

Reference: 2011/00944/01SRAP

Hearing:

2nd June 2011

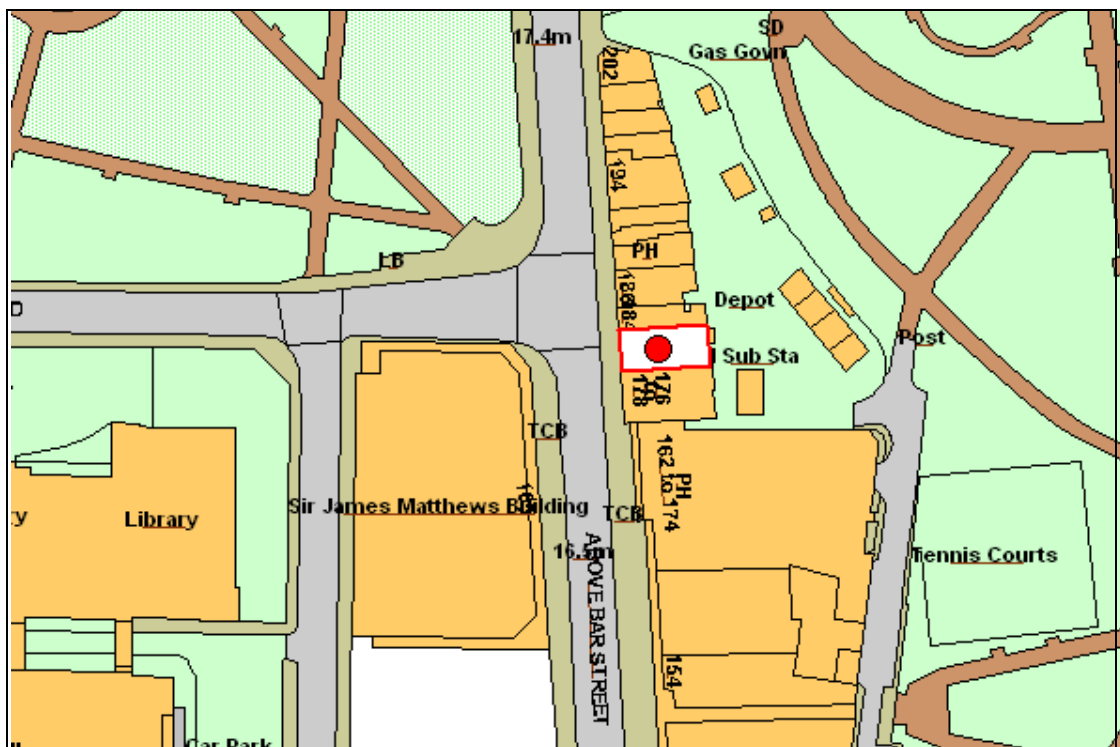
Application for Review of Premises Licence

Premises Name: Guava Bar (Previously known as Hamptons)
 Premises Address: 180 - 182 Above Bar Street
 Bargate
 Southampton
 SO14 7DW

Application Date: 6th April 2011

Application Received Date: 7th April 2011

Application Valid Date: 7th April 2011



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Southampton City Council Licence No. 100019679 2007.

Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No Response Received	

Hampshire Fire And Rescue - Licensing	No Response Received	
Environmental Health - Licensing	No Response Received	
Planning & Sustainability - Building Control - Licensing	No Response Received	
Planning & Sustainability - Development Control - Licensing	No Response Received	
Hampshire Constabulary - Licensing	No	
Trading Standards - Licensing	Yes	

Other Representations

Name	Address	Contributor Type
None		

Legal Implications

1. Part 3 of the Licensing Act 2003 provides that a responsible authority of a resident or business in the vicinity (interested party) may apply for review of a premises licence.
2. The grounds of review applications must relate to one or more of the licensing objectives.
3. In such circumstances, the applicant for the review must serve a copy of the review application on the holder of the premises licences, the City Council and each of the responsible authorities.
4. On receipt of the application for review, the officers will consider its validity, under delegated powers. Reasons for rejection, in whole or in part, include:
 - that the grounds for review are not relevant to one or more of the licensing objectives and;
 - (in the case of an application not made by a responsible authority), that the application is frivolous, vexatious or repetitious.
5. The City Council must, within one day of receiving the application for review, display a prescribed notice of the review application on the outside or adjacent the premises;

6. Unless the applicant, licence holder, interested parties and responsible authorities agree that a hearing is unnecessary, the City Council is then required to hold a hearing to consider the review.
7. The sub-committee, in considering the application for review, must have regard to the adopted Statement of Licensing Policy and evidence before it at the hearing.
8. The Licensing Act 2003 provides that, in determining an application for review, the sub-committee may take any (or none) of the following steps, as it considers necessary:
 - modify the conditions of the licence;
 - exclude a licensable activity from the scope of the licence;
 - remove the designated premises supervisor;
 - suspend the licence for a period not exceeding three months;
 - revoke the licence.
9. The Licensing Act 2003 makes provision for appeal to the Southampton Magistrates' Court against the sub-committee's decision in relation to an application for review.
10. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
11. Copies of the application for review and the Police objection are annexed to this report.
12. The sub-committee must also have regard to:-
13. *Crime and Disorder Act 1998*

Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
14. *Human Rights Act 1998*

The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.



Application for the review 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 PC 20920 Prior, 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)

Premises or Club Premises details

Postal address of premises: Hamptons 180 - 182 Above Bar Street Bargate Southampton
Postcode (if known): SO14 7DW

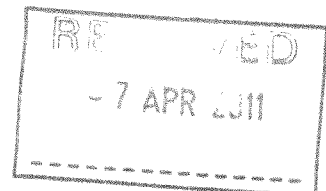
Name of premises licence holder or club holding club premises certificate (if known) Nicholas John Stone

Number of premises licence or club premises certificate (if known) 2010/01674/01SPRD

Details of responsible authority applicant

Mr Mrs Miss Ms Other title / Rank: PC
Surname: PRIOR First Names: Natasha
Current postal address: Southampton Central Police Station Haverlock Road, Southampton. Hants
Postcode: SO14 7LG
Daytime telephone number: 023 80 674 768
E-mail address: southampton.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





Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

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

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

Select one or more boxes

- [X]
[X]
[X]
[X]

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:
This review is brought by Hampshire Constabulary as a responsible authority under the Licensing Act 2003, because of failures in the management of Hamptons, which impact on the licensing objectives.
On the basis of the evidence outlined below, Hampshire Constabulary would wish to achieve the following:
1. A change in DPS or for the current DPS to manage only one premise.
2. The DPS should also complete a nationally recognised Level 2 DPS course
3. To have CCTV in the venue covering the internal areas and smoking area that is kept for 28 days and can be operated and downloaded onto disc on request
4. To have an incident book on the premise that is signed off daily by the manager and doorstaff if in operation
5. To be a member of the 'Licensing Link' scheme
6. All glasses & bottles used at the premises will be polycarbonate or the contents of all glass bottles to be decanted into polycarbonate glasses
7. A member of doorstaff on a Friday and Saturday night from 1930 hours until close
8. There will be a Challenge 25 policy operated at the premises.
9. Staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; that records are kept of all training, which are signed and dated by the member of staff who has received the training; that staff receive refresher training every six months as a minimum and that records are signed and dated by the member of staff. Records will be available for inspection by Hampshire Constabulary and the licensing Authority on request and within 24 hours.



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

In summary, the Police evidence to support these points is as follows:-

There is a repeated issue with glass leaving the premise, the door is not managed so patrons go out to have a cigarette and take glasses with them. Apart from the outside of the premise falling into a drinking control area under a designated public places order (DPPO) then is a safety issue with glass being out on the street. The management at the premise have been spoken to on a number of occasions about this and one of these occasions was recorded on Body Worn Video camera on the 15/01/11. Due to this being a recurring problem a meeting was arranged by PS Marshman with the DPS during which he fully explained the problem and that it was not just with smokers outside as he had found a patron approximately 100 meters away from the premise with a glass. The DPS stated that he would put up signs and ensure that his staff monitor the situation to stop any further issues. At that meeting the DPS advised that he would be putting in CCTV in the near future.

The issue with the glasses has still not be resolved with persons outside the premise with glass bottles on Saturday 26/03/11 of which there is body worn video footage. On that night the manager on duty was spoken to and he clearly stated that he had been regularly checking outside for people with bottles but that the night had been unexpectedly busy, it was also clear to us on attendance that there were signs up. This shows that the staff monitoring it and signs being up is insufficient. This manager has stated that they are applying for table and chairs permission outside and seems to be under the impression that this will solve the problems which shows a lack of knowledge and research on the subject. It was highlighted to him that the seating area is not a standing, smoking and drinking area and the permission ends at 2200 hours.

It is felt that polycarbonate glasses and bottles throughout the premise would minimise the risk of incidents occurring by those leaving the premise with glasses. If doorstaff are employed on the busier nights then that person would be able to manage the door and ensure no glasses were being taken outside.

In addition to the concerns about glasses leaving the premise there is evidence that the premise has been operating past its licensed hours with a direct causal link to a serious public order incident. This became apparent as the police were called on the 18th February 2011 (police reference 44110071672) at 0307 hours to an affray incident where there was a fight inside Hamptons to which nine police officers attended. This time is over two hours past their last licensed activity on their licence.

On attendance police found there to be about 20-25 persons on the premise and were told that two males had started fighting and that then numerous others had joined in. One male had a head injury and staff pointed to a piece of wood that had been used to cause the injury. The injured person was also identified as an aggressor threatening people with a mop handle. The manager there provided a statement to police about that incident. In the statement he has put that "he was working in the bar for a private party for another one of the managers" Another statement taken from a witness states "The incident started inside Hamptons Bar which I would describe as a pub, it is very small. The tables and chairs were moved to the edge to make space in the middle for people to dance as there was two DJ's... I was at Hamptons Bar for my friends birthday" This then goes on to describe the start of the incident and explains that the male involved "was very drunk. I remember asking him a few



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

times to calm down because the manager was not going to keep the bar open until 3am if he continued" This shows that the premise was planned to be open until 0300 hours. Due to the incident two males were arrested and when interviewed one of the males stated that he had attended a party at Hamptons and that the music had been playing until around 0230 hours and that he had purchased his own drinks throughout the evening with the bar being open until 0230 hours. The other male stated that he went to Hamptons as a friend told him a party was happening there which started at around 2300 hours. Whilst there they were playing music and serving drinks that had to be paid for until 0230 hours and that there was also a £4 entry fee.

We also tried to speak to the witnesses about the licensing aspect of this job. Sgt Marshman spoke to one female witness who has provided a statement and states "I arrived with my sister and we paid about £4-5 to enter the venue. I heard about the party from facebook... I brought alcoholic drinks at the bar for myself and for friends.. I remember buying drinks nearly up until the police arrived... I think the last time i brought alcoholic drinks from the bar was about 0230hours, which would have been the early hours of Saturday the 19th February 2011"

After the meeting with the DPS on the 21/02/11 we continued to contact witnesses but found that accounts varied. One further witness stating on the 24/02/11 that private party had been arranged by her mother who had spoken to the owner of Hamptons through a mutual friend and arranged it this way. In her account the bar was selling alcohol until 2330-0000 hours and that they had been allowed to bring in their own alcohol. This conflicts with an account from a witness who said the bar was open around 0230 hours and with one of the suspects who stated that he had tried to bring his own alcohol in and it had been confiscated by staff. The witness also states that no-one had paid to get into the premise which conflicts with numerous other accounts including the manager and DPS.

Due to the incident PS Marshman held a meeting with the DPS on the 21/02/11 who explained he was not at the event and was only made aware of it on the date it was arranged for. He explained that a group who were friends of one of the managers, had attended, he believes about 65 people in total and that as far as he was aware it was due to stop at 0100 hours. He said that they would have stopped serving alcohol at 0100 hours as per their licence. When asked about the information of an entry fee he stated that he knew they were charging £4 entry and that they did this to cover cost of things brought. There are no records in relation to the cover charge or what was brought with it or how many people actually attended so he was asked how he knew how much to charge but he said he didn't know. The manager who was there on the night has also confirmed that there was a £4 or £5 charge and said that the charge went to a promoter. He was informed that witnesses stated that alcoholic drinks were being served. He was also informed that the police were extremely concerned about the rear area being used as a smoking area as there is no CCTV there, no doorstaff and it is not patrolled by officers; it is also the service road to numerous other properties and the likely location that the suspects were able to pick up bits of wood and mop handles.

This all shows that it was a licensing activity that took place in clear breach of the licence conditions.



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

The premise has been poorly managed in connection to this event and there has been negligence on behalf of the DPS and manager which has resulted in clear breaches of their license which in turn has led to a serious public order incident. As a result we are seeking to review the licence.

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

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

[X] 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

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 Natasha Prior Collar Number: 20920
Signature: Date: 6/04/11

Signature of Authorising Officer (Inspector or above)

Name L. BATES (INSPECTOR) Collar Number: 5012
Signature: Date: 6/4/11

Examples of condition wordings for Hamptons

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 should be able to cope with strobe lighting and all levels of illumination throughout the premises as well as outside areas.

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.

There shall be sufficient members of trained staff available during operating hours to be able to provide viewable copies at the request of the Police or authorised officer. Any images recovered must be in a format that can be readily taken away and viewed on any computer operating on any Windows based program acceptable to the police, or DVD player. This will be without the requirement for additional software to be installed.

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.

CCTV warning signs to be fitted in public places.

Recordings to be kept for a minimum of 28 days.

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.

All systems, signage, hardware and procedures are to be installed and implemented to the reasonable satisfaction of Hampshire Constabulary and approved in writing.

Incident book

An incident book will be provided and maintained at the premises and there will be a daily debrief of door staff at the close of business to the reasonable satisfaction of Hampshire Constabulary. The incident book will remain on the premises at all times and will be available to police upon request.

Licence Link/ pub watch

The premise holder or his nominated representative will maintain membership of any existing Barwatch scheme, or join any future scheme, which is not currently in existence and approved/supported by the local police. He/she will ensure co-operation with the relevant scheme, abide by any rules and ensure meetings are regularly attended.

Polycarbonate

All glasses used at the premises will be polycarbonate and the contents of all glass bottles will be decanted into polycarbonate glasses with the exception of wine and champagne bottles consumed in the seating area within the premises. For the avoidance of doubt bottles of beer, lager and alcohol pops will always be decanted into polycarbonate glasses where they are not available in PET or aluminium bottles.

Challenge 25

There will be a Challenge 25 policy operated at the front door of the premises. Challenge 25 meaning that the holder of the premises licence shall ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the licensing authority proving that individual to be 18 years of age or older. 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.

Training

Staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; that records are kept of such training, which are signed and dated by the member of staff who has received the training; that staff receive refresher training every six months as a minimum and that records are signed and dated. Records will be available for inspection by Hampshire Constabulary and the licensing Authority on request and within 24 hours

Hamptons Review Police Exhibit List

- CS/HAMPTONS/01 & CS/HAMPTONS/02 – Body Worn Video of customers with bottles outside
- IM/HAMPTONS/03 – Body Worn Video of customers with glass outside and manager spoken to
- NAP/HAMPTONS/04 – Statement from manager about public order incident
- NAP/HAMPTONS/05 – Statement from witness about public order incident
- NAP/HAMPTONS/06 – Statement from witness about public order incident
- NAP/HAMPTONS/07 – Statement from witness about public order incident
- NAP/HAMPTONS/08 – Statement from witness about licensing breach
- NAP/HAMPTONS/09 – Statement from officer about information obtained from suspect about licensing breach
- NAP/HAMPTONS/10 – Statement from officer about information obtained from witness about licensing breach
- NAP/HAMPTONS/11 – Statement from officer about information obtained from suspect about licensing breach



RESTRICTED (when complete)

NAP/HAMPTONS/04

WITNESS STATEMENT

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

Statement of: [redacted]

URN: [] [] [] []

Age if under 18: 26 (if over 18 insert 'over 18')

Occupation: Bar Manger

This statement (consisting of ... page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

[Handwritten signature]

Date:

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

I am the above named person and currently reside at the address [redacted] given to police. I am giving the statement to police reference an incident that occurred at HAMPTONS bar where I work as a manger. In the early hours of Friday morning at approximately 03:00hrs I was working in the bar for a private party for [redacted] one of the mangers. By this time in the morning most of the elders of the party had left and was left about 30 younger people. Most of the night has passed without problem but two males did have a little squre off because one had got too close to the others gathered. The two males have now been arrested by police, through this statement I will refer to them as WHITE TOP and CHEQUE TOP.

Signature: ...

Signature witnessed by:

PTO



RESTRICTED (when complete)

WITNESS STATEMENT

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

URN:

--	--	--	--

Continuation of Statement of:

--	--	--

WHITE TOP and CHEQUE have been outside at approximately 01:00hrs and were bicycling with neither party backing down. This summed down and was resolved by the group.

The rest of night went without problem until about 02:30hrs. CHEQUE TOP came into the bar from the rear entrance with a cut on his head being very pronounced.

He was followed by another male wearing a dark blue tracksuit top and dark jeans, I will refer to him as TRACKSUIT. He was carrying a length of wood that looked like a mop handle. In fact it looked like my mop as it had white tape on it.

I stepped in and took the mop handle off of tracksuit, I moved ^{CHEQUE TOP} ~~WHITE TOP~~ out to the front of the bar. I then sent TRACKSUIT out the back door and asked them to leave.

They were leaving out the back driveway when CHEQUE TOP came from inside the bar with another piece of mop handle, not the same piece. He was walking towards a group screaming and shouting and so I went and grabbed the mop off of him and threw it in the skip. I could see a large separate group heading down.

Signature: 

Signature witnessed by: _____



RESTRICTED (when complete)

WITNESS STATEMENT

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

URN :

--	--	--	--

Continuation of Statement of: Colin New HINES.

the alleyway but I cannot say who any of these people are.

I brought CHECKE TOP back inside the bar and the police arrived shortly after that.

I did not see WHITE TOP actually being violent but know he was originally angry with CHECKE TOP.

When the police were inside the bar I saw WHITE TOP come back inside and the police took hold of him and arrested him for being violent.

I would say that CHECKE TOP was violent and threatening with the mop, he was in my opinion provoked however maybe a little too aggressively. He was a white male with short cut brown hair and clean shaven, he was wearing a blue and white checkered shirt, dark navy blue jeans with dark brown work picker shoes.

I would describe WHITE TOP as a white male, shorter cut hair, maybe grade 2 style, long sleeve white top, dark blue denim maybe leather jacket. I didn't see WHITE TOP offer any violence other than the earlier scuffle between him and CHECKE TOP.

Signature:

Signature witnessed by:



CONFIDENTIAL

NAP/HAMPTONS/OS MG11
Page 1 of 3

WITNESS STATEMENT

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

Statement of: [REDACTED]

URN: | | |

Age if under 18: 018 (if over 18 insert 'over 18')

Occupation: Premises manager/Joint owner

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

[REDACTED]

Date: 18/02/2011

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

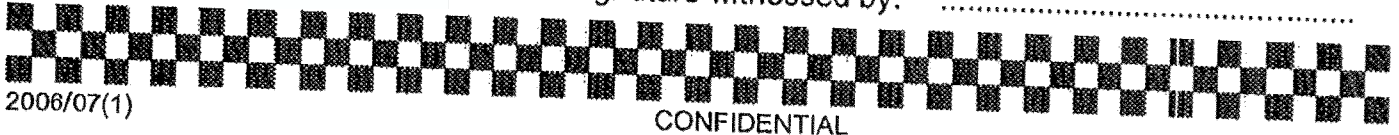
I am [REDACTED] of the address overleaf. This is a statement about an act of violent disorder I witnessed at the rear of HAMPTONS PUBLIC HOUSE in the early hours of Friday 18th February 2011. The incident itself initiated in the rear of the Council Depot which is to the rear of the HAMPTONS. I can confirm that I reside and manage my own premises which share the same rear area in question. My premises [REDACTED] up from HAMPTONS. I can confirm that I had just finished work and had not been drinking.

I will refer to the main offender in the disorder as "LONG SLEEVE TOP" male throughout my statement. The actual physical altercation involved a group of around 25 people of varied sexes, ages and nationalities. My attention was first drawn to a loud and rowdy noise which I could hear from within my premises at around 02:45 hours. I immediately looked out of my rear fire door exit to witness a large physical altercation between two groups of people shouting at one another. I noticed "LONG SLEEVE TOP" to be the main offender amongst the group. He was displaying aggressive and abusive stance and demeanour. The male was directing his actions towards the other group of people. I noticed him to be shouting aggressively [REDACTED]. He was pushing and shouting out at the males in the rival group and making threatening and abusive gestures towards them. My attention was drawn to another male in the rival group who then become aggressive back towards "LONG SLEEVE TOP". I will refer to him as "GREY TOP" male. "LONG SLEEVE TOP" and "GREY TOP" then become aggressive with one another. It was clear that both were shouting at one another [REDACTED]. They were both giving as good as they got and were displaying an irate demeanour.

I then noticed "LONG SLEEVE TOP" return back into HAMPTONS. He came back outside a matter of seconds later brandishing a wooden mop handle with the mop attached to it. He started waving it around aggressively gesturing towards "GREY TOP" and the rival group. They moved away from him and as he moved off he smashed the mop off of the floor causing it to splinter into several pieces. "LONG SLEEVE TOP" kept a hold of the wooden shank and then ran at the rival group. I noticed that he hit out at several in the group including "GREY TOP". He actually connected with "GREY TOP'S" upper body. "LONG SLEEVE TOP'S" behaviour was completely out of control and erratic. He fought off his friends as they tried to gain control of him and calm him down. They were unsuccessful in doing so and "LONG SLEEVE TOP" continued his aggression

Signature:

Signature witnessed by:





WITNESS STATEMENT

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

towards the rival group. The rival group managed to fend off "LONG SLEEVE TOP". I believe "GREY TOP" then engaged in a physical altercation with "LONG SLEEVE TOP". They fought with one another for several minutes. Numerous members of both groups dispersed prior to Police arrival. The manager of HAMPTON'S took the wooden shank from "LONG SLEEVE TOP" and threw it in the skip adjacent to the premises. The club's owner then appeared and started to shout in anger towards "LONG SLEEVE TOP". Police then arrived a couple of seconds later to diffuse the remaining groups of people. I did not see where "GREY TOP" went. Upon Police arrival I entered HAMPTONS to point out "LONG SLEEVE TOP" as the main offender and instigator. Police remained with him for the duration whilst I was within HAMPTONS. I could see "LONG SLEEVE TOP" had sustained an injury to his head.

At approximately 03:25 hours outside of the HAMPTONS I noticed that Police detained and arrested "GREY TOP". I can confirm that "GREY TOP" was also a main offender and displayed equal violent tendencies during the earlier incident. "GREY TOP" was then hand cuffed and escorted to the rear of an awaiting marked Police vehicle. The whole incident lasted around twenty minutes. Both "LONG SLEEVE TOP" and "GREY TOP" were the main perpetrators in both groups. I had a clear and unobstructed view of the initial incident. The lighting although artificial, was good enough for me to identify both "LONG SLEEVE TOP" and "GREY TOP" and to witness their threatening and unruly behaviour. Both males in my opinion were as bad as each other. At the closest I was no further than three feet away from both groups.

I would describe "LONG SLEEVE TOP" as a white European male of around 25 years of age. He was of a proportional build and approximately 5 feet 9 inches tall. He had short dark hair which was styled. He had an obvious injury to his right side forehead which was bleeding. He was wearing a long sleeved white jumper with dark vertical diamond patterns. He had dark denim jeans. I can confirm Police were dealing with him within HAMPTONS and that it was him I pointed to them as a main offender. I would be able to recognise him again if asked to do so.

I would describe "GREY TOP" as a white European male of around early twenties. He was of a thin build and approximately 5 feet 11 inches tall. He had short fair hair. He was wearing a grey jacket and dark denim jeans. I can confirm that Police arrested "GREY TOP" and that he was also equally responsible for the earlier incident. I physically witnessed Police detain the male, arrest him and place him in the rear of a Police van. After his arrest I no longer had any dealings with "LONG SLEEVE TOP" but was aware that Police were still dealing with him inside HAMPTONS.

I am willing to support Police in their investigations. I personally find both "LONG SLEEVE TOP'S" and "GREY TOP'S" behaviour completely irresponsible, threatening and abusive. I believe both males to be heavily in drink. As were the two groups in question. As a personal license holder myself I feel that HAMPTONS allowed all the involved to become overly intoxicated and that this was a factor that fuelled the situation. I also believe that if Police had not intervened the situation could have been a lot worse with far more casualties. I can confirm that I made Police aware of the location of the wooden shanks that was used as a weapon by "LONG SLEEVE TOP" during the altercation.

A

Signature: Signature witnessed by:





RESTRICTED

NAP/HAMPTONS/06

Statement of: [redacted]

URN: | | |

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Student

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: [redacted]

Date: 18/02/2011

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

I am the above named person of the address overleaf and this is a statement about an incident which I have witnessed on Friday 18th February 2011 between 02:30 - 03:00. This incident occurred at Hamptons, Above Bar Street, Southampton, Hampshire and it was an incident in which a friend of mine was assaulted and a large number of people then got involved.

During my statement I will be mentioning my friend [redacted] I do not know his surname so I will refer to him only as [redacted] is my friend who was assaulted. During my statement I will also be mentioning a male who was speaking Russian but I believe he was Latvian so shall refer to him as LATVIAN throughout my statement. LATVIAN is the male responsible for assaulting [redacted] with a piece of wood. There were other various people involved with trying to stop the fight but I do not recall any particular person beyond the two above.

The incident happened to the rear of Hamptons, Above Bar Street and this is a large area that backs onto a park. There are various different items scattered around in this area such as barrels and refuse.

I was in Hamptons from about 22:30 and was generally having a good time and dancing with my friends. I went out to the rear of Hamptons at about 02:30 to have a cigarette and I saw LATVIAN shouting swear words to the effect of "FUCK YOU MOTHERFUCKER" in Russian followed by further abusive language towards [redacted] I saw [redacted] getting confused and I don't know if he can speak Russian and in English said "WHAT DO YOU WANT, WHATS GOING ON?". At this point LATVIAN grabbed a piece of wood I think may have been part of a brush and hit [redacted] around the head with it and this caused [redacted] head to split open and blood to come out. [redacted] then got angry and shouted "WHAT THE FUCK?" in English towards LATVIAN. At this point they started to scuffle with each other and other members of the crowd came over and started to try and separate them. I then saw a member staff tell LATVIAN to calm down. At this point LATVIAN continued to become very angry and continued to shout offensive language in Russian and took his t-shirt off and looked as if he wanted to fight with the staff member. At this point the staff member pulled LATVIAN to the floor and restrained him. I went towards [redacted] to talk to him and ask if he was okay and the next thing I knew the police had arrived and were asking where the male that had hit [redacted] had gone. When I looked LATVIAN had already left.

I would describe LATVIAN as a white male with light brown to blonde hair, wearing a white t shirt and light blue jeans I would say he was approximately 22 years old and of a skinny build. He was speaking Russian but I had heard him earlier in the evening talking Latvian which makes me think he may be Latvian.

I would say the whole incident lasted approximately ten minutes from when I first saw LATVIAN shouting at [redacted] to when the police arrived. I had LATVIAN in sight for approximately 9 of those 10 minutes during the incident. I had noticed LATVIAN early in the evening as he had been talking to various people within the club. The closest distance I saw LATVIAN from was from about 1 metre and this was when he was assaulting [redacted] with the piece of wood. I felt that visibility was good in the yard area of Hampton as there was lighting from electrical floodlight type devices. I

Signature: Signature witnessed by:





RESTRICTED

do not know who LATVIAN is and I have not seen him prior to this evening, if I were to see him again I think I would definitely recognise him again.

This incident left me feeling very upset as my friend has been injured and the party atmosphere was ruined. Whilst this was going on I felt frightened for my safety as it seemed to be a completely unprovoked attack and LATVIAN was clearly very aggressive and did not care about any repercussions from his actions and was hell bent on fighting someone.

Signature:

Signature witnessed by:

RESTRICTED



PROTECTIVE MARKING (when complete)

WITNESS STATEMENT

NAP/HAMPTONS/07

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

Statement of: [redacted]

URN: | | |

Age if under 18: 018 (if over 18 insert 'over 18')

Occupation: Waitress

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 18.02.2011

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

I am the above named person and this is my statement about a fight I saw which started inside HAMPTONS BAR, ABOVE BAR, SOUTHAMPTON and ended outside the back of the bar in the smoking area where I saw a man hit my friend on the head with a wooden stick.

In my statement I will be mentioning two people my friend, who I will refer to as [redacted] and the other male who hit him. I will refer to him as white top.

The incident started inside HAMPTONS BAR which I would describe as a pub, it is very small. The chairs and tables were moved to the edge to make space in the middle for people to dance as there was two DJ's. Tonight was a private party for a friend's party. There were a maximum of 30 people at the party when the incident happened. Outside to the rear there is a smoking area. To get to this you have to walk through a small corridor and down a few steps leading outside.

On the 18th February 2011 I was at HAMPTONS BAR for my friend's birthday. This incident first started inside the bar when I saw [redacted] and white top having words. This was over [redacted] girlfriend who was dancing with white top. There were no actions but I could see [redacted] was upset and a little angry. I had noticed white top through out the night, he was outside a lot in the smoking area when I was out there. He was shouting, swearing and being abusive. He was very drunk. I remember asking him a few times to calm down because the manager was not going to keep the bar open until 3am if he continued.

I took [redacted] outside to the smoking area to calm down and to talk. After a few minutes white top come outside and he was shouting and swearing. He turned towards [redacted] and started to swear in Russian but [redacted] did not understand Russian. [redacted] did understand that white top was being aggressive to him and could pick out a couple of swear words. [redacted] just continued to smoke but I could see he was getting angry and then he walked off. The door leading

Signed :

Signature witnessed by :

2006/07(1)

reference



HAMPSHIRE CONSTABULARY

PROTECTIVE MARKING (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

Continuation of Statement of: [REDACTED]

to the smoking area is held open by a mop and bucket. I saw white top walk up the steps take the mop or brush which had a wooden stick. He went to [REDACTED] and hit him over the head, striking down with it. This hit [REDACTED] on the head above his eyebrow causing a bleeding wound. White top then walked back in HAMPTONS [REDACTED] and me follow white top in, I don't know what was happening but it all escalated and starting involving more and more people. I do not know where white top went.

I would describe white top as a white male. He was wearing a white t-shirt and light blue jeans which look like they had maybe rips in them around the knees. He had short blonde hair. Hew had a silver necklace and a silver watch or bracelets. He was about 1 meter 80, fit and about 25 years old.

The whole incident lasted about 15 minutes. The part where [REDACTED] got hit I had no obstructions in my way. It was dark outside but there was lightning. I had never seen white top before. I would recognise him again.

This incident has left me stressed. I was really enjoying my night until this happened. Everyone had too much to drink and this left me feeling upset that mine and everyone else's night had been ruined. *1/1*

✓

Signed :

Signature witnessed by :

2006/07(1)

reference



RESTRICTED (when complete)

WITNESS STATEMENT

NAP/HAMPTONS/08

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

Statement of:



URN :

Four empty boxes for URN

Age if under 18: 018 (if over 18 insert 'over 18')

Occupation: Waitress

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 5/4/11

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

I am the above person and live at the address overleaf. I am giving an additional statement in connection with a fight I saw inside Hamptons Bar above bar street Southampton.

This fight took place on Friday the 18th of February 2011. This statement is in addition to the statement I gave on the early hours of Saturday the 19th of February 2011.

I attended Hamptons Bar on the 18th February 2011 at about 2230 hours. It was my friend's birthday party which was being held at Hamptons my friend is called [redacted]. I arrived with my sister and we paid about £4-5 to enter the venue. I heard about the party from Facebook and then Douie decided to celebrate her party there.

I bought alcoholic drinks at the bar for

Signature:

Signature witnessed by:

PTO



RESTRICTED (when complete)

WITNESS STATEMENT

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

URN:

--	--	--	--

Continuation of Statement of: [REDACTED]

myself and for my friends throughout the evening. I remember buying drinks nearly up until the police arrived. I always drink Jack Daniels and coke. I think the last time I bought alcoholic drinks from the bar was about 0230 hours - which would have been the early hours of Saturday the 19th of February 2011. Just before the police arrived there was at least 20-30 people still in the bar and lots of them were still buying ~~alcoholic~~ alcoholic drinks.

There was a DJ at the premises and I think he left about 0200 hours. After this music was played (recorded) and people were still dancing. This continued until the fight occurred which was about 0300 hours or bit before.

Signature: Signature witnessed by:





WITNESS STATEMENT

NAP/HAMPTONS/09 Page 1 of 2

MG11

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

Statement of: [REDACTED]

URN: | | |

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

[REDACTED]

Date: 30/03/11

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

I am PC 3340 [REDACTED] of Hampshire Constabulary currently stationed at Southampton Central Police Station.

On 18th February 2011 I interviewed [REDACTED] in relation to an affray at Hamptons on 18th February 2011. Part of this interview covered the activities taking place within Hamptons and [REDACTED] said that his friends told him that Hamptons were having a Russian party and he attended and paid £4 for a ticket. He said that the party started at approximately 2300 hours and he drank alcohol which he paid for including 5-6 shots of vodka and 2 bottles of beer whilst there.

He continued that whilst there the bar was open and the Russian music was still playing until the party finished and everyone left. He said he stayed right until the end but could not say what time this was. He continued that the incident, for which he was arrested, happened as soon as he left and he was arrested shortly after this time.

From looking at [REDACTED] arrest record I can see that he was arrested at 0325 hours on 18/02/11.

Signature:

Signature witnessed by:



HAMPSHIRE CONSTABULARY

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of **Ivan Marshman** URN:

--	--	--	--

Age if under 18 **Over 18** (if over 18 insert 'over 18') Occupation: **Police Officer**

This statement (consisting of: ...2... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: _____

Date: 31/3/11

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

I am Police Sergeant 3555 Ivan MARSHMAN based at Southampton Police station. On Friday the 18th of February 2011 I spoke to Indre Klevlinskiene on the telephone. She had been at Hamptons on Thursday the 17th of February 2011 leading into Friday the 18th of February 2011 when there had been a fight between several males. She explained that it was a private party but they were buying alcohol over the bar. She advised that she would be happy to give a statement about the incident.

On Monday the 21st of February 2011 at 1400 hours I had a meeting with Nick Stone the designated premise supervisor of Hamptons. He explained to me that he only knew about the event on the 17th February 2011, but only on the day that it had been arranged for. He explained that it was a group of Russians who were some friends of Unis (another Manager who works at the premise). He said that it was set up as a way of saying thank you to some of the people had helped him to renovate the property. I asked him how many people attended, he said he didn't know and then said about 65. I explained that we had been advised that alcohol was being sold at the premise at least until 0230 hours. He stated they should have

Signature: ...

Signature witnessed by:

Restricted (when complete)



HAMPSHIRE CONSTABULARY RESTRICTED (when complete)

Continuation of Statement of **Ivan Marshman**

only sold it until 2330 hours. I discussed the fact that I had heard there was a £4 entry fee. Nick then stated that he did know about this and it was to cover the cost of different things bought. I asked how he would have known that would cover costs if he didn't know how many people were attending and he didn't know.

I explained that he had been trading illegally as the cost of the event wasn't at the expense of the owner of the premise and hence needed to adhere to the conditions on his licence. I did check the till role and unfortunately it had no times or dates on it. Nor was there any CCTV in the premise.

On Wednesday the 30th of March 2011 at approximately 1500 hours I visited Hamptons and I spoke to Colin Hines. He was having a new CCTV system fitted. I discussed the issued regarding the assault on the 17th of February 2011 and asked about the £4 cover charge to get in. He explained that it was about £4-£5 each to enter the venue and the money went to the promoter of the event.

Signature: .

Signature witnessed by:

RESTRICTED (when complete)



RESTRICTED (when complete)

WITNESS STATEMENT

NAP/HAMPTONS/10

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

Statement of: [redacted]

URN: | | |

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police service

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: _____

Date: 28/03/2011

Tick if witness evidence is visually recorded

(supply witness details on rear)

I am PC 24084 [redacted] of Hampshire Constabulary, currently stationed with the Violent Crime and Licensing Team at Southampton Central Police Station.

On Thursday 24th February 2011 I spoke with a female over the telephone by the name of [redacted] [redacted] was a witness to a public order incident, which had occurred at Hamptons bar on Above Bar Street, Southampton on Friday 18th February 2011 at approximately 03:15 hours in the morning.

[redacted] told me the following information about her evening at Hamptons bar.

She told me that the 'private party' there had been arranged by her mother, who had spoken to the owner of Hamptons through a mutual friend and then arranged it this way. They had been allowed to bring some of their own alcohol into Hamptons (2 bottles of vodka) but the owner said that they would have to buy some drinks as he would need to make a profit. They arrived at about 20:00 - 21:00 in the evening and did buy some drinks as the vodka ran out quite quickly due to the amount of people there.

The bar shut between 23:30 - 00:00 midnight as the manager told them all it was illegal to serve them alcohol after this time. They did pay for soft drinks - juice and tea and coffee. No one drank any alcohol between midnight and the incident approx. 02:30) as they were all already drunk.

No one had to pay to get into Hamptons as it was for her birthday (which is on the 25/02) and she knew everyone that was there.

This was all [redacted] could recall about her evening in general. She had already provided a statement to police regarding the public order incident involving one of her friends.

Signed: _____

Signature witnessed by: _____



HAMPSHIRE CONSTABULARY

N3AP/HAMPTONS/11

RESTRICTED – For Police and Prosecution Only

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

Statement of: [REDACTED]

URN //

Age if under 18:	Over 18	(if over 18 insert 'over 18')	Occupation:	Police Constable 20920
------------------	---------	-------------------------------	-------------	------------------------

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature: _____ Date: 06/04/2011

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

I am PC 20920 [REDACTED] currently serving for Hampshire Constabulary at Southampton Central Police Station.

On the 23rd March 2011 I spoke with [REDACTED] who was one of the suspects arrested at the public order incident at Hamptons. He did not wish to co-operate with police by providing a statement and was not very forthcoming with answering questions. He stated that he could not remember much of the night and the only information he would provide is that he went to the premise with a friend and he knew no-one else there. He had taken his own cans of alcohol with him but these had been taken off him at the door by staff. He cannot remember what time this happened at. He stated that he was not buying alcohol and cannot remember if others were. He could also not remember whether any music was being played saying that he went in to play billiards and that was it.

Signed: [REDACTED]

Signature witnessed by: _____

