

Notice of Meeting

Licensing Sub-Committee

Date: Thursday, 07 December 2017

Time: 09:30

Venue: The Annexe, Crosfield Hall, Broadwater Road, Romsey, Hampshire,
SO51 8GL

For further information or enquiries please contact:

Sally Prior - **01264 368024**

email sprior@testvalley.gov.uk

Legal and Democratic Service

Test Valley Borough Council,
Beech Hurst, Weyhill Road,
Andover, Hampshire,
SP10 3AJ

www.testvalley.gov.uk

The recommendations contained in the Agenda are made by the Officers and these recommendations may or may not be accepted by the Committee.

Membership of Licensing Sub-Committee

MEMBER

Councillor J Budzynski

Councillor A Hope

Councillor A Tupper

WARD

Andover (Winton)

Over Wallop

North Baddelsey

Licensing Sub-Committee

Thursday, 07 December 2017

AGENDA

The order of these items may change as a result of members of the public wishing to speak

- 1 Appointment of Chairman
- 2 Apologies
- 3 Declarations of Interest
- 4 Licensing Procedure Rules 4 - 6
Procedure Rules for Licensing Sub-Committee
- 5 Application for the Review of a Premises Licence - Naz's Cuisine, The Hundred, Romsey, SO51 8BX 7 - 60
To determine an application for the review of the Premises Licence

ITEM 4

Licensing Procedure Rules - Licensing Sub-Committee

Application

These Procedure Rules shall apply to all hearings of applications and other matters pursuant to the Licensing Act 2003 and subordinate legislation and any amendments thereto, and the Gambling Act 2005 and subordinate legislation and any amendments thereto.

Terms of Reference of the Licensing Sub-Committee:

1. Ward Members will have no involvement in the decision making process.

Procedure for hearing licensing applications:

1. The Council's Scheme of Public Participation will not apply.
2. At the start of the hearing the Chairman will explain the procedure to all those present.
3. The Hearing shall take place in public. The Sub-Committee may exclude the public from all or part of the hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.
4. A party to whom notice has been given may attend the hearing and may be assisted or represented by a person whether or not that person is legally qualified.
5. The hearing shall take the form of a discussion led by the Sub-Committee.
6. Cross-examination will not be permitted unless the Sub-Committee considers it is required for it to consider the representations, application or notice as the case may require.
7. The Sub-Committee may impose a maximum period of time for each party to address the Sub-Committee.
8. To facilitate the discussion the following procedure will be followed in all cases except for reviews when 8(b) shall apply and interim steps hearings for expedited summary reviews when 8(c) shall apply:
 - (a) (i) The Licensing Manager of the Council or their representative will present the facts of the application and action taken, to the Sub-Committee.
 - (ii) The Applicant or their representative may address the Sub-Committee.

- (iii) Other parties may address the Sub-Committee in the following order:
 - Responsible authorities
 - Other parties
 - (b)
 - (i) The Licensing Manager of the Council or their representative will present the facts of the review, and action taken, to the Sub-Committee.
 - (ii) The person requesting the review may address the Sub-Committee.
 - (iii) The licence holder may address the Sub-Committee.
 - (iv) Other parties may address the Sub-Committee in the following order:
 - Responsible authorities
 - Other parties
 - (c)
 - (i) The Licensing Manager of the Council or his representative will present the facts giving rise to the review, and will outline any action taken, to the Sub-Committee.
 - (ii) The Police officer requesting the review or his representative may address the Sub-Committee.
 - (iii) The licence holder or their representative may address the Sub-Committee.
9. The Sub-Committee may permit the applicant or any party to question any other party.
10. The members of the Sub-Committee may ask any questions of the Licensing Manager or their representative, or of any party or other person appearing at the hearing.
11. Documentary or other evidence may be produced at the hearing with the consent of all the parties.
12. Where a party fails to attend or be represented and the Sub-Committee considers it necessary in the public interest it may adjourn the hearing to a specified date or hold the hearing in a party's absence.
13. The Sub-Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and refuse to permit that person to return or permit them to return only on such conditions as the Sub-Committee may specify. Any such person may submit to the Sub-Committee in writing before the end of the hearing any information which they would have been entitled to give orally had they not been required to leave.

14. The Sub-Committee may ask questions of its legal adviser.
15. The Sub-Committee will deliberate in private.
16. The Sub-Committee may request advice in private of its legal adviser regarding the drafting of reasons.
17. In the case of a hearing under the sections and circumstances set out in Regulation 26(1) of the Licensing Act 2003 (Hearings) Regulations 2005 (or any amending legislation), the Sub-Committee will make its determination at the conclusion of the hearing.

In any other case, the Sub-Committee will make its determination either at the conclusion of the hearing or within the period of five working days beginning with the day or the last day on which the hearing was held.

18. A record of the hearing will be taken in a permanent and intelligible form.

ITEM Application for the Review of a Premises Licence – Naz’s Cuisine, The Hundred, Romsey SO51 8BX

1 The application

- 1.1 The application is by Hampshire Constabulary asking for the Review of the existing Premises Licence in respect of Naz’s Cuisine, 48 The Hundred, Romsey SO51 8BX. The application has asked for the Review on the basis that the Police consider the licensing objectives of prevention of crime and disorder and prevention of public nuisance are currently being harmed by activity on the premises. A copy of the Review application is attached as Annex 1 to this report with supporting information from the Police contained in their Annexes A to F. The application for a Review requires the matter to be determined at a hearing. Unlike other Licensing Act applications there is no provision to cancel a hearing for a Review application, it must take place.

2 Background

- 2.1 Naz’s is a small Indian restaurant located in The Hundred in Romsey town centre in an area of mixed business and residential properties. The premises are licensed for recorded music, late night refreshment and sale of alcohol for consumption on the premises.

3 Grounds for the Review and the Licensing Objectives

The Sub Committee will be aware that the premises were subject to a Review which was considered at a hearing held on 30 August 2017. The outcome of that hearing is contained in the decision notice at Annex A. The Police comment that the premises have not complied with all of the hearing decisions and in particular there has been no application to appoint another Designated Premises Supervisor (DPS). Subsequently Police officers visited the premises and discovered alcohol being sold (see Annex C). At the time of writing this report the premises are not selling alcohol and are asking customers to bring their own. It is the view of the Police that “there is a distinct and persistent lack of co-operation and compliance by the venue and its key personnel, this despite a graduated engagement process by Police and partner agencies to work together to improve compliance”.

4 Relevant Representations – Responsible Authorities

- 4.1 **TVBC Planning Service** – The Planning Service have advised that the planning permission granted in February 2003 allows use as a restaurant between 0800 and 2300 hours “and in all cases the premises shall be vacated by staff and customers by 2330 hours”.
- 4.2 **TVBC Housing and Environmental Health Service** – The Environmental Protection Team advise that “as when we commented regarding this premises in July, whilst no complaints have been received directly by this team we were very concerned to see the reports provided by the Police. Romsey town centre is generally quiet at night and this premises is slightly removed from

the main hub of the night time economy in the town. As such the noise generated by groups of people gathering, arguing and/or fighting would stand out clearly in this location and there is obvious potential for town centre residents to be disturbed. Given that the premises is located a small distance from the bus station, train station and main car parks it is also foreseeable that people leaving the premises in a drunken state could walk through other areas of the town causing more widespread disturbance.”

5 Relevant Representations – Other Persons

- 5.1 There are no representations from other parties.

6 Policy Considerations

- 6.1 It is considered that the following extracts from the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 (April 2017 edition) are relevant.

2.1–2.6 – Crime and disorder
2.15–2.21 – Public nuisance
9.31-9.44 – Hearings
10.1-10.10 – Conditions
11.1-11.11 & 11.16-11.28 Reviews

A copy of the Secretary of State’s Guidance will be provided at the meeting for Members of the Sub Committee. Additional copies can be obtained from the GOV.UK website.

- 6.2 It is considered that the following extracts from the Licensing Authority’s own Statement of Licensing Policy are relevant to this application:

Section A: Prevention of Crime and Disorder

The Statement of Licensing Policy has either previously been provided for Members of the Sub Committee or will be provided at the hearing. Copies can also be obtained from the Licensing Section of the Legal and Democratic Service or downloaded from the Council’s website.

7 Observations

- 7.1 The Committee is obliged to determine this application with a view to promoting the four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. In making its decision, the Committee is also obliged to have regard to the national Guidance and the Council’s own Statement of Licensing Policy. The Committee must also have regard to all of the representations made and the evidence it hears. The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- a) Modify the conditions of the Premises Licence, by altering or omitting or adding to them

- b) Exclude a licensable activity from the scope of the Licence
- c) Remove the Designated Premises Supervisor
- d) Suspend the Licence for a period not exceeding three months
- e) Revoke the Licence
- f) Reject the application and do nothing.

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote one or more of the four licensing objectives:

- a. Prevention of crime and disorder
- b. Public safety
- c. Prevention of public nuisance
- d. Protection of children from harm

The Committee may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent the Committee issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that the licensing authority will regard such a warning as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the Police have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, the Committee should not merely repeat that approach.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
Premises Licence Review application for Naz's, The Hundred, Romsey			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	7		
Author:	Michael White	Ext:	8013
File Ref:	PREM/11/0434		
Report to:	Licensing Sub-Committee	Date:	7 December 2017

Brief Description

To determine an application for the Review of the Premises Licence for Naz's, The Hundred, Romsey.

<u>Have you taken the following into consideration?</u>	Yes/No
Policy Framework/Council's Strategic Priorities	N/A
Key Decisions	N/A
Community Safety Issues	N/A
Equality Issues	N/A
Risk Analysis	N/A
Environmental Health/Sustainability	N/A
Property/Accommodation Implications	N/A
Is this report confidential?	No

<u>OFFICER CONSULTATIONS</u>		<u>COMMENTS</u>
Legal	X	
FINAL APPROVED VERSION	X	

Statutory Authority

Licensing Act 2003



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

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)

[X] 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)

Details of responsible authority applicant

Mr [] Mrs [] Miss [] Ms [] Other title / Rank: PC. Surname: CONWAY, First Names: SHARON. Current postal address: Southampton Central Neighbourhood Police, 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



RESTRICTED

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under the Licensing Act 2003**

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RESTRICTED



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

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

Select one or more boxes

- 1) The prevention of crime and disorder [X]
2) Public safety []
3) The prevention of public nuisance [X]
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 of the grounds of:
- prevention of crime and disorder
- prevention of public nuisance.

Hampshire Constabulary are requesting that serious consideration is given to revocation of the premises licence. Despite continued efforts of Hampshire Constabulary, the decision from the Sub-Committee made on 30th August 2017 has not been taken seriously. Within days of the decision coming into effect, Naz's (UK) Ltd have not made the appropriate changes, leading to Licensing Act 2003 offences being committed on at least two occasions. Anti-social behaviour and drunkenness continues to be shown by customers of Naz's Cuisine.

Police are gravely concerned that the premises licence holder, Naz's (UK) Ltd is not suitable to hold the premises licence.

Naz's Cuisine is a small Indian Restaurant in the town of Romsey. It is situated along The Hundred, 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, on 16th October 2017, lists the sole trader to be:

Ms Luthfun Nessa KHANOM.

The registered correspondence address for Ms KHANON is the premises address of 48 The Hundred, Romsey SO51 8BX

There is no current DPS named on the premises licence. Mr Nazrul ISLAM was removed as DPS following the hearing on 30th August 2017.

A subsequent application to vary the DPS was withdrawn.

An application to review the premises licence was submitted to Test Valley Licensing Authority on 4th July 2017. This was following input from Hampshire Constabulary over a period from 2015 to 2017 to work with the premises to improve the promotion of the licensing objectives.



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During the consultation period and immediately prior to the hearing on 30th August 2017, police received no contact or communication from the premises licence holder in order to discuss the concerns. No one attended the hearing to represent Naz's (UK) Ltd.

The decision notice is included as Annex A. One of the decisions made by the sub-committee was to remove ISLAM as the DPS. The changes prescribed by the Sub-Committee came into effect on 20th September 2017, following a period of 3 weeks, during which an appeal could be lodged. During this period, no application was made to appeal the decision. No communication was forthcoming from Naz's (UK) Ltd as to their intentions. No application to vary the DPS was received by Test Valley Borough Council or Hampshire Constabulary.

Following confirmation that there was no longer a DPS named on the premises licence (Annex B), PC 22237 Conway attended Naz's Cuisine at 2145hrs on 22nd September 2017. Mr ISLAM was present at the restaurant, albeit he was in the kitchen. Annex C is a statement from PC Conway, covering this visit.

Alcohol was seen to be on display at the premises, and was continuing to be sold to customers at the premises.

Mr ISLAM was spoken to, and confirmed that the decision notice had been received, but an application had not been made to put in place a DPS in his replacement. Crucially, Mr ISLAM suggested that, as he was the personal licence holder, alcohol could still be sold under the premises licence. This shows a complete lack of knowledge of the basic principles of Licensing Act 2003.

A closure notice was issued under S19 Criminal Justice and Police Act 2001. This notice was to serve as an official notice that offences were being committed under Licensing Act 2003, and allows Naz's (UK) Ltd the opportunity to rectify any issues to prevent further offences being committed.

Hampshire Constabulary received an application to vary the DPS on 2nd October 2017. Contact was made with the proposed DPS as part of the due diligence checks police conduct. During the conversation, the expectations of police was outlined, as well as the serious position that Naz's (UK) Ltd had found itself. The responsibilities under Licensing Act 2003, and penalties for any offences were also outlined. The initial conversation was positive, although it was apparent that the proposed DPS was not going to be working at the restaurant at the key times to prevent offences occurring. The DPS stated that she would be having regular meetings with Mr ISLAM.

Following this conversation, on 3rd October 2017, PC Conway received an email from the proposed DPS advising that consent to be the DPS had been withdrawn. (Annex D)

As no further application had been received to Test Valley Licensing Authority or Hampshire Constabulary to vary the DPS under S37 Licensing Act 2003, police licensing officers PC Conway and PC Swallow attended the restaurant on 6th October 2017. Alcohol was again on display. All three tables of customers had alcohol. The staff member present confirmed that the customers had not brought their own alcohol, and payment was expected for the

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food and alcohol. During the course of the visit, at least one table was seen to pay their bill, which included wine.

The staff member present was very non-committal about who was in charge at the premises, repeatedly stating that he was not in charge, but reluctant to contact any person to attend the premises who would be 'in charge'. Neither Mr ISLAM nor Ms KHANOM were present. The member of staff at one point cited that the proposed DPS would be attending the premises, and she was in charge. However, the staff member did not have anyway of contacting who he suggested was DPS.

As well as the three tables already at the premises, the amount of empty pint and wine glasses suggested that it was highly likely alcoholic drinks had been served throughout the evening, and the premises had been busy.

During the visit, a group of visibly drunk men came into the premises. The staff member did speak to them, as by this time, the situation regarding the sale of alcohol had been accepted. The group did leave. However, officers were left with the distinct impression that this group would have been allowed to remain, and would have been served further alcohol.

On 13/10/17, PCSO 16144 Biggs was on duty and patrolling Romsey Town Centre. Due to issues of anti-social behaviour in the town, a S34 dispersal authority under the Anti-Social Behaviour, Crime and Policing Act 2014 was in place. This provides officers and PCSO's the ability to direct a person who has committed, or about to commit, anti-social behaviour to leave a specified area and not return for a specified period of up to 48 hours under S35 of the Act.

At about 2040hrs, PCSO Biggs sees a group of known males gathering outside Naz's Cuisine. She describes the group as being 'very loud'. An attempt is made to issue a S35 direction to leave to one of the group. However, this male walks away.

Later in the evening, at about 2200hrs, PCSO Biggs and PCSO Perrott are walking again in the town centre. They come across the same group of males outside of Naz's Cuisine. This group are still being loud, and are throwing glasses into the road. These glasses have come from Naz's Cuisine, PCSO Biggs has watched the group drinking both inside and outside of the premises. One of the group is particularly drunk. PCSO Biggs speaks to one of the group, who confirms that the group have been drinking at Naz's Cuisine, celebrating a birthday, but the group would be moving on. This male is seen to be drinking from a bottle of whiskey both inside and outside of the premises. PCSO Biggs has seen two members of staff present. However, the behaviour of the group has remained unchallenged.

At about 2300hrs, PCSO Biggs is joined by PCSO Allen. They continue to monitor the same group as earlier outside of Naz's Cuisine. One male is seen to urinate outside and then shout at the rest of the group who are inside Naz's Cuisine. The behaviour of the group has deteriorated to an extent that PCSO Biggs describes the group as 'intimidating' and the assistance of police officers are now required to disperse them.

PS White attends to assist his team. The male seen urinating becomes abusive, aggressive and argumentative towards him. PS White stated in his statement 'it was clear to me that he was heavily in drink...' This male is arrested for being drunk and disorderly.

The male is taken to Southampton Custody, where again the custody officer describes the male as 'heavily intoxicated'.



**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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Whilst the alcohol consumed by the arrested male or the rest of the group cannot be confirmed at this stage to have been sold by Naz's Cuisine, the licensing objectives have been, and continue to be severely undermined. There has been no regard by staff, or the premises licence holder to prevent other offences such as allowing disorderly conduct on a licensed premises, being drunk and disorderly, or to prevent nuisance in the immediate vicinity of the premises.

Annex E provides further evidence related to this public order incident.

The current operation and management of Naz's Cuisine is of grave concern to Hampshire Constabulary. The levels of drunkenness exhibited by customers remains unchallenged. No effort has been made to provide staff with the training to be robust and make refusals. There has been no change from the operation which brought about the review application dated 4th July 2017. The premises licence holder continues to avoid any interaction with police as a responsible authority.

The role of the premises licence holder, be that an individual or a company, should not be underestimated. The premises licence holder, in this case, Naz's (UK) Ltd, under the Licensing Act 2003, 'is the person who is carrying on or who proposes to carry on which involves the use of the premises for licensable activities. The premises licence holders has a statutory obligation to promote the licensing objectives, and to make sure that any DPS, management and staff are conducting the day to day operation of a business in line with expectations set out by Licensing Act 2003.

The premises licence holder is, in many cases, equally liable for prosecution of offences committed under Licensing Act 2003, whether present or not.

The Guidance issued under S182 Licensing Act (11.22) states that it may emerge that the poor management at a premises is a direct reflection of poor company practices and policies.

There has been a complete lack of communication from Naz's (UK) Ltd and its director, and a total lack of improvement and compliance with the Licensing Act 2003. The conduct and control of customers has not improved, and continues to undermine the licensing objectives.

On 23rd October 2017, a home address for the director of Naz's (UK) Ltd was confirmed. PC Conway has attended the address, and spoken in person to KHANOM. During the conversation, it became clear that KHANOM has no input in the business. In the opinion of PC Conway, KHANOM is not able to fulfil her role as premises licence holder, make the appropriate changes, ensure that offences are not committed at the premises.

Hampshire Constabulary have no faith that Naz's (UK) Ltd is a suitable company to be able to promote the licensing objectives or prevent offences, even at the most basic level. As such, Hampshire Constabulary are requesting that the premises licence is revoked.

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



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

If yes please state the date of that application:

04 / 07 / 2017

Day Month Year

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

Review application made on 04/07/17 due to police concerns of:

- 1) Excessive levels of drunkenness and associated crime, disorder and public nuisance
2) Immigration offences
3) Lack of management from the premises licence holder and DPS

The application was heard by Test Valley Licensing Sub-Committee on 30th August 2017. The decision was to:

- 1) reduce the sale of alcohol, with the sale of alcohol being ancillary to the purchase of food
2) Remove the DPS
3) The addition of conditions, to be implemented within 28 days.

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 S Conway

Collar Number: 22237

Signature:

Date: 20/10/17

Signature of Authorising Officer (Inspector or above)

Name Inspector Justin ROBERTS

Collar Number: 2841

Signature:

Date: 24/10/17

There is a distinct and persistent lack of cooperation and compliance by the venue and its key personnel, this despite a graduated engagement process by police and partner agencies to work together to improve compliance. I authorise this review as the venue is flagrantly NOT complying with the licensing objectives

Review Application – Naz’s Cuisine

Table of Annexes

Annex		
A	Decision notice – Review hearing 30/08/17	
B	Email correspondence with Licensing Manager re DPS	
C	44170369465 – 22/09/17 Investigation relating to Unauthorised Licensable Activities (S136 Licensing Act 2003) on 22/09/17 and 06/10/17	
D	Email conversation with proposed DPS SIMMONDS	
E	44170398616 – 13/10/17 Investigation relating to public order from customer of Naz’s Cuisine	Awaiting CCTV from premises & BWV from attending officers
F	Print of Companies House record for Naz’s (UK) Ltd	

TEST VALLEY BOROUGH COUNCIL
LICENSING SUB-COMMITTEE

HEARING ON: Wednesday, 30 August 2017

PREMISES: Naz's Cuisine, The Hundred, Romsey SO51 8BX

1. PRESENT

SUB-COMMITTEE

Councillor J Budzynski (in the Chair)

Councillor A Johnston

Councillor A Tupper

APPLICANT

Hampshire Constabulary represented by PC Sharon Conway

Also present PCSO Sam Biggs and Immigration Enforcement represented by Matt Wilkinson and Suzanne Kerrigan

OTHERS

**Solicitor – Mrs Sharon Evans
Senior Committee Officer- Mrs C Lovelock
Licensing Manager – Mr M White**

NATURE OF APPLICATION

Application for the review of a Premises Licence

DECISION

In reaching its decision on this application, the Sub-Committee had had due regard to the National Guidance issued by the Secretary of State under s182 of the Licensing Act 2003, to the Council's own Statement of Licensing Policy, and together also to the written representations duly made prior to today's hearing, and to the oral representations made here today.



Resolved:

1. To reduce the sale of alcohol from 12pm to 11pm and for the sale of alcohol to be ancillary to the purchase of food, seven days a week with immediate effect.
2. To remove the Designated Premises Supervisor with immediate effect.

The following conditions shall be implemented within 28 days.

3. **CCTV**

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format. Footage supplied in a digital format will also have a copy of the CCTV system software enabled to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.



4. Incident book

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

This record will be retained for 12 months.

5. Refusals book

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the store manager/manageress.

The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.

The record of refusals will be retained for 12 months.

6. Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at



the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing a holographic mark or the "PASS" logo, and the person's date of birth.

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

'Challenge 25' posters shall be displayed in prominent positions at the premises.

7. Training

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

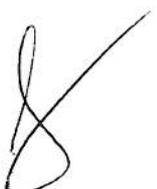
All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

8. Romsey Town events

When the event entitled 'Beggar's Fair' operates in Romsey, the following shall apply:



- 1) Where licensable activities are conducted past 22:00hrs, SIA registered staff will be employed at the premises from 20:00hrs until close of business and all customers have dispersed from the immediate area.
- 2) Where SIA registered door staff are employed, they shall be employed solely in a safety and security role.
- 3) Alcohol shall not be sold or supplied on the premises otherwise to persons taking table meals and for consumption by such a person as an ancillary to their meal.
- 4) A written risk assessment will be conducted confirming what steps will be in place for the event. This risk assessment will be provided to Hampshire Police Licensing Team and Licensing Authority no later than 28 days before the event.

A written risk assessment will be conducted for all other events within the immediate vicinity as to the implementation of the above points.

For the avoidance of doubt, a table meal is defined under S159 Licensing Act 2003 as a meal eaten by a person seated at a table, or at a counter or other structure which serves the purpose of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure serving the purpose of a table.

9. SIA staffing

At any time where SIA registered door staff are employed, they shall be employed solely in a safety and security role and employed for the duration of the event.

The licence holder shall maintain a duty register giving details of each and every person employed in the role of a security/door person and shall provide upon request by any Police Officer or Council Officer, the following details:-

- (a) The licence number, name, date of birth and telephone number of that person;
- (b) The time at which he/she commenced that period of duty, with a signed acknowledgement by that person;
- (c) The time at which he/she finished the period of duty, with a signed acknowledgement by that person;
- (d) Any times during the period of duty when he/she was not on duty;
- (e) If that person is not an employee of the licence holder, the name of the person by whom that person is employed or through whom the services of that person were engaged;
- (f) The register shall be so kept that it can be readily inspected by an authorised officer of the Council or Police Officer;
- (g) The licence holder shall ensure that this register is kept in a secure environment in order to prevent unauthorised access or alterations to same.

10. Prevention of illegal working



The premises licence holder will conduct right to work checks on all persons employed, whether paid or unpaid, at the licensed premises.

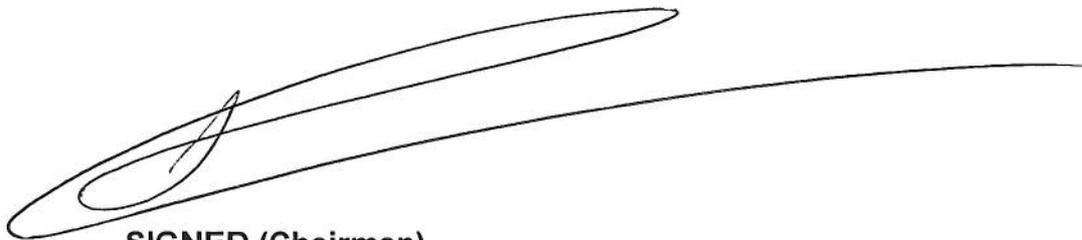
A copy of any document checked as part of a right to work check will be retained at the premises.

These documents will be made immediately available for inspection by Hampshire Constabulary, Home Office Immigration Enforcement Officers, Test Valley Licensing Authority or any other responsible authority upon request.

Documents that demonstrate an entitlement to work are set out by The Immigration (Restrictions on Employment) Order 2007 and the Immigration (Restrictions on Employment) (Codes of Practice and Amendment) Order 2014.

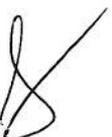
The reasons for the amendments to the licensing conditions are in order to prevent excessive levels of drunkenness, associated crime and disorder, public nuisance and to ensure public safety.

These changes have also been made to ensure that the Designated Premises Supervisor fulfils their licensing obligations and conducts due diligence with regards to alcohol sales and immigration legislation.



SIGNED (Chairman)

DATED 30.8.17.



Conway, Sharon

Subject: FW: Naz's Cuisine, Romsey - Premises Licence Review

From: White, Michael [mailto:]
Sent: 21 September 2017 17:48
To: Conway, Sharon < >
Subject: Naz's Cuisine, Romsey - Premises Licence Review

Sharon

I hope you are well. In respect of the above yesterday was the last day for submitting an appeal and I have heard nothing. Equally I have not received an application to vary the DPS. I suspect that none of the Sub Committee's decisions are being complied with and am minded to visit the premises to confirm this. However I did not want to do so in isolation and also do not want to undertake any activity which might impact upon any future action against the premises by either the Police or LA. I saw [REDACTED] at a meeting this morning and discussed with him my concerns that if the premises are non-compliant then there is no quick solution. As I understand there are two options:

- 1) Gather evidence confirming non-compliance with the licence conditions and seek a s136 LA2003 prosecution. Unless the fine is significant I cannot see that this will resolve the matter although it would provide a reason for a further Review at which the Sub Committee might be more inclined to go for revocation
- 2) Confirm non-compliance with the licence conditions, serve a closure notice under s19 CJ&PA 2001 and then gather evidence to submit to the court to convert the closure notice into a closure order.

[REDACTED] did mention that there is further closure order powers under one of the ASB Acts but he advised that he had undertaken this in recent months for a premises in Southampton and it was not an easy process.

I would appreciate your views on what you feel is the best approach for dealing with these premises.

Thanks

Michael White
Licensing Manager
Test Valley Borough Council
Telephone 01264 368013
HSPN 991 8013
mwhite@testvalley.gov.uk
www.testvalley.gov.uk

Complete our customer satisfaction survey at
https://www.surveymonkey.com/s/Customer_Satisfaction_Licensing



Think of the environment...please don't print this e-mail *unless you really need to*

Occurrence details

Hampshire Constabulary
 Printed: 23/10/2017 15:27 by 22237
 Occurrence: **44170369465**

Occurrence details:

Report no.: 44170369465
 Occurrence Type: Other crime
 Occurrence time: 22/09/2017 21:45 - 22/09/2017 22:20
 Reported time: 23/09/2017 18:47
 Occurrence address: 48 THE HUNDRED, ROMSEY, HAMPSHIRE United Kingdom SO51 8BX (NAZS CUISINE)
 Clearance status: Under investigation
 Concluded: No
 Concluded date:

Summary: S136 Licensing Act - Unauthorised Licensable Activity Following review hearing on 30/08/17, decision made to remove the DPS. Final date for appeals against this decision was 20/09/17. Test Valley Borough Council confirmed that no appeal has been lodged and no Vary DPS application has been received, Premises attended and found to be selling alcohol for consumption by customers dining at the premises S19 Closure Notice issued

Remarks:

Associated occurrences:

- Same address / 44110512575 / Z Prem Licence (Management Occurrence)

Involved persons:

- KHANOM, LUTHFUN NESSA [G4V] / Suspect /
- STATE, THE NEW [G3] / Aggrieved /
- ISLAM, NAZRUL [G1] / Suspect /

Involved addresses:

- 48 THE HUNDRED [B] / Occurrence address / ROMSEY, United Kingdom SO51 8BX (NAZS CUISINE)

Involved comm addresses:**Involved vehicles:****Involved officers:**

- Assisting officer / 9 / SWALLOW, B. / #2903 / Hamp / Police officer / LICENSING
- Attending officer; Licensing officer; Officer in case / 9 / CONWAY, S. / #22237

Involved property:**Modus operandi:****Reports:**

Witness Statement

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Court Act 1980. s.5B

Statement Of: Sharon Conway

URN:

Age (If Under 18): Over 18

Occupation: Police Officer

1 20/10/2017 13:13:

I am PC 22237 Sharon CONWAY, based at Southampton Neighbourhood Police Office. I work with the Licensing and Alcohol Harm Reduction Team, and cover the Test Valley Licensing Authority area.

5 Part of my role is to ensure that licensed premises are promoting and upholding the four licensing objectives:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

10 •Protection of children from harm

During this statement, I will mention the following people.

Mr Nazrul ISLAM, DOB 20/01/73. I know ISLAM as the manager / operator of Naz's Restaurant, Romsey, having spoken to him on a number of occasions in relation to the premises licence.

15 Mr Tahiril TARAFDAR, DOB 02/11/94, also known as Tiz. I have met TARAFDAR on a couple of occasions when I have conducted licensing visits to Naz's Restaurant.

On 30th August 2017, Test Valley Licensing Sub-Committee heard a review application that had been submitted by Hampshire Constabulary for the premises Naz's Cuisine, 48 The
20 Hundred, Romsey, SO51 8BX.

As part of the decision by Test Valley Licensing Sub-Committee was to remove ISLAM as the designated premises licence holder (DPS). Following an appeal period, this decision came into effect on 20th September 2017. The effect of this decision was that ISLAM could no longer authorise the sale of alcohol at Naz's Cuisine. A variation under S37 Licensing Act
25 2003 was required to nominate another personal licence holder in the role of DPS for the sale of alcohol to be authorised under the premise licence.

After 20th September 2017, I confirmed with Michael White, Licensing Manager of Test Valley Borough Council, that an application to vary the DPS had not been received. On Friday 22nd September 2017 at 2150hrs, I attended Naz's Restaurant, Romsey. On
30 entering the premises, I saw that there were diners in the restaurant. On one table of customers had a pint that looked like lager. On another table, customers had a bottle of wine, and were drinking from wine glasses. I saw that there was alcohol on display for sale behind the till / sink area, and in a fridge in the restaurant area. I took photographs of this alcohol.

35 I identified myself, and asked staff if I could speak with ISLAM. ISLAM came into the

Witness Statement

Statement Of: Sharon Conway

URN:

restaurant from the kitchen area.

On speaking with ISLAM, he confirmed that the alcohol provided to customers had been provided by the restaurant, and had not been provided by the customers themselves. ISLAM confirmed that payment was expected for the alcohol and food.

- 40 ISLAM confirmed that he was aware of the decision to remove him as DPS from the premises licence, but as he holds a personal licence, and the restaurant still benefitted from a premises licence, ISLAM stated that he thought that the sale of alcohol could continue. As the premises was being used, at the time of my attendance, for the unauthorised sale of alcohol for consumption on the premises, I issued ISLAM a closure notice under S19 Criminal
- 45 Justice and Police Act 2001. To my knowledge, there are no other occupiers of the premises whose access would be impeded if the licensed restaurant area were to be closed. I explained what the closure notice meant, and that police could apply to the Magistrates Court for a closure order should unauthorised sales of alcohol continue.
- 50 I explained the process to apply for a DPS variation, and that I would expect any new DPS to be working at the premises and in day to day control.

- On 2nd October 2017, an application to nominate a DPS was received by Hampshire Constabulary licensing team. I spoke to the proposed DPS, Toni SIMMONDS, on 3rd October 2017 by telephone. During this conversation, I outlined the issues that had brought about the
- 55 review, and the responsibilities and liabilities should further offences occur. Following this conversation, I received an email from SIMMONDS stating that she had would no longer be the DPS for Naz's Cuisine.

- No further application to nominate a DPS was received to Hampshire Constabulary. On
- 60 Friday 6th October 2017, at 2015 hours, I attended Naz's Cuisine. I was accompanied by PC 2403 SWALLOW. On entering the restaurant, I could see two tables of customers with food and alcohol. On one table there was a pint of what looked like lager. There was also another lady who had a glass of wine, but with no food. Alcohol was displayed behind the counter and in the fridge unit. On top of the bar counter area, there were a number of
- 65 empty, used glasses with liquid remains, suggesting that alcohol had been served to customers earlier in the evening.

- On top of the counter, there were order slips. One slip contained an order for 'G T' and 'L G Pinto', suggesting an order for gin and tonic and a large wine, reflecting the drinks on one of the tables.
- 70 On identifying myself as on a licensing visit, I asked to speak to ISLAM. The member of staff present, TARAFDAR, stated that ISLAM was not working at the premises. When asked who was in charge, TARAFDAR replied repeatedly 'I'M NOT. I'M NOT IN CHARGE. I ONLY WORK HERE.' TARAFDAR went on to say 'TONI IS IN CHARGE. SHE IS COMING IN

Witness Statement

Statement Of: Sharon Conway

URN:

LATER TO VISIT.'

75 When asked if he could contact Toni, TARAFDAR replied 'I DON'T HAVE A NUMBER FOR HER.'

The situation was then explained to TARAFDAR, that SIMMONDS had withdrawn her consent and the premises had no nominated DPS. This made the sale of alcohol an offence under S136 Licensing Act. Further offences of displaying alcohol where the sale was unauthorised was also pointed out. TARAFDAR was dismissive of police, and very reluctant to remedy the situation. He procrastinated in contacting ISLAM, and refused to contact the premises licence holder. TARAFDAR became increasingly defensive and irate, having to be reminded a number of times of the offences being committed, and the powers afforded to police by the Licensing Act 2003 to investigate those offences.

80
85 Eventually TARAFDAR calmed, and began asking how to avoid prosecution, for example providing the alcohol to customers for free. I explained to TARAFDAR that the sale of alcohol included alcohol that was provided with food where the food was paid for, stating 'EVERYTHING, INCLUDING THE FOOD WOULD NEED TO BE FREE.'

At around 21:00hrs, a group of four males came into the restaurant. The group were showing signs of drunkenness, talking loudly, slurring their words in conversation. One male in particular was drunk, staggering when walking and losing his balance when leaving the premises. After a brief conversation with TARAFDAR, the group left the premises. However, I was under the distinct impression that had me and PC SWALLOW not been present at the premises, this group would have been allowed to remain and would have been served more alcohol.

95 The customers at the premises then started to settle their bills. The lady waiting for takeaway food, who had a glass of wine, was not seen to pay for her food.

The group of ladies were seen to pay for their bill in total, including the alcohol. This bill came to just over £90, and the group paid with a mixture of cash and card.

100 From third table, the male made great effort to elude to his bill being free. The male repeatedly said, at the top of his voice 'THIS IS ALL FREE TONIGHT, BUT WE'LL HAVE TO PAY FOR OUR MEAL NEXT TIME.'

However, the couple did not leave immediately, as I would anticipate had the meal been provided for free. The couple made their way over to the counter. By this time, my conversation with TARAFDAR was coming to an end, so I was outside speaking to him. I had a restricted view of the counter, but could clearly see that the remaining waiter was using a calculator to add up the bill, which was completely unnecessary if payment was not expected.

105
110 Myself and PC Swallow left the premises at approximately 21:30 hours.

I shall exhibit the following:

Witness Statement

Statement Of: Sharon Conway

URN:

- SC/NAZ/01 Photo of alcohol on display (fridge) 22/09/17
- SC/NAZ/02 Photo of alcohol on display & empty glassware 22/09/17
- SC/NAZ/03 Copy of S19 Closure notice
- 115 SC/NAZ/04 email conversation with Toni SIMMONDS
- SC/NAZ/05 Photo of customer with glass of wine
- SC/NAZ/06 Photo of alcohol on display in fridge
- SC/NAZ/07 Photo of empty glassware
- SC/NAZ/08 Photo of customers in restaurant
- 120 SC/NAZ/09 Photo of alcohol behind counter
- SC/NAZ/10 Photo of empty glassware and alcohol on display

This statement 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 Witness:	Digitally signed	Date:	20/10/2017 13:19
Witness To Signature:	N/A	Date:	N/A

Statement Started	20/10/2017 13:13	Statement Completed	20/10/2017 13:19
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Witness Statement

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Court Act 1980. s.5B

Statement Of: Brian Swallow

URN:

Age (If Under 18): Over 18

Occupation: Police Officer

1 23/10/2017 11:08:

I am PC 2903 Swallow of the Hampshire Constabulary , currently stationed at Southampton Civic Centre and employed as a police licensing officer.

5 At 20:15 hours on Friday 6th October 2017, I was accompanied by PC 22237 Conway. At this time , we attended Naz's Cuisine, 48 The Hundred, Romsey. The venue was subject to on going licensing matters that were being investigated by PC Conway.

10 At the venue, 3 women were sitting at a table in the middle of the restaurant. All were eating hot food and had alcoholic drinks on the table. Another table was occupied by a couple who each had a pint of lager on the table in glasses. Another woman was sitting next to the serving counter. She was not eating but had a glass of red wine on the table in front of her. Behind the serving counter were several bottles of spirits in bottles and some connected to optic pourer's. There was also a draught lager tap on the bar. This was operational as I could see the condensation on the chrome. Just behind the counter was a tall display refrigerator. This had in in bottled beer and bottles of wine , along with soft drinks.

15 The serving counter had several cover orders scattered over it. Some clearly had alcoholic beverages written on them.

There was a male behind the counter in a shirt and trousers , I now know this man to be Tarafdar. I am also now aware that this male is the grandson of the premises licence holder and the son of the previous DPS.

20 There was also a chef in the kitchen and a waiter at the venue.

PC Conway began to ask Tarafdar who was in charge. He became very defensive saying that it was not him. But would not actually explain who was. he seemed very reluctant to supply any information.

25 PC Conway, explained that there was no DPS for the venue and therefore offences were being committed by supplying and displaying the alcohol. It was further explained that if alcohol continued to be supplied and displayed that those responsible could be arrested. This agitated Tarafdar further and he began to get argumentative with me and started to regurgitate issues that have occurred at the premises previously rather than make any attempt to rectify the current concerns.

30 PC Conway repeatedly asked to either see or speak with the premises licence holder or the previous DPS. However , he continued to ignore the requests by wasting time cleaning glasses and tidying up.

35 Eventually the alcohol was removed from display and covered up. The customers in the restaurant were offered their meals and alcohol for free in an attempt to circumnavigate the offences that had been committed.

Witness Statement

Statement Of: Brian Swallow

URN:

The venue was clearly committing an offence under section 136 of the Licensing act 2003 by supplying alcohol with no DPS in post and displaying alcohol with no licence to do so.

Whilst at the premises, I took three photos which I can describe as follows:

NC/BKS/1 - Used glassware & alcohol on display

40 NC/BKS/2 - Alcohol on display

NC/BKS/3 - Order pad

This statement 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 Witness: Digitally signed

Date: 23/10/2017 11:54

Witness To Signature: N/A

Date: N/A

Statement Started 23/10/2017 11:08

Statement Completed 23/10/2017 11:54

SC/NAZ/03

copy of S19 closure notice

Scoway

PC 22237 CONWAY
23/10/17



Closure notice made under
Section 19 of the Criminal Justice
and Police Act 2001

URN: 00046

Date 22/10/17 Time 20:50 (24hrs)

Person making the Notice PC 22237

CONWAY

Signature SCOWAY

Name (if applicable) and address of the affected premises:

NAZ'S RESTAURANT

THE HUNDRED

ROUSEY

HANTS

Postcode SO90 8DX

Alleged unauthorised use of the premises

SALE OF ALCOHOL ON

23/10/17 WHEN NO DPS IS

SPECIFIED ON PREMISES

LICENCE. (CURRENT DPS

REVOKED AT REVIEW HEARING

30th AUG 2017)

Steps which may be taken to end the alleged unauthorised

use of the premises, or to prevent it from re-occurring:

REMOVE ALCOHOL FROM

DISPLAY

NO FURTHER SALES OF ALCOHOL

UNTIL A VALID APPLICATION

TO VARY DPS IS MADE TO

TEST VALLEY BREWERY COUNCIL.

The person (if applicable) on whom the closure notice has

been served: NAZMUL ISLAM.

Name:

Signature:

White copy Occupier Blue copy Licensing Unit Pink copy Officer

Copyright 2406721.00



Case File URN:

Identification Ref No:

SC/NAZ/01

Description:

ALCOHOL ON DISPLAY

Time/Date Produced:

21:50 / 22/09/17

Seized/Produced by:

Sharon Conway

Signed

(1)Name (BLOCK CAPITALS)

Signed

Time

Date

(3)Name (BLOCK CAPITALS)

Signed

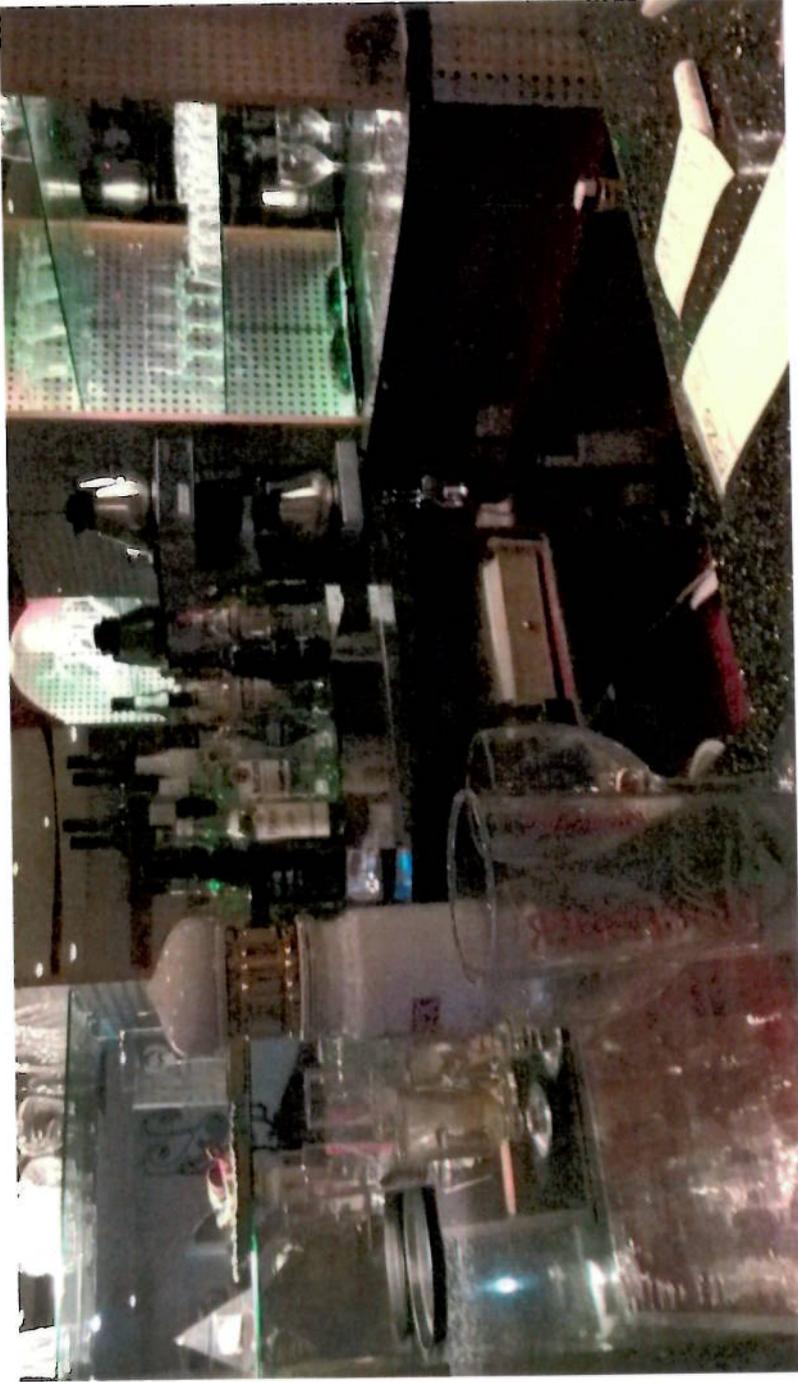
Time

Date

Occurrence No:

44170369465

Occurrence No: 44170369465 Case File URN:
Identification Exhibit No: SC/NAZ/ 02
Description: ALCOHOL ON DISPLAY & USED GLASSWARE 22/09/17
Time and Date Produced: 21:50 22/09/2017
Where Produced: NAZ'S RESTAURANT
Produced by: Sharon Conway
Signed:

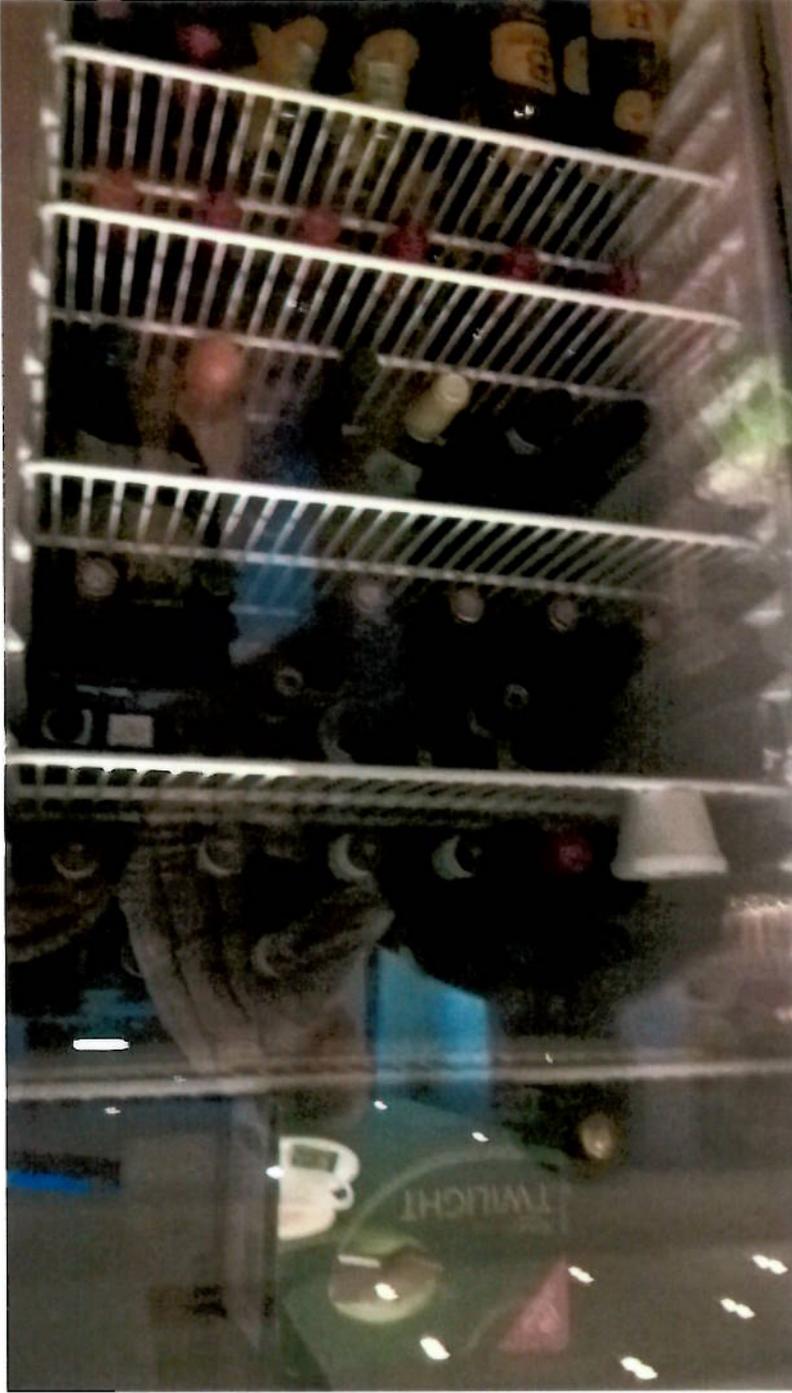


(3) Name (BLOCK CAPITALS) ----- Signed ----- Time: Date:
--

(2) Name (BLOCK CAPITALS) ----- Signed ----- Time: Date:
--

(1) Name (BLOCK CAPITALS) ----- Signed ----- Time: Date:
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Occurrence No: 44170369465 Case File URN:	Identification Exhibit No: SC/NAZ/06	Description: ALCOHOL ON DISPLAY IN FRIDGE UNIT	Time and Date Produced: 11:50 20/10/2017	Where Produced: NAZ'S RESTAURANT	Produced by: Sharon Conway	Signed:
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(1) Name (BLOCK CAPITALS)

Signed

Time: Date:

(2) Name (BLOCK CAPITALS)

Signed

Time: Date:

(3) Name (BLOCK CAPITALS)

Signed

Time: Date:

Occurrence No: 44170369465 Case File URN:	Identification Exhibit No: SC/NAZI07	Description: EMPTY GLASSWARE	Time and Date Produced: 2015 06/10/17	Where Produced: NAZ'S RESTAURANT	Produced by: Sharon Conway	Signed:
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(1) Name (BLOCK CAPITALS)

Signed

Time: Date:

(2) Name (BLOCK CAPITALS)

Signed

Time: Date:

(3) Name (BLOCK CAPITALS)

Signed

Time: Date:

Occurrence No: 44170369465 Case File URN:	Identification Exhibit No: SC/NAZ/08	Description: CUSTOMERS IN RESTAURANT	Time and Date Produced: 2100 06/10/2017	Where Produced: NAZ'S RESTAURANT	Produced by: Sharon Conway	Signed:
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(1) Name (BLOCK CAPITALS)

Signed

Time: Date:

(2) Name (BLOCK CAPITALS)

Signed

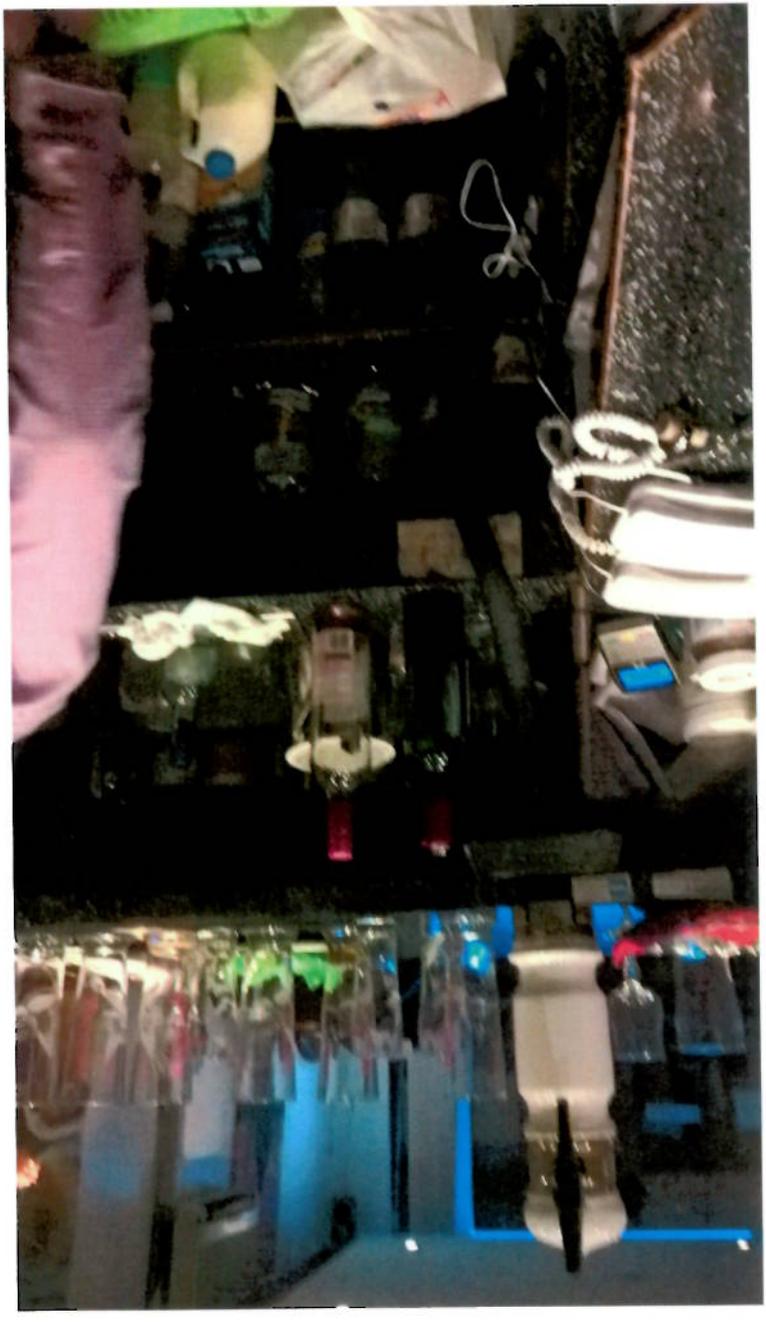
Time: Date:

(3) Name (BLOCK CAPITALS)

Signed

Time: Date:

Occurrence No: 44170369465
Case File URN:
Identification Exhibit No: SC/NAZ/09
Description: ALCOHOL BEHIND COUNTER
Time and Date Produced: 2100 06/10/17
Where Produced: NAZ'S RESTAURANT
Produced by: Sharon Conway
Signed:



(1) Name (BLOCK CAPITALS)

Signed

Time: Date:

(2) Name (BLOCK CAPITALS)

Signed

Time: Date:

(3) Name (BLOCK CAPITALS)

Signed

Time: Date:

Occurrence No: 44170369465 Case File URN:	Identification Exhibit No: SC/NAZ/10	Description: EMPTY GLASSWARE & ALCOHOL ON DISPLAY	Time and Date Produced: 2100 06/10/17	Where Produced: NAZ'S RESTAURANT	Produced by: Sharon Conway	Signed:
---	--	--	---	--	--------------------------------------	----------------



(3) Name (BLOCK CAPITALS)

 Signed _____

 Time: _____ Date: _____

(2) Name (BLOCK CAPITALS)

 Signed _____

 Time: _____ Date: _____

(1) Name (BLOCK CAPITALS)

 Signed _____

 Time: _____ Date: _____



Case File URN:

Identification Ref No:

NC1BKS11

Description:

USED GLASSWARE &
ALCOHOL ON DISPLAY
06/10/17

Time/Date Produced:

20:30 / 06/10/2017

Seized/Produced by:

Brian Swallow

Signed

Occurrence No:

44170369465

(1)Name (BLOCK CAPITALS)

Signed

Time Date

(3)Name (BLOCK CAPITALS)

Signed

Time Date

(2)Name (BLOCK CAPITALS)

Signed

Time Date

(4)Name (BLOCK CAPITALS)

Signed

Time Date



Case File URN:

Identification Ref No:

NC/BKS/2

Description:

ALCOHOL ON DISPLAY
06/10/17

Time/Date Produced:

20:30 / 06/10/2017

Seized/Produced by:

Brian Swallow

Signed

Occurrence No:

44170369465

(1)Name (BLOCK CAPITALS)

Signed

Time Date

(3)Name (BLOCK CAPITALS)

Signed

Time Date

(2)Name (BLOCK CAPITALS)

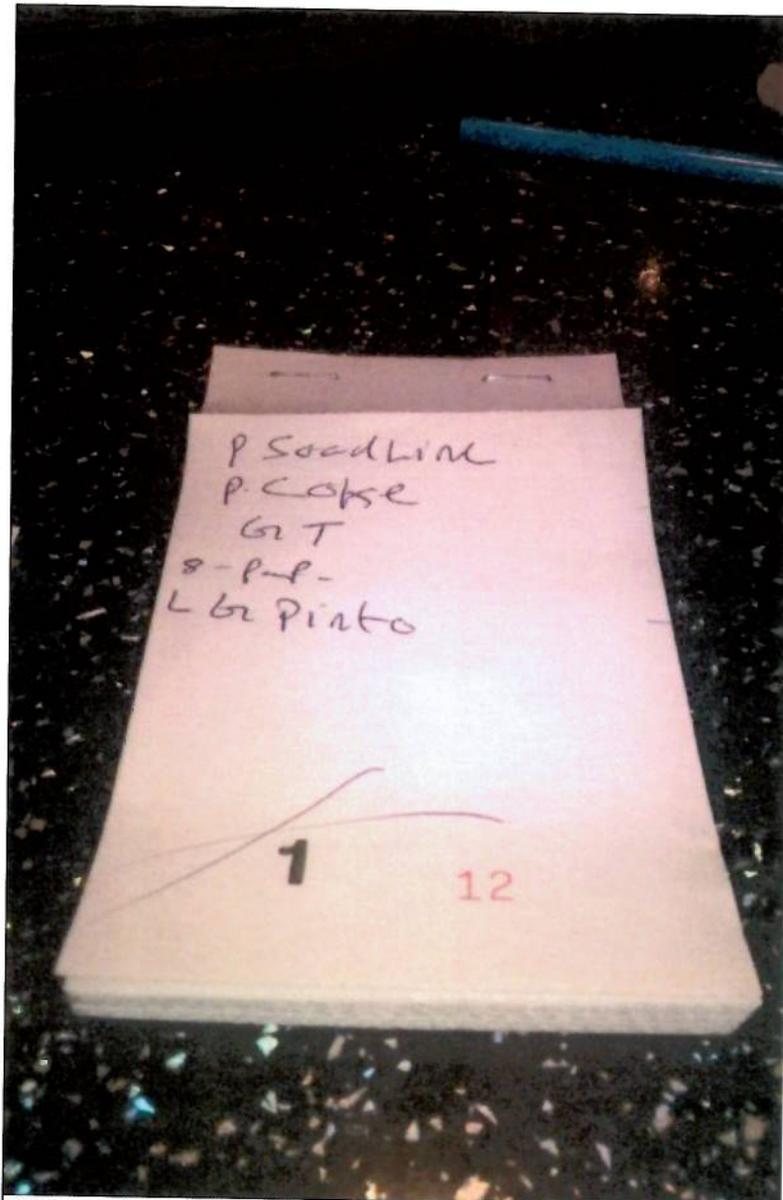
Signed

Time Date

(4)Name (BLOCK CAPITALS)

Signed

Time Date



Case File URN:

Identification Ref No:

NC /BKS /3

Description:

ORDER PAD

Time/Date Produced:

20:30 / 06/10/17

Seized/Produced by:

Brian Swallow

Signed

Occurrence No:

44170369465

(1)Name (BLOCK CAPITALS)

Signed

Time

Date

(3)Name (BLOCK CAPITALS)

Signed

Time

Date

(2)Name (BLOCK CAPITALS)

Signed

Time

Date

(4)Name (BLOCK CAPITALS)

Signed

Time

Date

From: Toni Simmonds [redacted]
Sent: 03 October 2017 21:56
To: Conway, Sharon <[redacted]>
Cc: Michael White [redacted]
Subject: Re: Licensing - Naz's Restaurant

Dear Sharon

Thank you for your email and chat today.

I will be revoking my licence tomorrow morning at 08.30 hours and have copied Michael White into this email.

Kind regards

Toni Simmonds

Sent from my iPhone

On 3 Oct 2017, at 13:58, <> <sharon.conway@[redacted]> wrote:

Hello Toni

Thank you for taking the time to speak with me. As discussed, my contact details are below. Should you have any questions or concerns, please do not hesitate to contact me or the team..

Sharon

PC 22237 Sharon Conway
Licensing & Alcohol Harm Reduction Team
Southampton Central Neighbourhood Police Office
Southampton City Council
Civic Centre
Southampton
SO14 7LY

Conway, Sharon

Subject: FW: Naz's Restaurant

-----Original Message-----

From: Toni Simmonds []
Sent: 06 October 2017 23:05
To: Conway, Sharon < >
Subject: Re: Naz's Restaurant

Hello Sharon

Yes I told him!
I think we need to talk tomorrow if you are on duty?
Regards
Toni Simmonds

Sent from my iPhone

> On 6 Oct 2017, at 21:32, <sharon.conway> < wrote:
>
>
> Hello Toni
>
> Sorry to bother you.
>
> Can you confirm that you have told Mr Islam that you have withdrawn your consent to be the
DPS?
>
> Many thanks
>
> Sharon
> PC 22237 Sharon Conway
> Licensing and Alcohol Harm Reduction Team
> Tel: 02380 478373
> Mobile: 07917077576
>
> Sent from my Windows Phone
>
>

Occurrence details

Hampshire Constabulary
 Printed: 23/10/2017 15:46 by 22237
 Occurrence: **44170398616**

Occurrence details:

Report no.: 44170398616

Occurrence Type: Public order

Occurrence time: 13/10/2017 22:54 - 13/10/2017 23:00

Reported time: 13/10/2017 22:54

Occurrence address: [REDACTED] ROMSEY, HAMPSHIRE

Clearance status: Under investigation

Concluded: No

Concluded date:

Summary: PCSOs called for assistance to deal with group of males in Romsey Town Centre. One male located by officer was intoxicated and swearing. Arrested D&D.

Remarks:

Associated occurrences:

- Same address / 44110512575 / Z Prem Licence (Management Occurrence)

Involved persons:

- THE STATE [G4V] / Aggrieved
- [REDACTED] / Arrested; Fixed penalty; Suspect /
 DOB: [REDACTED] (29) Gender: Male

Involved addresses:

- Occurrence address / ROMSEY, United Kingdom

Involved comm addresses:**Involved vehicles:****Involved officers:**

- Drug dog handler
- Officer in case; Outcome officer /
- Assisting officer /
- Assisting officer /
- Assisting officer
- Assisting officer /
- Arresting officer /

Involved property:**Modus operandi:**

passed through 87
town

023 large group of
youths shouting +
swarming outside
Co-op

lilly Bailey issued
35
BWU activated
copy given
dispersed immediately

040 group continuing
to cause issues
outside Co-op
when speaking to
group Sharon SCANLON
has become verbally

abusive
BWU activated at
the time
Sechon 35 issued
with assistance
from KLP

from HOME TONS
DARREN LOUIS
HANFORD Robert
SPREDBURY CALLUM

DARREN All gathering
outside NAZ'S
being very loud
med to obtain
details from Callum
DARREN for Sechon
35. he walked

away. Refusing - 88
details.

- group given advice -
to disperse.
resumed.

11:15 (4)

200 Resumed on foot -
with 16289 group -
still outside NAZ'S -
very loud with -
glasses being -
thrown across -
road and outside -
NAZ'S. Strong smell
of cannabis. Unknown
who from.

LOUIS GRAYSON

Louis Grayson

Leon HINE

Gare LONG

Robert SPREADBURY

all apart of this
group.

Spoke with Leon
re noise and glasses
he stated Louis H
was very drunk -
and they had all -
been drinking at -
NAZ'S for his
birthday.

Leon stated they were
moving on.

2300 PCSO 16289 resumed

6077

to TR. 2 13516 - 89

joined me outside
Nazi's

where we observed
lots of shouting and
sweeding from the
group. main perpetrator
is [REDACTED]

who urinated
against a wall down
the side of Nazi's
- group of males have
gone in to Nazi's
[REDACTED] can be
seen shouting at
them asking them
what they are

doing.

PCSO Allen has gone
over the car asking
for further officers
group have started
play fighting in
the road I moved
on towards bus

station group contin
g to be loud &
intimidating.

myself & PCSO Allen
have walked to the
rear of Duke's Mill/
Dominica's [REDACTED]

[REDACTED] & [REDACTED]
[REDACTED] were seen

stumbling in the — 90

road and Louis —

shouting "you gonna search me"

they have then —

walked round the —

bushes alongside —

Asheley House out —

of sight approx —

1 min later they —

have come back —

across the road —

and Louis Hols —

shouted "SEARCH

ME THEN" —

they have then —

walked to the —

front of Alices null

centre out of my

sight. where B +

White has stake 9.

I believe Louis has

dumped drugs along

the side of ashley

house thinking he

may be searched

myself + pss0 Allen

have looked around

for anything potentially

dropped - nothing

obvious seen.

Robert Sprouburg

have long e 1

other unknown male

006 0717

have cycled — 91
around the cones &
seen us and —

continued forwards
towards green 1

have followed them
on foot, they have
circled back
around to the area
I believe to perhaps
retrieve any dropped
DR.

Dr unit called —
attended and Negative
returned to TR on —
foot —
lots of Cannabis /

deal bags & smashed
glass on the floor
outside of NAC'S.

TR RMS impitting.

Conway, Sharon

Subject:

FW: Question

From: Biggs, Samantha

Sent: 20 October 2017 14:29

To: Conway, Sharon <[REDACTED]>

Subject: RE: Question

T[REDACTED] was there, he was in and out with the group but "working" and I saw an older chap working but I don't think it was N[REDACTED].

From: Conway, Sharon

Sent: 20 October 2017 14:27

To: Biggs, Samantha <>

Subject: RE: Question

Did you see N[REDACTED] or T[REDACTED]?

From: Biggs, Samantha

Sent: 20 October 2017 14:20

To: Conway, Sharon <>

Cc: [REDACTED] <>

Subject: RE: Question

Hi Sharon,

The group were in and out all evening, I believe they had 2 meals between them which [REDACTED] was arguing about. They had drink in glasses inside and outside Naz's which ended up thrown and smashed in the road. I can't tell you if they had alcohol from Naz or if they had brought it with them and poured it into glasses. [REDACTED] was drinking Jack Daniels straight from the bottle inside and outside.

I have a lot of the evening on BWV, So I will sit down and try and burn anything relevant to Naz's onto a disk for you. At one point [REDACTED] did say to me something along the lines of "We don't want any trouble with Naz's, I'm making sure my friends are buying drinks and being good customers" which I'm sure was on BWV.

In regards to Pubwatch

[REDACTED] until 18/01/22

None of the others are on Romsey Pubwatch.

Thanks

Sam 16144

Romsey Police Station

From: Conway, Sharon
Sent: 20 October 2017 14:02
To: Biggs, Samantha < >
Subject: Question

Hi Sam

One question from last week for Naz's – your pnb is fabulous – did you see the group actually drinking inside Naz's, or did they remain outside. At one point after 2300 you've noted the group have gone in. Just want to double check if you saw them in there over the rest of the evening.

PC 22237 Sharon Conway
Licensing & Alcohol Harm Reduction Team
Southampton Central Neighbourhood Police Office
Southampton City Council
Civic Centre
Southampton
SO14 7LY

☎ 101 ext 4724005 ☎ 023 80478373 ☎ 07917077576

✉ force.licensing@hampshire.pnn.police.uk ✉ sharon.conway@hampshire.pnn.police.uk

www.hampshire.police.uk

[Licensing HomePage](#)

Witness Statement

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Court Act 1980. s.5B

Statement Of: Andrew White

URN:

Age (If Under 18): Over 18

Occupation: Police Officer

1 I am Police Sergeant 21815 Andy White. I am the Neighbourhood Policing Sergeant for Romsey.

5 Romsey town centre has been experiencing an increase in anti-social behaviour recently which has led to a dispersal authority under section 35 of the Anti-Social Behaviour, Crime and Policing Act 2014 being authorised. It is in place from 17:00 hours on Friday the 13th October 2017 until 01:00 hours on Sunday the 15th October 2017.

10 On Friday the 13th October 2017 I was on duty in full uniform. At 22:54 hours I heard a call over my personal radio from PCSO 13596 [REDACTED] ALLEN reporting a male named [REDACTED] was in drink in the town centre. He was walking off in the general direction of Domino's Pizza which is within DUKES MILL.

15 I left the station with PCSO 16289 PERROTT on foot and walked towards the area of DUKE MILL.

20 As I walked across the paved precinct I saw 3 males coming towards me, 1 on a bike and 2 on foot. As they approached one of the males on foot said something similar to "THERES ANOTHER ONE", I tried to explain that he was within dispersal zone when he told me to "FUCK OFF". I stopped the male to speak to him with the intention of issuing him with a dispersal. It was clear to me that he was heavily in drink due to his demeanour and foul language. He was aggressive and argumentative from the start.

25 I quickly deemed that a dispersal would not be appropriate as he was clearly intoxicated and I believed he would disregard the order.

30 The male continued being abusive to me and I activated my body worn video camera. I informed the male he was being recorded and at 23:00 hours I said "I AM ARRESTING YOU FOR BEING DRUNK AND DISORDERLY". I instructed him to place his hands behind his back and I applied handcuffs in the rear back to back position. I then double locked them. The handcuffs were applied as I feared the male would become violent due to his aggressive state.

35 From the point the male was arrested he continued being verbally abusive towards me, I lost count of the amount of times he referred to me as CUNT and told me to "FUCK OFF", he

Witness Statement

Statement Of: Andrew White

URN:

also kept calling me a "NEEK" - which is an expression I do not know but having googled it means a cross between a nerd and a geek.

It was only after arrest that I learned the male was in fact [REDACTED]

40

At one point [REDACTED] tensed his arms and I with the help of PC 22314 MANN took him to the floor. Once he had calmed down he was brought back to his feet and walked to the van that I had requested. At this time we had been joined by other officers.

45 PC MANN and I transported [REDACTED] to Southampton Central Police Station arriving at 23:24 hours. I kept my body worn video camera recording throughout the journey and arrival at the Police Station, I switched it off after his detention had been authorised by Sergeant 2378 DINELEY.

50 [REDACTED] remained abusive and threatening throughout the time I was with him and was taken to his cell without the full booking in procedure being completed.

55 After returning to Romsey Police Station I downloaded my Body Worn Video recording directly to the standalone computer using the DEMS software that is used by Hampshire Constabulary. The master copy of this recording is stored securely on this standalone computer and cannot be modified or edited in any way.

60 At approximately 01:00 hours I have produced a DVD copy of the footage; I produce this working copy as exhibit AW/BWV/01 which contains the only recording I made regarding this incident.

This statement 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 Witness: Digitally signed Date: 14/10/2017 02:08

Witness To Signature: N/A Date: N/A

Statement Started 14/10/2017 02:02

Statement Completed 14/10/2017 02:08

Detention log

Hampshire Constabulary

Valid as of 20/10/2017 14:11:31
Printed by #22237 CONWAY, S.

Custody #: CR1700026732
Log type: General detention *Log time:* 13/10/2017 23:52
Log entry: --13/10/2017 23:52:48--

DP presented in custody heavily intoxicated. DP shouting threats to arresting officers on arrival.

Dp detention authorised.
Handcuffs checked and relaxed slightly as dp was agitated by them. Dp still treating but not removed.

Eventually calmed enough to be removed DP searched and following health questions taken to cell as he became agitated.

Not all RA completed due to his intoxicated and agitated state - taken to cell.

Detainee name: HANSFORD, LOUIS ROWAN MICHAEL

Detainee signature:

Time: *Signature type:*

Officer signature: #2378 DINELEY, A.

Time: 13/10/2017 23:57

Companies House

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Search for companies or officers

NAZ'S (UK) LIMITED

Company number **07436660**

Registered office address

48 The Hundred, Romsey, Hampshire, SO51 8BX

Company status

Active

Company type

Private limited Company

Incorporated on

11 November 2010

Accounts overdue

Next accounts made up to **30 November 2016**
due by **31 August 2017**

Last accounts made up to **30 November 2015**

Confirmation statement

Next statement date **11 November 2017**
due by **25 November 2017**

Last statement dated **11 November 2016**

Nature of business (SIC)

- 56101 - Licensed restaurants

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Filter officers

Current officers

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1 officer / 0 resignations

KHANOM, Luthfun Nessa

Correspondence address **48 The Hundred, Romsey, Hampshire, United Kingdom, SO51 8BX**

Role Active **Director**

Date of birth **January 1943**

Appointed on **11 November 2010**

Nationality **British**

Country of residence **England**

Occupation **Director**

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- [Persons with significant control](#)

1 active person with significant control / 0 active statements

Mrs Luthfun Nessa Khanom Active

Correspondence address **48 The Hundred, Romsey, Hampshire, SO51 8BX**

Notified on **11 November 2016**

Date of birth **January 1943**

Nationality **British**

Nature of control **Has significant influence or control**

Country of residence **England**

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