

Reference: 2011/00365/01SRAP

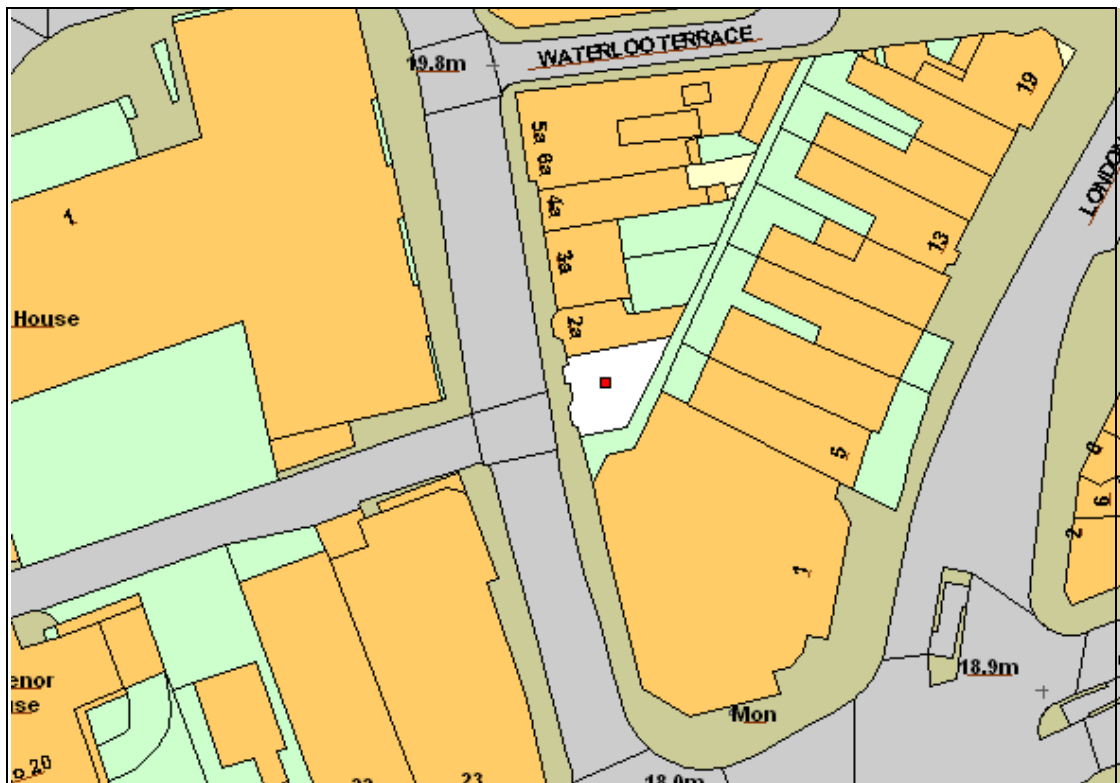
Hearing:

7th April 2011

Application for Review of Premises Licence

Premises Name: Pizza Chicken Kebab Hot 2 You Application Date: 5th February 2011
 Premises Address: 1A Bedford Place Polygon Southampton SO15 2BY Application Received Date: 10th February 2011

Application Valid Date: 10th February 2011



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Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No response received	

Hampshire Fire And Rescue - Licensing	Yes	
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 24288 HARRIS, 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

Table with 2 columns: Field (Postal address of premises, Postcode) and Value (Pizza & Chicken Hot 2 U, 1A Bedford Place, Polygon, Southampton, SO15 2BY)

Name of premises licence holder or club holding club premises certificate (if known)
Naseer Mohammed
86 Canberra Towers
Kingsclere Avenue
Southampton
Hampshire
SO19 9JW

Number of premises licence or club premises certificate (if known)
Unknown

Details of responsible authority applicant

Form with fields for title (Mr, Mrs, Miss, Ms, Other), surname (HARRIS), first names (JON), current postal address (Southampton Central Police Station), postcode (SO14 7LG), daytime telephone number (02380670980), and e-mail address (jonathan.harris@hampshire.pnn.police.uk)





RESTRICTED

G90

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

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**Application for the review of a
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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 | <input checked="" type="checkbox"/> |
| 2) Public safety | <input checked="" type="checkbox"/> |
| 3) The prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) The protection of children from harm | <input type="checkbox"/> |

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 a series of failures in the management, of which impact on three of the licensing objectives as highlighted above.

On the basis of the evidence outlined below, Hampshire Constabulary would wish to achieve the following:

1. SIA registered door staff to be employed daily from 0000 hours until closure to help prevent disorder and assist with quietly dispersing customers, ensuring that licensing hours are adhered to.
2. A reduction in opening hours to 0200 hours to ensure safe dispersal of members of the public and to reduce disorder.
3. Premise to be closed for three months to act as a deterrent in discouraging the premise licence holder from continuing to breach conditions of his premises licence and to give him plenty of time to implement a management plan.

This is the second review application submitted in relation to Chicken and Pizza hot 2 You within a 10 month period. The first review was submitted as the premise was evidenced to be regularly breaching its licensed opening hours, which in turn helps to increase disorder, violence, public nuisance and consequently public safety in an area where the Cumulative Impact Policy is in place. Evidence was previously produced by a police analyst who showed a direct correlation between the closing of venues and night time refreshment establishments and the drop off in assaults.

Further to the breach in conditions, the premise licence holder appeared unable to use his CCTV system and further conditions were agreed by the premise licence holder and the police, in order to address these issues.

Despite the further conditions being applied, the police can evidence further breaches in the premise licensed opening hours and breaches of the new conditions. This highlights the police original concerns, which still stand of poor management and blatant disregard to the licensing objectives.



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Since the first review, there have been 5 reported incidents at the premise. This includes 1 incident of public order, 3 rowdy and inconsiderate and 1 assault. All but one of these incidents have occurred when door staff are not employed or before they are due to start work and three of these incidents have occurred between 0000 and 0100 hours. In the public order incident 44100510306, reported at 00:52 on 04/12/2010, a male was verbally abusive to staff and was refusing to leave. On police attendance, this male continued to be abusive and was subsequently arrested for public order offences. He later received a penalty notice for disorder for £80. In incident 44100413515, staff reported at 00:10 on 29/09/2010, students fighting in the shop and noise could be heard in the background. The offenders left the premise prior to police deployment. Incident 44100410517 was reported by staff on 27/09/2010 at 00:30 hours, of customers fighting inside the premise and they were smashing up the place. The police attended the incident and no damage was found. This incident was resulted as an argument between friends. In respect of the other two incidents, no complaint was forthcoming from any party.

A police analyst (Hollie Cleaton) has provided a report. It describes Bedford Place where the premise is located, as being the fourth highest street for assault offences in Southampton. It is also in close proximity to London Road which ranks second. Bedford Place is located in the Polygon area of the City, which as an area accounts for the highest proportion of both assault offences at 43.3% (263/607) and criminal damage offences at 58.4% (213/365) across Southampton. This is over a period between January and November 2010. The report highlights a dramatic drop off in the amount of assaults that occur between 03:00 and 03:59 (62). Over half the assaults that occur between 02:00 and 02:59 (130). She states this is attributable to the prompt closure of both licensed premises and fast food outlets at 03:00 hours, encouraging people to leave the area. She goes as far to say that ideally, all licensed premises and night refreshments houses would close at 02:00 in order to reduce violent offences.

Further to the last review, there have been 356 Section 27 dispersals in the city centre. 161 or 45% of these have been issued in the Polygon area. Section 27 of the Violent Crime Reduction Act 2006, allows police officers to disperse people from the city if it is believed that the individual concerned is likely to be involved in alcohol related disorder type offences. This acts as a preventative measure and allows police to deal with persons committing minor offences without using custody and taking officers of the street. However, an area as small as the Polygon having 45% of issued section 27 dispersals, highlights the problems in this area. Despite a previous review, which lead to more conditions being added to the premise licence, this premise continues to operate beyond its licensed hours, within a cumulative impact area, exasperating the problems.

On 17th June 2010, PS 3555 MARSHMAN visited the premise and viewed CCTV for 21ST and 22nd May 2010 and 22nd to 23rd May. The footage showed that on Friday 21 May 2010, they had served customers about 2 minutes after 0330. This is a breach of the premise licence, as the premise should close at 0330 on Friday and Saturday and no customers should be allowed entry to the establishment, 15 minutes prior to the closing time.



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On Saturday 22/05/10, it showed 2 males coming into the store at 0316 hours. 0322 hours another 5 people come into the store and finally another entered at 0329 hours. These are all breaches of the new condition 'last entry to the establishment by members of the public will be 15 minutes prior to the closing time'. These people then stay in the establishment until 0337, which is a further breach of the licensed opening hours.

The premise licence holder was told by SGT Marshman that this was unacceptable and he was breaching his licence. Further to that he did not have a memory card available to save the data for the CCTV footage and this was again a further breach of the CCTV condition which was added to the licence following the first review.

Although the premise licence holder did provide footage of the above incidents on a memory stick a few days later, this was not satisfactory. The footage was not in a format that could easily be downloaded as it took an unacceptable amount of time. PS 3555 MARSHMAN wrote a letter to the premise licence holder, which was hand delivered to the premise on 07/07/10. In the letter, PS 3555 MARSHMAN reminded the premise licence holder of the CCTV condition added to the premise licence and advises the CCTV system is not of "a reasonable satisfaction". The premise licence holder was then informed that if he wished to continue trading under the current licence, he would need to use a CCTV system that was acceptable to Hampshire Constabulary and could record onto a disc.

Due to the further breaches in opening hours, PS MARSHMAN informed the premise licence holder that this was his final warning and should there be a breach in the licence again, he would seek to prosecute via the courts or look to review the licence. This would be with the view of reducing hours for trading or suspend trading until an effective management system is in place.

PC 22939 BOXALL visited the premise on 20/08/10 and stated the premise licence holder appeared much more competent in using the CCTV system. He was asked to produce footage onto a disc, which PC BOXALL then collected on 27/08/10. The footage could be viewed although it was only on a stand alone computer, which at the time was considered acceptable. This was in the interests of helping the venue from incurring extra costs.

On 23/09/2010, PC 22939 BOXALL attended the premise and gave simple written step by step instructions to the premise licence holder, on how to produce CCTV footage for police.

PC 20920 PRIOR and PC 24288 HARRIS attended the premise on 02/12/10 following a report from a police officer, which stated that the premise was open to 0310 on 17/11/10. During the week, the premises licence only permits them to open until 0300 and last entry at 0245 so this would be a further breach in their conditions. The footage was viewed and it showed customers waiting at the counter at 0300 hours and they were then served food after this time. The same customers then sit down on seats in the premise and do not leave until 03:18 hours, which is when the doors are locked behind them.

It was explained to the premise licence holder that he was breaching his licence conditions again. He was breaching the licensed opening hours as the premise should close at 0300 and he was breaching the condition of customers entering after 0245. The premise licence holder tried to say that it was alright to serve, provided they had entered the premise before



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0300. The police made it clear this was evidence of further breaches and a copy of the CCTV was requested for collection the following week.

PC 24288 HARRIS went to collect the CCTV footage on 13/12/10. During the visit the premise licence holder told him that on occasions it had been difficult to refuse customers as they will bang on the doors, force their way in and then insist on being served.

The CCTV which was obtained should have contained the footage for the breaches of the premises conditions on 17/11/2010. However, although the footage was playable, it was for 02/12/2010. The premise licence holder was immediately re-contacted and advised he would have a copy for police the following day. When PC HARRIS attended, the premise licence holder then advised he had made a mistake and had managed to delete all of November's footage from the CCTV systems hard drive.

Police have tried on numerous occasions to work with the premise licence holder as outlined by the evidence above, however he continues to breach and ignore the premises licensed opening hours, which helps to increase disorder, violence, public nuisance and consequently public safety. The original issues from the first review have not been resolved hence; this review is requested to have this addressed.

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

If yes please state the date of that application:

11 / 03 / 2010

Day Month Year

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

The premise was evidenced to be flouting its licenced opening hours on 7 different occasions, exasperating the problems and a cumulative impact area. Video footage and statements were provided to evidence these breaches. There were concerns over the premises CCTV system and the managements inability to provide police with footage upon request. Subsequently the following conditions were added to the premises licence which were agreed with the premise licence holder:

- 1. (i) 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 all levels of illumination throughout the premises as well as outside areas.
- (ii) All equipment shall have a constant and accurate time and date generation.
- (iii) There shall be sufficient members of trained staff available during operating hours to be able to provide copies at the request of the Police or authorised officer.
- (iv) CCTV warning signs to be fitted in public places.



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(v) Recordings to be kept for a minimum of 28 days.

(vi) Recording equipment is to be housed in a secure place restricting access to authorised persons. (This can be on a computer that is password protected)

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

2. 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 and Southampton City Council Licensing Authority.

3. A minimum of one licensed (SIA registered) door staff will be employed from 0200 hours to 0330 hours to help prevent disorder and assist with quietly dispersing customers. This will be for Fridays and Saturdays only.

4. Last entry to t
closing time.

the public will be 15 minutes prior to the

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

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 24288 HARRIS

Collar Number: 24288

Signature: [Handwritten Signature]

Date: 05/01/2011

Signature of Authorising Officer (Inspector or above)

Name

Collar Number:

Signature: P BATES Insp.

Date:

Sg 12
4/2/11

Pizza Chicken Kebab Hot 2 You – index

JLH/01 -- Incidents since last review

JLH/02 -- Confirmation of meeting

JLH/03 -- Details of meeting

JLH/04 -- Meeting re conditions

JLH/05 -- Conditions agreed

JLH/06 -- Conditions Farsia

JLH/07 -- CCTV issue

JLH/08 -- As above

JLH/09 -- Further breach of opening hours

JLH/10 -- Letter sent to DPS – 2 Pages

JLH/11 -- Letter delivered

JLH/12 -- Improvement in use of CCTV

JLH/13 -- CCTV viewed on standalone

JLH/14 -- CCTV further issues

JLH/15 -- Breach of opening hours

JLH/16 -- CCTV collection, licensee advised of difficulty refusing

JLH/17 -- CCTV incorrect date

JLH/18 -- Call made to SCC

JLH/19 -- Analyst report – 2 pages

JLH/20 -- Statement PC HARRIS - 2 pages

17/01

Occ #	Type	Time	Notes
44100510306	Public order	04/12/2010 00:52	1A, BEDFORD PLACE SOUTHAMPTON, HAMPSHIRE United Kingdom SO15 2BY (LARBIS TAKE AWAY) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW03 POLYGON) [REDACTED] was reported to be being verbally abusive to staff in the PIZZA HOT 2 YOU store on BEDFORD PLACE and was refusing to leave. On arrival he was still refusing to leave, he was gesticulated to leave by his friend, he again refused. I escorted him out where he continued to say WHO THE FUCK ARE YOU, he then told me to FUCK OFF. He was warned about his behaviour and told that he would be arrested. His language was clearly alarming members of the public and were distressed by his continued swearing. Myself and PC PASSFIELD attempted to give him a S27 direction to leave, however he then said WHO THE FUCK ARE YOU, SC 99065 BLAKE then arrested him for S5 POA for his continu
44100413515	Rowdy and Inconsiderate	29/09/2010 00:10	1A, BEDFORD PLACE SOUTHAMPTON, HAMPSHIRE United Kingdom SO15 2BY (LARBIS TAKE AWAY) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW03 POLYGON) INF REPORTING STUDENTS CAUSING PROBLEMS AND FIGHTING IN THE SHOP. // SOUNDS OF SOME PEOPLE IN THE BACKGROUND. // INF NOT WILLING TO PASS MORE DETAILS. // VS LOOKING. // VS - NOTHING OBVIOUS. // CWUN - CALLED BACK. THE MALES HAVE NOW GONE, HELL CALL BACK SHOULD THEY RETURN. / ... RESULT *** // * MALES HAVE LEFT * 1A, BEDFORD PLACE SOUTHAMPTON, HAMPSHIRE United Kingdom SO15 2BY (LARBIS TAKE AWAY) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW03 POLYGON) INF ASKING FOR POLICE TO HURRY UP CUSTOMERS FIGHTING AND SMASHING THE PLACE UP ... NFD // VS ADVISED & CHECKING // // VS - WE HAVE BEEN MONITORING - HAVE NOT SEEN ANY FIGHTING // // FURTHER CALL - THE FIGHTING IS INSIDE THE SHOP // ASKING FOR POLICE TO ATTEND // SC53 - ARGUMENT BETWEEN FRIENDS - STAFF OVER REACTED / ... RESULT *** // AIO = ARGUMENT BETWEEN FRIENDS 1A, BEDFORD PLACE SOUTHAMPTON, HAMPSHIRE United Kingdom SO15 2BY (LARBIS TAKE AWAY) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW03 POLYGON) Two U/K separate parties involved in dispute - No complaints forthcoming.
44100289312	Rowdy and Inconsiderate	11/07/2010 02:44	1A, BEDFORD PLACE SOUTHAMPTON, HAMPSHIRE United Kingdom SO15 2BY (LARBIS TAKE AWAY) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW03 POLYGON) (VR) Dispute between males which
44100190307	Assault	11/05/2010 02:03	resulted in the agrieved being punched in the face causing minor injuries.

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:24 by 24288*Occurrence:* **44090439455 Z Prem Licence (Management Occurrence)***Author:* #3555 MARSHMAN, I.*Report time:* 31/03/2010 09:03*Entered by:* #3555 MARSHMAN, I.*Entered time:* 31/03/2010 09:03*Remarks:* Meeting arranged 1400 31/3/10

RESTRICTED

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:24 by 24288

Occurrence: 44090439455 Z Prem Licence (Management Occurrence)

Author: #3555 MARSHMAN, I.

Report time: 01/04/2010 20:35

Entered by: #3555 MARSHMAN, I.

Entered time: 01/04/2010 20:35

Remarks: Meeting with owner - details agreed

Meeting held on the 31/3/10- details given and review procedure explained. They advised (owner and unknown person) that they would speak to a solicitor .

I received a call from [REDACTED] He advised intially that his clients would accept points 2 & 4. But not the door staff conditions i advised i would want such conditions.

[REDACTED] came in with unknown person at 1800 today and discussed the conditions. It was eventually agreed that they would

- Accept point 1 if the door staff were required on a friday and saturday only between 0200-0330 hours.

They agreed to points 2,3,4 . It was agreed once it has all been confirmed in writing they would be given until the 1/5/10 to have the doorstaff in place and cctv in place. But points 2,3 would be as soon as they received their amended licence.

I explained i would e mail them a copy of the agreement and then they could forward their agreement to me and the council. It may be that i will arrange a meeting with all parties and the council to ensure they are sure that they understand what is agreed.

PS3555 MARSHMAN

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:24 by 24288*Occurrence:* **44090439455 Z Prem Licence (Management Occurrence)***Author:* #3555 MARSHMAN, I.*Report time:* 12/04/2010 13:42*Entered by:* #3555 MARSHMAN, I.*Entered time:* 12/04/2010 13:42*Remarks:* Meeting arranged to sign conditions for licence

License conditions and letters prepared in English and Farsia. Meeting arrange with [REDACTED] for 1630 hours today to sign paperwork.

PS3555 MARSHMAN

I hereby agree to the conditions below being place upon my licence for the
Chicken & Pizza Hot 2 U Southampton-

- 1. The premises shall have sufficient cameras located within the premises to cover all public areas. Including outside of the premise covering the entrance and exit. The system should be able to cope with all levels of illumination throughout the premises as well as outside areas.

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 copies at the request of the police or authorised officer.

CCTV warning signs to be fitted in public places.

Recordings to be kept for a minimum of 28 days.

Recording equipment is to be housed in a secure place restricting access to authorised persons. (This can be on a computer which is password protected.)

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

- 2. 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 and Southampton City Council Licensing Authority.
- 3. A minimum of one licensed (SIA registered) door staff will be employed from 0200 hours to 0330 hours to help prevent disorder and assist with quietly dispersing customers. This will be for Fridays & Saturdays only.
- 4. Last entry to the establishment by members of public will be 15 minutes prior to the closing time.



Date- 12/24/10

اینجانب بدینوسیله با شرایط ذیل که برای مجوز محل کسب من در ساوت همپتون به نام «جوجه و پیتزای داغ برای شما» [Chicken & Pizza Hot 2 U Southampton] ذکر گردیده، موافقت می نمایم:

1. این محل باید دارای دوربین های کافی باشد که در محل کسب نصب شده و بتواند تمام نواحی عمومی را تحت پوشش قرار دهد، از جمله در قسمت بیرون مغازه به طوریکه قسمت ورودی و خروجی را در بر گیرد. این سیستم باید قادر باشد در تمام سطوح روشنایی در سراسر محل کسب و نیز نواحی اطراف بیرون مغازه به خوبی کار کند.

تمامی تجهیزات این سیستم باید بتواند به طور مداوم و دقیق، زمان (ساعت) و تاریخ را نشان دهد. باید در طول ساعات کار، کارمندان آموزش دیده به حد کافی موجود باشند که بتوانند در صورت درخواست پلیس یا مأمورین مجاز، نسخه هایی (از فیلم ها) را در اختیار ایشان قرار دهند.

باید در مکان های عمومی علانمی نصب شود که اخطار دهد در این محل، دوربین های تلویزیونی مدار بسته (سی سی تی وی) نصب گردیده است. نوارهای ضبط شده باید حد اقل برای 28 روز نگاهداشته شوند.

تجهیزات ضبط باید در محل امن نگهداری شوند و دسترسی به آنها فقط مخصوص به افراد مجاز باشد. (این را می توان بر روی کامپیوتر نگاه داشت که دارای رمز عبور است.)

نصب / اجرای تمام سیستم ها، علانم، سخت افزارها و مراحل باید به طرز معقولی مورد قبول پلیس همیشایر قرار گرفته و این امر به طور کتبی تأیید گردد.

2. باید یک کتابچه مخصوص ثبت حوادث تهیه و در محل کسب نگهداری شود و باید هر روز در پایان کار مغازه، گزارش روزانه خلاصه ای توسط شخصی که مسئول تردد افراد به مغازه می باشد، تهیه شود که به طرز معقولی مورد رضایت پلیس همیشایر و نیز مسئولین صدور مجوز در شهرداری ساوت همپتون قرار گیرد.

3. حداقل یک مأمور مجاز (مورد تأیید اس. آی. ای. SIA یعنی سازمان امور امنیت) از ساعت 2:00 تا 3:30 استخدام خواهد شد تا از ایجاد بی نظمی جلوگیری نموده و در متفرق ساختن مشتریان به طور آرام، کمک نماید. این فقط مخصوص جمعه ها و شنبه ها خواهد بود.

4. آخرین ورود به محل کسب توسط عموم مردم باید تا 15 دقیقه قبل از زمان بستن مغازه باشد.

نصیر محمد

12/04/10

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:24 by 24288

Occurrence: **44090439455 Z Prem Licence (Management Occurrence)**

Author: #3555 MARSHMAN, I.

Report time: 07/05/2010 14:59

Entered by: #3555 MARSHMAN, I.

Entered time: 07/05/2010 14:59

Remarks: No door staff yet.

██████████ rung to advise that he does have a USB stick now and will have had the training by 14/5/10. The cctv is working.

He has tried to get door staff apparently with out success but has assured me that he will have them by next Friday 14/5/10-.

I have advised it must be by then or he will be in breach of his licence.

Meeting arranged for 1400 hours on the 14/5/10

PS3555 MARSHMAN

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:24 by 24288

Occurrence: **44090439455 Z Prem Licence (Management Occurrence)**

Author: #22939 BOXALL, A.

Report time: 14/05/2010 15:31

Entered by: #22939 BOXALL, A.

Entered time: 14/05/2010 15:31

Remarks: CCTV Update

CCTV Update

CPH2U have updated their CCTV system in order to allow them to make backups on USB.

Unfortunately, the footage needs to be played on a player that the constabulary computers do not have. I have managed to play the footage on a stand alone computer, and with a little computer know how, it is possible to convert the footage to avi format in order to burn them onto disc, however this is a lengthy time consuming process.

The DPS has been told he needs at least 2 or 3 USB sticks on the premises and that if police have to take one away, it may be gone for some time.

He informed me that that is fine and that he will also try to learn how to make discs himself on his home PC.

PC 22939 BOXALL

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:24 by 24288

Occurrence: **44090439455 Z Prem Licence (Management Occurrence)**

Author: #3555 MARSHMAN, I.

Report time: 17/06/2010 23:30

Entered by: #3555 MARSHMAN, I.

Entered time: 17/06/2010 23:30

Remarks: Breach of licence.

Visited Venue and viewed the cctv for the 21st & 22nd May 2010 and 22nd to the 23rd. It showed that on the 21/5/10 that they served about 2 minutes after 0330.

On the 22/5/10 it showed 2 males coming into the store at 0316 hours @ 322hours another 5 people come into the store and finally another enters @ 329 hours.

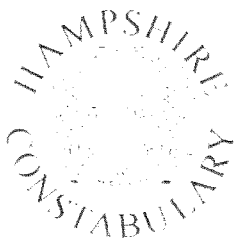
They then stay in the store to approximately 0337 hours.

It was explained that this was unacceptable and he was breaching his licence. Further to that he didn't even have a memory card available to save the data.

Today he provided a copy of the footage on memory card. We need to check another Friday and Saturday. [REDACTED] is happy to issue a final warning in connection with this.

He has been advised a further breach may result in review or prosecution.

PS3555 MARSHMAN



Hampshire Constabulary
Chief Constable Alex Marshall

Naseer Mohammed
 Chicken & Pizza Hot 2 U
 1A Bedford Place
 Polygon
 Southampton.
 SO152BY

Southampton Central Police Station
 Civic Centre
 Southampton
 Hampshire
 SO14 7LG

Our ref:
Your ref:

Telephone: 0845 045 45 45

Direct dial: 02380674768

Fax No: 023 8067 4397

Deaf/speech impaired minicom: 01962 875000

Email: ivan.marshman@hampshire.pnn.police.uk

2nd July 2010

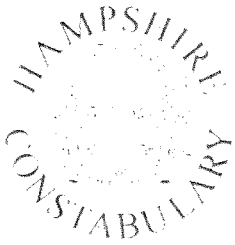
Dear Naseer Mohammed,

Your premise recently underwent a Licence review due to poor management and practices being conducted at Chicken & Pizza Hot 2 U.

One of the conditions on your licence is the following-

- (i) 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 all levels of illumination throughout the premises as well as outside areas.
- (ii) All equipment shall have a constant and accurate time and date generation.
- (iii) There shall be sufficient members of trained staff available during operating hours to be able to provide copies at the request of the Police or authorised officer.
- (iv) CCTV warning signs to be fitted in public places.
- (v) Recordings to be kept for a minimum of 28 days.
- (vi) Recording equipment is to be housed in a secure place restricting access to authorised persons. (This can be on a computer that is password protected)
- (vii) All systems, signage, hardware and procedures are to be installed and implemented to the reasonable satisfaction of Hampshire Constabulary and approved in writing.

I am writing to confirm that the current system you have in place is not of "reasonable satisfaction" Although you can provide us with a memory stick you can't provide us with a working DVD copy. Further to this the memory stick with information that you provided



Hampshire Constabulary
Chief Constable Alex Marshall

does not come in a format that can be easily down loaded. It takes an unacceptable amount of time.

Therefore, if you wish to continue to trade under your current licence you will need to use a system that is acceptable to Hampshire constabulary (preferable one that allows you to create a disc).

I propose to revisit your venue at the beginning of August 2010 by which time I would expect the matter to be resolved. Should this not be the case and you are continuing to trade you will be in breach of your licence.

Furthermore as discussed you breached your licence on the 22nd of May 2010. Your own CCTV shows two males coming into the store at 0316 hours at 0322hours another five people come into the store and finally another enters at 329 hours. They do not leave your venue until 0337 hours. Your licence states that –“. Last entry to the establishment by members of the public will be 15 minutes prior to the closing time. In this case closing time was 0330 hours. As discussed this is your final warning and should you breach your licence again I will seek to prosecute you via the courts and look to review your licence with the view to reduce your hours for trading or suspending trading until you have an effective management system in place.

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

Yours sincerely,

Sgt 3555 Ivan Marshman

Jen/11.

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:23 by 24288*Occurrence:* **44090439455 Z Prem Licence (Management Occurrence)***Author:* #22939 BOXALL, A.*Report time:* 07/07/2010 08:03*Entered by:* #22939 BOXALL, A.*Entered time:* 07/07/2010 08:03*Remarks:* Letter Delivered

Letter delivered and memory stick returned to Chicken Pizza at 1530 hours on 06/07/10. Hand delivered to one of the staff at the store.

PC 22939 BOXALL

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:23 by 24288

Occurrence: **44090439455 Z Prem Licence (Management Occurrence)**

Author: #22939 BOXALL, A.

Report time: 20/08/2010 18:25

Entered by: #22939 BOXALL, A.

Entered time: 20/08/2010 18:25

Remarks: Return to Chicken Pizza

We returned to Chicken Pizza and spoke to the DPS who was able to show us CCTV from the last few weekends, showing that he has been closing at the correct time and has been maintaining his system properly.

He is much better at using the CCTV system now.

He has also stated that he is able to make a disc that we should be able to view on his home computer.

A date and time has been given to him (0250 - 0320 on 08/08/10) and he is going to create a disc for us tonight.

Further update once this has been done.

PC 22939 BOXALL

Working Sheet

Hampshire Constabulary

Printed. 27/01/2011 11:23 by 24288*Occurrence:* **44090439455 Z Prem Licence (Management Occurrence)***Author:* #22939 BOXALL, A.*Report time:* 27/08/2010 08:58*Entered by:* #22939 BOXALL, A.*Entered time:* 27/08/2010 08:58*Remarks:* CCTV on a disc

CPH2U were able to provide their CCTV on a CD, although it could only be viewed on a stand alone computer.

We have decided that this is acceptable, as it would not be fair to force him to change his whole CCTV system due to what is essentially our force policy on network useage.

At this time, CCTV is acceptable and they are not breaching their license.

PC 22939 BOXALL

JLH/14.

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:23 by 24288*Occurrence:* **44090439455 Z Prem Licence (Management Occurrence)***Author:* #22939 BOXALL, A.*Report time:* 23/09/2010 15:47*Entered by:* #22939 BOXALL, A.*Entered time:* 23/09/2010 15:47*Remarks:* CCTV Update

I attended CPH2U today and met with Naseer, the DPS. The purpose of the meeting was to explain to him how to provide his CCTV in a viewable format.

Unfortunately, he could not find his USB stick in order that I could show him how to use the player to convert the video files into avi format. As a result, I have left him simple, step by step instructions to allow him to provide a copy of the footage for us.

I have given him a task to complete a CD with footage from 0200-0205 on 23/09/10. He will either drop it in or leave it at the store for me to pick up tomorrow.

I am not sure he fully understands, but he assured me that he does.

We will find out tomorrow.

PC 22939 BOXALL

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:23 by 24288

Occurrence: **44090439455 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 02/12/2010 22:06

Entered by: #24288 HARRIS, J.

Entered time: 02/12/2010 22:06

Remarks: Licencing visit

PC PRIOR and i attended pizza hot to u this evening following a report from an officer that the premise was open and serving customers to 03:20 hours on 16/11/10.

CCTV was reviewed for this date, but the doors were locked at 03:08 hours and no one else came in. We then checked footage for the 17th in case the incident occurred on 16th going into 17th. This was the case. From 0300 hrs, persons are already seen in the premises. They are then served food after 03:00 and sit down to eat it. They vacate the premise at 03:18 hours and the doors are locked behind them.

It was explained to [REDACTED] that it is a breach of the licence if food is served after 0300. He tried to say that it was alright to serve provided they had entered the premise before 0300. He has been told that no food should be served after 0300 and that no more orders should be taken after 0245 or 0250. A copy of CCTV has been requested for collection next week and letter will be sent as a follow up to the visit.

PC HARRIS

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:23 by 24288

Occurrence: 44090439455 Z Prem Licence (Management Occurrence)

Author: #24288 HARRIS, J.

Report time: 13/12/2010 20:16

Entered by: #24288 HARRIS, J.

Entered time: 13/12/2010 20:16

Remarks: CCTV collection

I attended to speak with [REDACTED] and to obtain CCTV. During the conversation i reported him for the breah of his licence (letting persons into premise after 15 minutes before closing time). [REDACTED] first started to say that on occasions it had been difficult to refuse people as they would insist on being served. I said they must lock the door and if any tries forcing it then they should call police. I highlighted it would at least show they were trying to close on time.

[REDACTED] then became visibly upset/almost tears and told me that he cannot pay his rent which is very expensive and he has a loan which he cannot pay either. He did not know what to do. I advised i had taken his comments on board and as much as i may sympathise, he had breached his conditions and i would discuss this further with Sgt Marshman.

RESTRICTED

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:23 by 24288

Occurrence: 44090439455 Z Prem Licence (Management Occurrence)

Author: #24288 HARRIS, J.

Report time: 17/12/2010 16:34

Entered by: #24288 HARRIS, J.

Entered time: 17/12/2010 16:34

Remarks: Visit 14/12/10 re CCTV

I attended the premise at 15:30 hours after i discovered the CCTV that was given to me on the 13/12/10 was for the wrong date. I spoke with [REDACTED] about this and he said he would burn new footage overnight and apologised.

On attendance today, [REDACTED] informed me that he had made a mistake with the system and had somehow managed to delete all of Novembers footage. There have been issues over him producing CCTV footage in the past and he has been warned about breaching his licence, but continues to do so. He stated to me that he had no problem in giving me a statement or something as he did not deny staying open past his hours. This was also evidenced by PC PRIOR when we first attended following the report.

I have discussed this further with PS MARSHMAN and we will now be reassessing the evidence with a view to a further licence review.

Working Sheet

Hampshire Constabulary

Printed: 27/01/2011 11:23 by 24288

Occurrence: **44090439455 Z Prem Licence (Management Occurrence)**

Author: #3555 MARSHMAN, I.

Report time: 21/12/2010 14:47

Entered by: #3555 MARSHMAN, I.

Entered time: 21/12/2010 14:47

Remarks: Call made to SCC

Spoke to [REDACTED] from the council regarding whether we should report for breaches or take back to review. My thinking was to take back to review as technically the cctv issue was put in place due to the problems at the venue and still has not been addressed.

[REDACTED] thought we should look to review as if we take them to court he suggested that they wouldn't be fined a great deal as last time they received no fine due to limited financial records. It would also not address the issue.

PC HARRIS has said that [REDACTED] has advised that he feels pressure from the public to open in breach of his licence (midweek). Therefore we should consider doorstaff. Also look to suspend business until we are happy they can use the cctv, remove DPS and possibly close earlier to avoid drunken individuals.

Need to check with planning to when they should shut.

PS3555 MARSHMAN



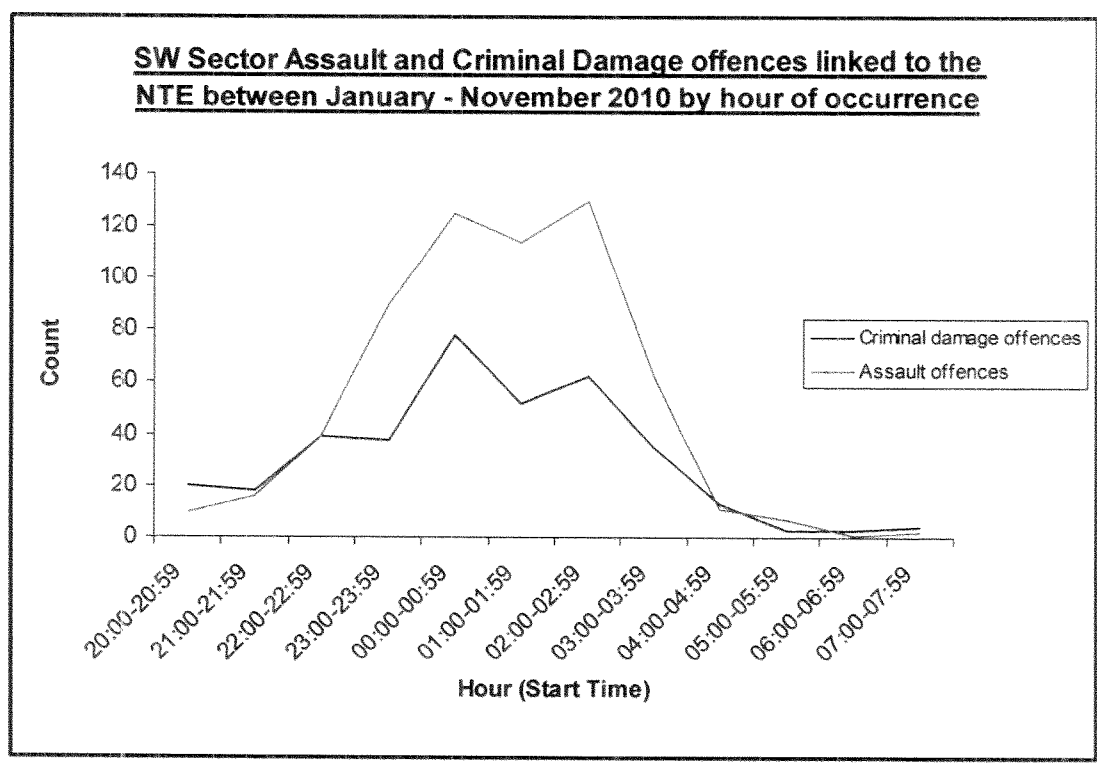
Licence Extension Request for 'Chicken, Pizza, Kebab Hot 2 You'

Produced by: Hollie Cleaton (14345 – SOCU Intelligence Analyst)

Date: 25/01/2010

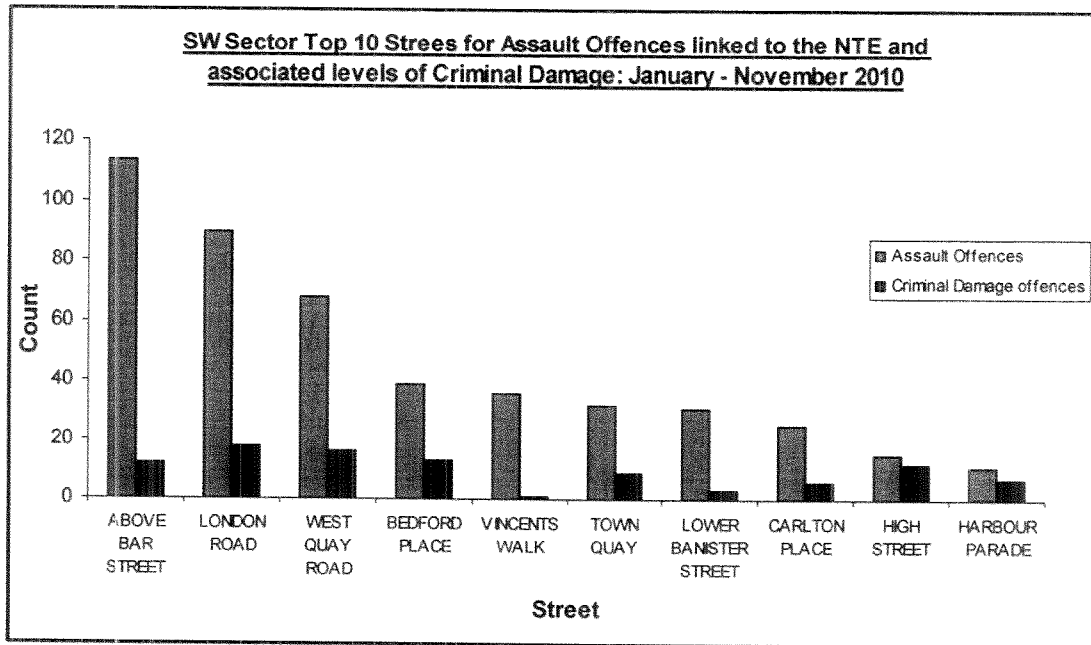
Produced for: Sgt. Ivan Marshman

Southampton's night time economy (NTE) has been shown to fuel increased levels of violence and criminal damage offences throughout the year. Beat areas SW01 (City Centre) and SW03 (Polygon), which is where the majority of the night time economy is concentrated, comfortably show the highest numbers of assault offences in the OCU despite their comparatively small size. For the period of January to November 2010 assault and criminal damage offences in the City Centre (SW01), Waterfront (SW02) and the Polygon (SW03) have been individually assessed as to whether they are linked to the NTE (and recorded if they are) in an effort to better understand the problem. 607 assault and 365 criminal damage offences have been identified in this period and the below graphs display the most frequent times and locations for these occurrences:



The above graph shows there is a steady increase in NTE related assaults and criminal damage offences from 22:00 peaking at between 02:00 and 02:59 for assaults and 00:00 – 00:59 for damage offences. Between 03:00 and 04:59 there is a dramatic drop-off in assault offending levels and from this point criminal damage occurrences also decline. This is attributable to the closure of both licensed premises and fast food outlets at 03:00 encouraging people to leave the area.

Criminal damage linked to the NTE is seen in the City Centre itself with licensed premises and shops often being damaged but also in surrounding residential areas, most notably the Polygon. The levels of criminal damage offences are high on both London Road and Bedford Place, where damage to property is seen to be caused by individual's en-route home from a night out.



The Fast Food outlet in question ('Chicken, Pizza, Kebab Hot 2 You') is located on Bedford Place, the fourth highest street for Assault offences and close to London Road which ranks second. Bedford Place is located in the Polygon area (SW03 beat) of the City which as a beat accounts for the highest proportion of both assault offences at 43.3% (263/607) and criminal damage offences at 58.4% (213/365) across Southampton.

Recommendations:

The data above shows that Assaults linked to the NTE peak between 02:00 – 02:59 (130) when there are more than double the number of offences compared to the number between 03:00 – 03:59 (62). Ideally all licensed premises and Late Night Refreshment Houses would close at 02:00 in order to reduce violent offences occurring later on in the evening/early hours, resulting in a smaller time frame when additional police resources are required to operate in this relatively small area of the City.

This reduction in licensing hours for 'Chicken, Pizza, Kebab Hot 2 You' would result in fewer people lingering in the Bedford Place area during the peak times. It is inferred that this will reduce both the number of assaults and other NTE related incidents. Taking this into consideration and in conjunction with the breach of licence conditions committed by the premise in question, it is our recommendation that the licence for 'Chicken, Pizza, Kebab Hot 2 You' is reviewed, with a reduction in licensing hours to 02:00 being applied.



WITNESS STATEMENT

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

URN: | | |

Statement of: Jonathan Harris

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

Occupation: Police officer

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: 20/12/2010

Jonathan Harris

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

I am PC 24288 HARRIS, employed by Hampshire constabulary and currently stationed at Southampton police station.

I am providing this statement in relation to Chicken & Pizza Hot 2 You, breaching its licence conditions.

On Thursday 2 December 2010, I was on duty in full uniform with PC 20920 PRIOR, when we attended Chicken & Pizza Hot 2 You, which is situated on Bedford Place, Southampton. This was following a report from another police officer that the premise was open and serving customers to 0320 hours on 16th November 2010. I was aware that during the week, the premises should only be open until 0300 hours.

PC 20920 PRIOR and I spoke with a male who advised that he was the premise licence holder. We then asked to view CCTV footage for the above date and time. From the footage it was clear that the premise was shut on time for this date. However, we considered there could be confusion over the date and that the witnessing officer had started his shift on 16th November 2010. For this reason we requested to view footage for Wednesday 17 November 2010 at 0300 hours. 4-5 people were already at the counter of the premise and were seen to be served food after 0300 hours. The customers then sit down in the premise to eat their food and do not leave until 0318 hours when the door is then locked by staff behind them.

PC 20920 PRIOR advised the premise licence holder that he should not serve food any later than 0300 hours and in order to comply with the licensed opening hours, they should not allow anyone else into the premise after 0245 hours. I was not aware at the time, but this is actually a further condition on the licence that was only agreed on 12 April

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

2010, when the premise licence was first being taken to review. The licence condition specifically states: **Last entry to the establishment by members of the public will be 15 minutes prior to the closing time.**

The business is still clearly operating beyond its licensed hours and breaching the above condition.

The premise licence holder was spoken to regarding the breach and he stated that the customers had ordered food before 0300 hours and even though they served after 0300 hours, implied they did nothing wrong. PC 20920 PRIOR and I continued to explain that this was a breach, but the premise licence holder argued that the customers had made their order before 0300 hours. We then requested the premise licence holder to produce a copy of the footage onto a CD as evidence. I arranged to collect this on 13/12/2010.

On meeting with the premise licence holder on 13/12/2010, and another member of staff, I was told that it has often been difficult for them to refuse customers at closing, as they force their way in and insist on being served food. The member of staff who identified himself as the manager came over to the front door and stated that it had been forced regularly although there was no visible damage. I explained the best way to tackle the problem would be to lock the door before closing time and should anyone try to force the door, it should be reported to police. It would at least show that they were trying to close the premise on time.

When I went to review the CCTV footage, which I collected on 13/12/2010, I found that the wrong date had been recorded. I immediately contacted the premise licence holder, he apologised and advised he would attempt to produce a correct copy which I could collect on 14/12/2010. Regrettably, when I attended the premise, I was informed by the premise licence holder that he had made a mistake and had managed to delete all of November's footage from the hard drive. I do not consider licence holder competent in using his CCTV. It has been a regular problem and something that was raised in the previous review and yet this has not been addressed. I then explained to the licence holder that I would speak with PS 3555 MARSHMAN and decide what action we would take.

Signature:

Signature witnessed by: