

**Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

Debie Pearmain, Police Licensing Officer apply for the review of a premises licence under section 51 or – apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description High Street	
Post town Slough	Post code (if known) SL1 1BD
Name of premises licence holder or club holding club premises certificate (if known) RABZ Nightclub	
Number of premises licence or club premises certificate (if known) PL 007381	

Part 2 – Applicant Details

I am

Please tick ✓ yes

- 1) an interested party [please complete (A) or (B) below]
- (a) a person living in the vicinity of the premises
- (b) a body representing persons living in the vicinity of the premises
- (c) a person involved in business in the vicinity of the premises

(d) a body representing persons involved in business in the vicinity of the premises

2) a responsible authority [please complete (C) below]

3) a member of the club to which this application relates [please complete (A) below]

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

Please tick yes

I am 18 years old or over

Current address

Post Town

Post code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Debie Pearmain, Police Licensing Officer Windsor Police Station Alma Road Windsor Berkshire
Telephone number (if any) 01753 835571
E-mail (optional) Debie.pearmain@thamesvalley.pnn.police.uk

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

Please tick ✓ one or more boxes Y

- | | |
|--|-------------------------------------|
| (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 type="checkbox"/> |
| (4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

Thames Valley Police are requesting the review of Rabz Nightclub, 305, High Street, Slough, Berkshire, premises licence under the Prevention of crime and disorder licensing objective and the public safety licensing objective.

M H Property Lettings Limited of [redacted] are the Premise Licence holders and Mr Majad Hussain is the Designated Premises Supervisor.

Since the opening of this premise on Friday 3rd February 2012 there has been nothing but problems. On the opening night a Section 19 Closure Notice of the Criminal Justice and Police Act 2001 was issued and served on Mr Hussain.

I also attended Slough Magistrates Court on Friday 13th April 2012 with Detective Sergeant Kew to request the court issue a Section 160 Closure Order, following information that an event was to be held at the premises on Saturday 14th April 2012. The event caused Thames Valley Police serious concern and Mr Hussain was requested by me to voluntary cancel the event. Mr Hussain informed me that he had spent £5,000 - £6,000 for the act and was not willing to cancel the event at such short notice. I explained to Mr Hussain of what action Thames Valley Police could take – the first course of action being to apply to the Court for the Section 160 closure. Several meetings have been held with the Designated Premises Supervisor of the premises, Slough Borough Council Licensing Department and Police licensing to discuss licensing issues in an aim to try to resolve issues. These meetings have clearly not made any difference to the way the premise is managed and the Designated Premises Supervisor appears to have no regard to Authority or the Licensing objectives.

I have detailed the relevant incidents that have prompted to Thames Valley Police applying to review this premises licence.

25/01/2012

Appointment letter sent to Mr Hussain, Designated Premises Supervisor to attend Windsor Police Station on Tuesday 7th February 2012.

See Appointment letter dated 25/01/2012

Facebook advertising page for RABZ. Complaint from member of the public of what is being advertised.

See Facebook Page

01/02/2012 – URN 88 refers

Telephone complaint to Police by member of the public. Complaint of the following advertising on facebook: "that they won't be letting people into the nightclub who don't speak English. It states the security is tight and " if you want that you can go to other venues in Slough"

URN 88 refers

02/02/2012 at 1.30pm

PC Simpson, Rachael Rumney, SBC Licensing and Debie Pearmain, Police Licensing Officer attended the premise to speak to Mr Hussain about the two separate complaints that Thames Valley Police had received about the facebook advertising. Mr Hussain was informed that this sort of advertising is not acceptable. We then went through the conditions on the premises licence and Mr Hussain was informed that all the conditions on the licence must be adhered to otherwise this would be a breach of licence. Mr Hussain assured me that all the conditions would be in place. I also informed him that I would be attending the premises on Friday 3rd February 2012 to check that the conditions were in place. He again assured me that this would be done.

See Gen40a dated 02/02/2012

03/02/2012 at 9.20pm

PC Simpson, Licensing Officer, SBC and Debie Pearmain, Police Licensing Officer attended the premise to check the licence conditions were being adhered to. As we entered the premise it appeared to us to not be ready for trading. The best description for the venue was that it was like a warehouse, there was no proper flooring in place, we were informed that the CCTV was not working due to a leak, no heating (it was very cold in the venue) and there were limited drinks. Door staff SIA badges checked – all in order, no drugs register seen and no metal detector in place. I questioned one of the door staff about this as the DPS kept disappearing and he informed me that they could use a hand wand – advice given to use this. No door staff signing in and out Register in place. Mr Hussain was on site but kept disappearing and was not particularly helpful during our visit. Before we left the premise I informed Mr Hussain that we would be back to ensure that the CCTV was working and if it was not working action may be taken.

At approximately 11.00pm we returned back to the venue. Mr Hussain informed us that the CCTV was still not working and someone was working on it .When I asked to see the CCTV hard drive and cameras I was shown to a hole in the ceiling by the DJ booth, when I asked who was working on the system to fix it Mr Hussain pointed to a male, who was stood by the wall. The male came over, I then said to Mr Hussain, "Well he is not working on the CCTV now is he?" At that point both Mr Hussain and the male invaded my personal space and I had no other choice but to raise both my hands to signal to them both to move away from me. It was quite obvious that the CCTV was not going to be fixed and working. We then left the premise and I informed Mr Hussain that the Inspector would be attending the premise to issue a Section 19 Closure Notice of the Criminal Justice and Police Act 2001 for the breach of licence condition. At 11.23pm Sergeant Newsome served a Section 19 Notice on Mr Hussain, DPS. We had witnessed licensable activity during our visits, prior to the notice being issued.

See Gen40a dated 03/02/2012 and Copy of Section 19 Closure Notice

07/02/2012 at midday

Telephone conversation with Mr Hussain. Conversation witnessed and heard by uniformed officer and Slough Borough Council Licensing Officer. Debie Pearmain contacted Mr Hussain as I believed he was not going to turn up to the pre-arranged meeting today at midday. I informed Mr Hussain that I had a Police Officer, Council Licensing Officer and myself waiting for him at the Police Station. He informed me that he was in High Wycombe and did not think that he had to come to the meeting, as we had attended the premise on Thursday last week. I informed Mr Hussain that I had not cancelled this meeting and that I was extremely disappointed that he had failed to turn up, particularly following the issue on Friday evening where the Section 19 notice had been issued. To date the CCTV was still not working. Mr Hussain informed me that he would not be opening this weekend and that he plans to open on Friday 17th February 2012. Mr Hussain was advised that the Police need to visit the premise to check that CCTV is working – when this has been done a cancellation notice can be issued. I also informed Mr Hussain that I was very disappointed with the way we were dealt with on Friday evening during our licensing inspection. Mr Hussain stated that if we had turned up at 8.30pm he would have been able to spend more time with us. Mr Hussain had a very negative attitude towards me and if this is his attitude now it does cause Thames Valley Police concern as to the way the premise will be managed, it would appear that he does not want to work with the Police or Local Authority. I informed Mr Hussain that we would check the CCTV on Thursday 16th February 2012.

See Gen40a dated 07/02/2012

16/02/2012 at 3.15pm

Sergeant Piper, Rachael Rumney, Licensing Officer, Slough Borough Council and Debie Pearmain, Police Licensing Officer attended the premise to check the CCTV system in relation to the breach of licence on the 3rd February 2012. Sergeant Piper checked the CCTV system, which had 6 working cameras. I noted and informed Sergeant Piper that not all the licensable area upstairs was covered by CCTV. We went to the upstairs area and Sergeant Piper then informed Mr Hussain that he was not satisfied with the CCTV coverage upstairs and at this stage was not going to issue a cancellation notice for the Section 19. Mr Hussain was fully update of our concerns by the Sergeant. Mr Hussain informed us that the promoter only wanted to use the downstairs area. Sergeant Piper then stated that whilst the upstairs area was not being used, he requested that an extra camera was fitted and recording the stair area and if this was done, he would be satisfied. He also stated he would like physical barriers put in place at the top of the stairs, which was not covered by CCTV. Mr Hussain agreed to do this. I then informed Mr Hussain that Thames Valley Police would return Friday afternoon (the next day) to ensure that the extra camera and barriers were in place and if this was done a cancellation notice would be issued. Sergeant Piper also advised Mr Hussain of the trip hazard at the top of the stairs and advised him to rectify this. We left the premise at 3.35pm.

As I was walking along the High Street I was handed a flyer advertising and promoting RABZ. The following advertising on the flyer caused me concerns:

Capacity advertised as 700

Drinks promotions

VIP tables being advertised (No CCTV in the VIP area – which was previously upstairs)

17/02/2012 at 1.00pm

I telephoned Mr Hussain to check that the camera has been installed as per the Sergeant's request. Mr Hussain informed me that it had been installed.

At 2.15pm PC Williams, Rachael Rumney, Licensing Officer, SBC and I attended the premise. CCTV was checked and the extra camera had been installed. PC Williams issued the cancellation notice. I then proceeded to inform Mr Hussain of my concerns over the flyer and what was being advertised. I reminded him that the capacity was 650 and not 700. Rachael Rumney and I both informed him of our concerns in relation to the cheap drinks being advertised. Rachael Rumney informed him of the mandatory condition already on the premises

Licence concerning drinks promotions. I then informed Mr Hussain of my concern of the VIP area, as I knew that the upstairs area was not covered by CCTV. Mr Hussain informed me that the VIP area had been moved downstairs. I once again reminded Mr Hussain not to use the upstairs area until the CCTV was covering the licensable area and if he did so this would be a breach of licence condition and appropriate action would be taken. We left the premise at approximately 2.35pm

On Friday 17th February 2012 at 10.00pm, I attended the premise with PC Simpson to conduct a licensing check. The upstairs area was checked, barriers were in place and the CCTV was working. As we left the premise I spoke to a member of door staff and asked if they were using the search wand on customers entering the premises. I was informed that they were not. Advice given to ensure that the search wand was used as this was a condition on the licence. I then asked the doorman if they had been briefed by the DPS to use the search wand. I was informed that they had not been briefed on anything.

See flyer and report covering 16/02/2012 and 17/02/2012

24/02/2012 at 9.30pm

Call to Police from Ambulance control. Ambulance notified of two females who had a fight inside the club, one was alleging she had been 'glasses' in the face. Two persons arrested one for GBH and the other for affray. PC Donovan requested CCTV and was told by the DPS Mr Hussain he could not view the footage as he did not have the password to hand.

As of the 17th April 2012 I was informed by the Officer that Mr Hussain had provided a statement however, he didn't have the CCTV as he said he put it somewhere safe and can't remember where. He informed the officer that he may have taken it home and he said he would inform the officer. At the time of completing this review paperwork, I can confirm the Officer has not been given the requested CCTV footage.

See Gen40a dated 24/02/2012

27/02/2012

Appointment letter sent to Mr Hussain, DPS to attend Windsor Police Station on Tuesday 13th March 2012.

See Appointment Letter dated 27/02/2012

29/02/2012

Slough Town Centre pubwatch meeting. DPS did not attend this meeting. This is a condition on the premises licence. A reminder letter had also been sent to the DPS the week before.

See Gen40a dated 29/02/2012

02/03/2012

Information received that males from Chalvey are selling drugs in RABZ nightclub.

See Gen40a dated 02/03/2012

08/03/2012

Temporary Events Notice applied for until 5am for Friday 23rd March 2012, with the event described as 'Charity Fundraising event for aid to Pakistan'. Concern over the misleading details described in the application for the nature of the event.

See Temporary Events Notice application and flyer that was advertised for the event.

11/03/2012 at 00.24 hours URN 48 11/03/12 refers

Telephone call to Police by local resident. Complaint of music blasting from the premises. Caller has been woken up. Caller believes that EHO have served a notice on them and believes that the premise is breaching the notice.

See Gen40a dated 11/03/2012

12/03/2012

Information received that drugs are being sold at RABZ.

See Gen40a dated 12/03/2012

13/03/2012 at 2.10pm

Pre-arranged meeting with Mr Hussain, Ian Blake, Enforcement Officer, Slough Borough Council, Rachael Rumney, Licensing Officer, Slough Borough Council, Inspector Young and Debie Pearmain, Police Licensing Officer. Meeting arranged to discuss recent licensing issues and concerns. Ian Blake informed Mr Hussain of what he had witnessed himself during the early hours of last Sunday morning. Telephone call to Police by complainant at 00.24am complaining of loud music blasting from the premises. Mr Blake was called out and attended the premises. During his attendance from 02.20am up to 03.05am he observed persons leaving the premises after the premises opening hours, he witnessed an alleged assault and observed a large crowd of 50-100 persons leave the premise and loiter at the front. The Door staff did not engage or assist with the dispersal of the persons. Mr Blake informed Mr Hussain that a noise abatement notice had already been issued to the premise, Mr Hussain was given full advice from Mr Blake and Mr Blake offered to assist him re the ongoing noise nuisance to the local residents. I then outlined Police concerns: No last entry time, drinks promotions being advertised £1.50 on shots, information being received of drugs in the premise, Alleged assault, evidence from the Enforcement Officer that the premises was being used after the licensable hours, premise being advertised as opening until 3am on You Tube and the capacity of 700. We spoke about the Temporary Events Notice until 5am next weekend, advice given to Mr Hussain that if there are any crime and disorder issues at this event, Thames Valley Police would object to any further TENS applications. I informed Mr Hussain that based on the evidence today the crime and disorder and public nuisance licensing objectives were being undermined and if the situation does not improve I will apply to review the premise licence.

See Gen40a dated 13/03/2012

15th March 2012

Email from Rhian Richards, Slough Borough Council following a meeting at the premise in relation to Noise nuisance issues.

See email dated 15/03/2012

18/03/2012 at 00.28 hours

Whilst on patrol base noise was audible approximately 30 metres away.

See Gen40a dated 19/03/2012

24/03/2012 at 01.45 hours URN 139 refers

Assault at the premises involving customers. When identified by SIA staff upon being ejected SIA staff punched twice. Upon police arrival staff unable to identify nature of incident and were unable to control patrons of the premises. The DPS could not be located in the premise initially as he was behind the bar continuing to serve patrons. Although this is a small event the DPS or SIA seemed to have no control measures in place, even as knowing where light switches were, adequate first aid box as injured person had to use a dish rag and tea towel to stem his cut whilst stood in the kitchen. No separate first aid room. Smokers were allowed to come and go at will with no searches and where seen exiting and re-entering with what appeared to be bottles of alcohol. Upon arrival door staff at entrance did not have a radio and no way of communicating with other SIA staff. He said he had given his radio to the girls at the bar as they were getting harassed by patrons. He was unable to identify the manager by name or location. There was only one clicker and this was with the Supervisor who was not on the door and he had to estimate the number of occupants. He was unable to call any other members of staff or direct the Officer to the injured person. The Police Officer was left with just having to go in and deal with what he found.

See Gen40a dated 24/03/2012

24/03/2012 at 03.53

Email from Sergeant Hewitt to Debie Pearmain. The email details the Sergeant's concerns starting with, "This is a shockingly bad establishment and ending with, "This is the poorest pub I have been in, in 15 years.

See Email from Sergeant Hewitt dated 24/03/2012

27/03/2012

Appointment letter sent to Mr Hussain, DPS to attend Windsor Police Station on Friday 30th March 2012.

See Appointment letter dated 27/03/2012

30/03/2012 at 1.20pm

Pre-arranged meeting with Mr Hussain, DPS, Rachael Rumney, Licensing Officer, Slough Borough Council, PC Simpson, Neighbourhood Specialist Officer and Debie Pearmain, Police Licensing Officer. Meeting arranged to discuss the recent incident during the early hours of 24th March 2012. Mr Hussain was informed of the Sergeants comments and observations during the incident and how badly the situation was controlled. I requested Mr Hussain email me a copy of the incident report. To date I have still not received the incident report. I informed Mr Hussain that procedures have got to be tightened up at the premises and because of the incident on the 24th March 2012 during a TENS event, Thames Valley Police would object to any further TENS applications under the Crime and Disorder licensing objective. I informed Mr Hussain that we are trying to work with him but if things do not improve at the premises, Thames Valley Police would have no other option but to apply to review the premises licence.

See Gen40a dated 10/04/2012

07/04/2012 at 02.25am – URN 177 refers

Telephone call to Police from local resident to complain of noise coming from RABZ.

See URN 177

07/04/2012 at 03.11am – URN 209 refers

Telephone call to Police to inform us that 5 Polish males are trying to gain access – one very large and aggressive male trying to gain access – the door is closed to anymore customers and males have been kicking the door and squaring up to the door staff. – Police attended and moved the males on.

See URN 209

Facebook advertisement for 'Romeo Live' – Romeo from Big Brother and So Solid Crew

See Facebook advertisement

12/04/2012 at 1447 hours

Telephone conversation between Debie Pearmain and Mr Hussain, DPS. Debie Pearmain informed Mr Hussain that after checking Facebook we were aware of the advertised Romeo Live event. Following checks of the event and its followers, Thames Valley Police had concerns over the Romeo Live event at the premises on the 14th April 2012 and the potential for disorder with some of the followers. Area Intelligence Sergeant also involved. I requested that Mr Hussain voluntary cancel this event following our concerns. Mr Hussain was not willing to cancel the event because it had cost £5,000 - £6,000. I then proceeded to inform him that Thames Valley Police may apply to the court to request a Section 160 Closure notice.

See Gen40a dated 12/04/2012

13/04/2012 at 3.00pm

Attended Slough Magistrates Court with Detective Sergeant. Evidence given to District Judge Vickers by the Detective Sergeant and Debie Pearmain, to request a Section 160 Closure Notice. Order granted by the District Judge.

See Closure Notice

14/04/2012 at 02.31am

On 14th April 2012 Thames Valley Police received 3 complaints by members of the public in relation to RABZ. One of the calls was from a local resident complaining about the loud music coming from RABZ, The other two calls were from local residents who were witnessing a fight

breaking out when the club was kicking out. Police were called to the incident to find a male lying outside the club, unconscious with a pool of blood next to him. Although it transpired that it was not life threatening, crowds gathered from those who had left the club and were seen to be shouting and punching at the shutters of another shop. The crowds hung around for half an hour or more and the nightclub closed. Person arrested on suspicion of assault, ABH. The DPS,
See Gen40a dated 15/04/2012

14/04/2012

Information received that Class A drugs namely cocaine is being sold in RABZ Nightclub.

See Gen40a dated 14/04/2012

17/04/2012

Email to Mr Hussain, DPS informing him that after consultation with Senior Officers, Thames Valley Police will now be applying to review the premises licence.

17/04/2012

Letter from local resident who wishes to remain anonymous. Letter details concerns in relation to RABZ and the repeated disturbances encountered and how the complainant's quality of life is being affected.

See letter dated 17/04/2012

As you can see the crime and disorder licensing objective and public safety Licensing objectives have been severely undermined. You can see from this report that we have had:

Serious issues of disorder and fights, inside the venue and outside by the venue's customers

General lack of control by the Management

Reports of customers leaving the venue at 03.45am

Complaints of ongoing loud music by local residents

Noise abatement notice issued by Slough Borough Council Environmental Protection Officer

Intelligence of drugs at the premise

Irresponsible drinks promotions being advertised on facebook

Premise advertising closing time of premise on facebook as 4am

Misleading applications for Temporary Events Notices

Section 19 issued on the opening night

Section 160 Order issued by a District Judge.

Police Sergeant Hewitt has stated that this is the worst premise he has ever been in, in over 15 years service. I am of the same view and can report that in over 10 years of working as the Police Licensing Officer and dealing with over 1,000 premises, I have never experienced such issues and lack of control within such a short time of opening. Let us not forget this premise only opened on Friday 3rd February 2012. This cannot continue as the public safety licensing objective and crime and disorder licensing objective are being undermined.

It is Thames Valley Police's view that due to the catalogue of incidents and non-compliance at

the premises and by the Designated Premises Supervisor the Premises Licence should be revoked. If however the members are of the opinion that the Premises Licence should not be revoked, Thames Valley Police request the premises licence is suspended and the below amendment and extra conditions are placed along side the existing licence:

All licensable activity to cease at midnight on all days of the week. The closing hours of the premises to be 00.30am of all days of the week.

Change of Designated Premises Supervisor

Designated Premises Supervisor to be on the premises during all licensable activity.

Thames Valley Police to be informed of all events with a minimum of 14 days notice to be given.

Last admission time to be 11.00pm.

Designated Premises Supervisor or Personal Licence Holder to be trained on how to work the CCTV System to the standard where the nominated person can download any potential evidence required by Thames Valley Police employees or relevant Agencies.

Suitably qualified First Aider with appropriate first aid supplies to be on duty during all licensable activities.

Polycarbonate glasses to be used.

Incident Register to be in place and kept up to date and made available upon the request of Thames Valley Police and any Authorised Officer of the Council and kept for a minimum of one year

All Staff members and SIA door staff to fully co-operate with Police Officers and make themselves available immediately upon the request of the Police Officer to give statements and provide CCTV.

Door staff Signing in and out Register to be in place and made available upon the request of Thames Valley Police and any Authorised Officer of the Council and kept for a minimum of one year.

Smokers to be limited to 10 persons at all times.

PC Simpson, Neighbourhood Specialist Officer, Slough Town Centre, and Sergeant Hewitt will be attending the hearing to support this review application.

Please provide as much information as possible to support the application (please read guidance note 2)

Please tick ✓ **Yes**

Have you made an application for review relating to this premises before

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 and when you made them

Thames Valley Police made objections and recommendation to the original Premises Licence application made by Mr Hussain because of the previous history of crime and disorder issues when this premise was previously licensed and of the hours requested by Mr Hussain. The following documents relate to the original application and Police objections and recommendations.

Original application dated 13th December 2010

Original Police objections and recommendations of 15th December 2010

Email from Mr Hussain refusing Police recommendations

Email from Jim Ferguson TVP confirming Police objections

Please tick ✓ Yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate. ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent [please read guidance note 4]. **If signing on behalf of the applicant please state in what capacity.**

Signature: D.Pearmain

Date: 30/04/2012

Capacity: Police Licensing Officer

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)

Post town

Post code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional).

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address we shall use to correspond with you about this application.