'Meara and Police Licensing Officer Nicky Bills, calling them "fascists", "racists" and "paki bashers" and making various accusations of corruption and inequity. I was wearing the Body Worn Video camera issued to me by the Council, an Axon Body 2 with the serial number X81626418. The video is 27 minutes and 51 seconds long and I can produce it as exhibit JJ1. 

Signed: 

Date: 7 July 2021

SOM15  
**STATEMENT OF WITNESS**

(Criminal Justice Act 1967, s.9, Criminal Procedure Rules 2015, r.16)

Continuation Sheet No. 2

On 23 June 2021 Environmental Health Officer Wayne Baillie served a Coronavirus Improvement Notice on Manjit Singh to seek compliance in the longer term and hopefully avoid the business having to close again, along with a Fixed Penalty Notice in relation to the offences on 18 June 2021.

On 29 June 2021, before the England v Germany football match, I visited the premises and could see that action had been taken to comply with the Coronavirus Improvement Notice including reducing capacity, employing door supervisors and a better system to regulate admission and comply with the Test and Trace requirements.

( [Signature] )

Signed/

[Signature]

Date: 7 July 2021