



RESTRICTED

**Application for the review of / Representation in respect of a  
Premises licence or Club Premises certificate  
under the Licensing Act 2003**

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Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

I Sharon Conway, on behalf of the Chief Officer of Hampshire Constabulary,  
(Insert name of applicant)

Apply for the review of a premises licence.

Apply for the review of a club premises certificate.

(Select as applicable)

Make a representation about a premises licence/club premises certificate

**Premises or Club Premises details**

Postal address of premises:	Naz's Cuisine 48 The Hundred Romsey Hampshire
Postcode (if known):	SO51 8BX

Name of premises licence holder or club holding club premises certificate (if known)  
Naz's (UK) Limited

Number of premises licence or club premises certificate (if known)  
PREM/11/0434

**Details of responsible authority applicant**

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank:	PC
Surname:	CONWAY
First Names:	SHARON
Current postal address:	Southampton Central Neighbourhood Office Southampton Civic Centre Southampton Hampshire
Postcode:	SO14 7LY
Daytime telephone number:	02380478373
E-mail address: (optional)	licensing@hampshire.pnn.police.uk

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

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**This application to review relates to the following licensing objective(s)**

*Select one or more  
boxes:*

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:

Hampshire Constabulary are applying for a review of the premises licence on the grounds of:

- preventing crime and disorder
- the risk to public safety
- failing to prevent public nuisance

Hampshire Constabulary are requesting that serious consideration is given to revocation of the premises licence.

Naz's Indian Restaurant is a small restaurant in the town of Romsey which is situated along the Hundred. It is located in an area of mixed businesses and residential properties.

The premises licence holder is Naz's (UK) Limited.  
A search on the UKGov website, Companies House lists the sole director (June 2017) as Ms Luthfun Nessa KHANOM.  
The DPS is Mr Nazrul ISLAM.

The premises benefits from a premises licence allowing licensable activities as follows:

- The sale of alcohol - daily until midnight
- Late night refreshment – daily until midnight
- recorded music – daily until midnight

The current licence was issued in 2012, the previous licence having lapsed. The sale of alcohol is for consumption on the premises only. There are no conditions attached to the premises licence, other than mandatory conditions.

There are two areas where the Chief Officer of Police is concerned that the licensing objectives are not being promoted by the premises licence holder; Naz's (UK) Ltd.

These are:

- 1) Excessive levels of drunkenness and associated crime, disorder and public nuisance
- 2) Immigration offences



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Following an event held in Romsey Town, The Beggars Fair, on 11th July 2015, there was serious disorder involving customers from the premises. For this particular annual event, the vast majority of the licensed premises in Romsey proactively close early at 2200hrs. Naz's Restaurant refuses to do so and as such, is one of the few premises selling alcohol past 2200hrs.

Annex B refers to the police investigation into crime reference 44150238183. Approximately 0020hrs on 12th July 2015, police started to receive 999 emergency calls reporting a large fight. The initial call was to a fight actually within Naz's Restaurant. Whilst police were en-route, a further eight 999 emergency calls were made to the police reporting up to 10 people fighting. One caller stated that at least one person had been knocked unconscious, and others had blood on their shirts.

From the accounts that were obtained when police attended, it was established that two separate groups of customers within the restaurant, both of which had attended after 22:00 had become involved in an argument.

The argument was left insufficiently challenged by staff and escalated into a fight between the males in the groups. This fighting spilled outside the premises, with at least four people disclosing that they had been assaulted.

One male had been knocked unconscious, and at some point had his head stamped on. One male had been head-butted, losing some teeth.

Another two males disclosed that they had been punched to the face, but received no injuries.

This incident was followed up with a meeting with the DPS Mr Islam. During this meeting. Police concerns included the levels of drunkenness of customers, the increased risk of crime and disorder when late night refreshment and alcohol is offered with no preventative steps in place, and improving the risk assessment of attracting customers to attend the premises after 2200hrs.

Mr Islam suggested that the premises did not sell alcohol to the parties involved. However, he had to be reminded that his responsibilities to promote the licensing objectives also relate to the provision of late night refreshment. He did not seem to grasp this.

The police requested that positive action be taken to prevent a reoccurrence of a similar violent incident. This included (but not exhaustive):

SIA staffing, a last entry time, earlier closing, the provision of alcohol with food only, CCTV and general due diligence training.

As this had been the first incident of such a serious nature, it was expected that Mr Islam and Naz's (UK) Ltd would take on board the advice provided without the need for formal enforcement action to be taken.

Mr Islam was spoken to again prior to the same event (Beggars Fair) in 2016. Mr Islam suggested that he had approached a SIA company for staffing. Unfortunately this seems to have only remained as a suggestion!

Changes to the operation of the restaurant did not occur, with dynamic policing having to be provided on the day of the event to prevent any crime and disorder.



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Further meetings have been held in preparation for the 2017 event. Yet again Mr Islam has failed to communicate what steps will be in place to support the licensing objectives.

It seems that neither Mr Islam, nor Naz's (UK) Ltd can take on board their obligation to reflect on incidents which occur at the premises, and make the necessary improvements. The Chief Officer of Police is therefore requesting that enforceable formal conditions are added to the premises licence to mitigate and prevent crime and disorder when events of a similar nature are held in the area.

During 2017, there has been an alarming rise in incidents connected to the premises. These include: assaults, anti-social behaviour, fraud and criminal damage. Most concerning are the most recent assaults which have involved customers assaulting staff. Attending police officers have reported drunkenness as being a major contributory factor.

A meeting was held with Mr Islam on 25th April 2017 to discuss the changes relating to immigration and the Licensing Act and to ensure that communication regarding events is maintained with the responsible authorities.

A request was made for Mrs Khanom, as premises licence holder, to be present. Regrettably, she failed to attend the meeting.

At the meeting, a number of measures were discussed by the police, yet again, to improve and support the licensing objectives. It seems that none of the recommendations made by police previously have been put in place, despite assurances. As such, it is no surprise that assaults on staff and crime at the restaurant, which could have been prevented, have in continued.

Recommendations included the installation of CCTV, implementation of due diligence training and recording of incidents and any refusals made, as outlined in Annex C.

The revised Guidance issued under S182 Licensing Act 2003 (April 2017), outlines that CCTV installed inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally (paragraph 2.3). The use of CCTV as a crime prevention tool is supported by Test Valley Borough Council Licensing Authority in the Statement of Licensing Policy (Policy A1).

Due diligence training is essential in providing staff who are involved in the sale of alcohol. It offers information on offences under Licensing Act 2003. These include the sale of alcohol to children and the sale of alcohol to drunk people. Effective training empowers staff to be able to make refusals, therefore preventing crime and promoting safety of staff and customers.

Annex details the police incident records relating to the venue. The following incidents demonstrate the concerns Hampshire Constabulary and lack of promotion of the licensing objections.

44170072273, at 2208hrs on 24th Feb 2017, it was reported to police that a staff member has assaulted Mr Islam. This incident remains supported by Mr Islam, and is currently



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awaiting trial. A 17yr old staff member witnessed the incident. However, had CCTV been installed at the premises, the investigation may have been resolved more quickly for Mr Islam and his staff.

44170159194 00:39 29th April 2017 – Local officers report anti-social behaviour (ASB) outside premises, which is directly linked to customers from Naz's Restaurant. Drugs search conducted on one person involved. PC Bates provides further information in her statement.

44170205167 Intelligence received that youths who are heavily intoxicated are congregating outside of the premises, some looking too young to be drinking alcohol

44170185922. At 2209hrs on 17th May 2017, police officers report that there is a large group outside Naz's Restaurant causing a disturbance

44170199378. At 22:45 hrs on 26th May 2017, police are requested to attend the venue and resolve a dispute between staff and a customer.

44170202986 et al - At 20:47hrs on 29th May 2017 - Common assault injuries to 2 members of staff and 2 customers. Damage is caused to crockery and glasses. This remains a live investigation.

At 20:47hrs on 29th May 2017, following a 999 call to police, officers were deployed to the restaurant. On police arrival, it was established that a group of 4 customers, described as being 'drunk' have become loud and were swearing. It took another customer and not staff within the venue to challenge this group's language and behaviour, one member of the rowdy group in particular became aggressive and abusive and assaulted the other customer by grabbing him around the throat. Mr Islam and another staff member have finally intervened, both being assaulted. Mr Islam is grabbed by the throat and the staff member has had her fingers bent backwards.

Whilst this was ongoing, another customer has begun to film the incident on their mobile phone to which the suspect has taken objection to this and has thrown items of cutlery at her, fortunately, none caused any serious injury.

The attending officer raised concerns over the level of intoxication, questioning that the suspect was already drunk when she has come into to the restaurant. She continued to be served alcohol to the point that the suspect is described as 'unable to stand up because she was "so drunk' (Annex E)

Thankfully, the levels of injuries sustained by staff and customers were minor. However this incident causes significant concern, especially when steps to prevent such an incident had only been discussed with Mr Islam a matter of weeks prior.

Drunk customers have been allowed entry to the venue unchallenged and have been served alcohol. Both of which are criminal offences under the Licensing act 2003.

The failure to prevent these offences has ultimately led to the nuisance to other customers to the extent that customers, not staff, have felt the need to challenge disorderly behaviour.



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This incident alone shows the complete disregard to the licensing objectives from both the premises licence holder and DPS. It also highlights that the advice and support from Hampshire Constabulary to prevent such incidents has been totally ignored.

44170221270 - 11th June 2017 fraud (obtaining by deception)

Police are currently investigating an allegation from a customer that debit card details have been obtained from the restaurant and used without permission by staff.

44170230087 16th June 2017 - Criminal damage.

Damage has been caused to the front window of the premises by a person who has been walking past. Mr Islam is supporting police action, but due to the lack of CCTV evidence at the restaurant, this hindered and delayed the investigation. The offence is being denied and the lack of co-operating evidence drastically undermines the case

Immigration offences

Despite specific legislation preventing a business from employing staff who do not have the right to work in the UK, Naz's Restaurant has come to the attention of both police and Immigration officers for employing people without the correct documentation.

Annex F summarises immigration investigations known to Hampshire Constabulary.

44150131978 April 2015 – Over stayer arrested by police on execution of a S8 PACE warrant, as detailed by PC Dennett.

44150188709 June 2015 – Over stayer arrested by Immigration

44170131586 April 2017 – Over stayer arrested by Immigration

44170137904 (Intel) April 2017 – 2nd over stayer found at premises dealt with by Immigration. Officers report a 'challenging visit' due to the behaviour of the DPS and his son.

44170192800 (E41 Intel) May 2017 – workforce is being trafficked

Hampshire Constabulary work closely with Immigration Enforcement officers in preventing illegal working. Illegal working is at the centre of a wealth of other crimes. At worst, illegal working can be indicative of modern day slavery or human trafficking whereby vulnerable people are often exploited to work in unlawful conditions.

In a Government release on the subject, dated 6th April 2017, Immigration Minister Robert Goodwill says:

"Illegal working cheats the taxpayer, has a negative impact on the wages of lawful workers and allows rogue employers to undercut legitimate businesses.

"These new measures will allow us to work more effectively with licensing authorities and the police to prevent illegal working in a high risk sector and take the action needed against businesses flouting immigration laws."

The article goes on to say:

'Today's licensed premises provisions form part of a wider package of measures in the Immigration Act 2016 to tackle illegal working, which is a key driver of illegal migration to the



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UK, and often leads to exploitation. They follow similar changes to the licensing regime for private hire vehicles and taxis which were introduced in December.  
About 60% of all civil penalties for illegal working served in the UK in the year to February 2017 were issued in the retail, hotel, restaurant and leisure industry sectors, many of which hold licenses.'

The revised Guidance issued under S182 Licensing Act 2003 (April 2017) outlines certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously (para 11.27).

One such crime is:

- For employing a person who is disqualified from that work by reason of their immigration status in the UK.

Paragraph 11.28 goes on to say that 'where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered'.

It is extremely disappointing to learn that, despite the offences relating to the employment of illegal immigrants in 2015, further offences are still being investigated in 2017. Naz's (UK) Ltd has repeatedly failed in their obligation under to Licensing Act 2003 to prevent crime at Naz's Restaurant.

With respect to the prevention of Immigration offences, the Chief Officer of Police would request that the Licensing Authority look to add relevant conditions, as outlined in Paragraphs 2.6 & 10.10 of the revised Guidance.

Hampshire Constabulary has given serious consideration to the options open to the Licensing Authority, and is of the opinion that revocation of the premises licence due to the lack of commitment to the licensing objectives by the premises licence holder.

However, should the committee be minded not to revoke the premises licence, the Chief Officer of Police is of the opinion that the premises may potentially be assisted in promoting the licensing objectives with the following steps:

- Addition of conditions being placed on the premises licence, as outlined in annex A.
- Removal of the DPS
- A period of suspension of 28 days is also requested in order to allow time for required changes to be achieved and prevent a reoccurrence of the crime and disorder incidents which have brought about the review application.

Have you made an application for review relating to these premises before:  Yes |  No



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If yes please state the date of that application:

/ / Day Month Year

If you have made representations before relating to this premises please state what they were

Please tick

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
I have sent a copy of this representation to the principal licensing officer of Test Valley Borough Council

It is an offence, liable on conviction to a fine up to level 5 on the standard scale, under Section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application

Signature of Officer Completing

Name PC 22237 Conway Collar Number: 22237
Signature: Date: 03/07/17

Signature of Authorising Officer (Inspector or above)

Name Collar Number: 2404
Signature: Date: 04/07/2017