



**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.

I PC 4395 KEVIN WAYNE DENMAN 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 BAR H 254 HIGH STREET, LANGLEY, SLOUGH, BERKSHIRE.	
Post town SLOUGH	Post code (if known) SL38HA

Name of premises licence holder or club holding club premises certificate (if known) GALAXY CORPORATION UK LTD
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Number of premises licence or club premises certificate (if known) PL004384

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 he 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 THAMES VALLEY POLICE, LICENSING TEAM,
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SLOUGH POLICE STATION,
WINDSOR ROAD,
SLOUGH,
BERKSHIRE.
SL12HH

Telephone number (if any)

[REDACTED]

E-mail (optional)

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 | X |
| (2) public safety | X |
| (3) the prevention of public nuisance | X |
| (4) the protection of children from harm | X |

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

Bar H is a bar/night club which is located within a parade of shops in the High street Langley. The premise is located within a residential area to the east of the site and to the west of the premise across a main road is a public park and recreational field. The current licence allows the operators to sell alcohol for consumption on premise only, allows recorded and live music to be played, dancing and late night refreshment.

The premise operating times are as follows,

Sale of alcohol permitted between 10.00 A.M. and 01.00 A.M. Monday to Sunday.

Live music 10.00 A.M to midnight and recorded music may take place 10.00 A.M to 01.00 A.M. Monday to Sunday

Dancing 10.00 A.M to 01.00 A.M and Late night refreshment 11.00 P.M. to 01.00 A.M.

The designated premise supervisor for this premise is Kuljinder Kaur who became the DPS on the 29/12/09.

The premise licence holder is Galaxy Corporation UK Ltd, this company took over this premise on the 17/03/06. Mr Anil Jnagal is the son of the owner of the above company and he has represented the company at formal meeting with the police and stated that he managed the premise overall.

Concerns in relation to how the premise is run by the current operator first came to light to Thames valley police in 2008.

The licensing team at Slough had received information, that underage drinking, drunkenness and drug use had been taking place on the premise. Additionally Pc Pryce who was investigating an assault at the premise in March 2008, where a customer had received injuries to his face and subsequently lost two teeth, had his investigation hampered, by the fact that the CCTV system was not operating, which was a breach of the premise licence. As a result of these concerns the police licensing team convened a meeting with DPS (Steven Wales) and Mr

Jnagal which took place on the 22nd of September 2008. (Minutes attached). The then DPS admitted that the CCTV was not recording and he had failed to address this issue. The operators were made aware of the issues mentioned above and stated they would take steps to address these concerns.

Subsequently on the 9th May 2009 Special Constable Matthew Saxby had to deal with a very drunken male in Langley. At this time this male was with the DJ from Bar H and he stated that because of the man's drunken state in the club he was taking him home. The officer described this male as incredibly drunk, being unable to stand on his own.

In May 2009 local officers received complaints from the public and witnessed customers from Bar H drinking on the public pavement outside the venue, causing an obstruction to normal users of the pavement. This was in breach of their licence conditions in relation to off sales.

On the 14th of June 2009, the police received a complaint from a member of public of customers at Bar H smoking cannabis in the front seated area of the premise. The police attended the venue and searched a group of customers. The police found a wrap of cannabis discarded on the floor under the table. When the manager was informed he was very reluctant to bar the persons from the venue. It was the officer's opinion that the staff were aware of the drug taking and had turned a blind eye.

On the 19th of June 2009 officers from the police licensing team attended Bar H and carried out drug testing using the drug Itemiser machine. Analysis of this test revealed the presence of Cocaine in the male and female toilets which is consistent with Cocaine use in these areas.

On the 13th of June 2010⁰⁹ at 00.22 A.M, Mr Jnagal reported a male had smashed a window at the front of the premise. Police arrived and identified offender however, Mr Jnagal the manager would not support criminal proceedings against this offender.

On the 4th of July 2009 at 03.06 A.M. the police received a call from a member of public in relation to noise complaint stating that music was playing at Bar H. This is outside the operating hours of the premise licence.

The police had received further information in relation to drug use at Bar H and information that the venue was operating outside its permitted hours.

On the 5th of August 2010^{09.} as a result of the above concerns the police licensing team convened a meeting with DPS (Tracey Banks) and Mr Jnagal.
(Minutes attached)

During this meeting the police highlighted concerns in relation to Class A drug use, Obstruction of pavement outside by staff and customer parking and operating outside the permitted hours. The operators stated they would address the above issues and write to the police stating what actions they would take.

On the 26th of November 2009 a letter was written to the police stating that Bar H was poorly run, underage drinking was taking place on the premise and that drugs were being used and sold on the premise.

On the 25th of December 2009, the police received a complaint in relation to loud music and people shouting coming from Bar H at 00.52 A.M. from a local resident

On the 10th of January 2010 the operators of Bar H finally wrote to the police outlining what measures they would take to address the issues raised by the police in August 2009. The operators had only implemented some of the measures put forward by the police to address the drugs issues. Copy of letter attached.

On the 13th of February 2010 at 00.40 A.M PC 2892 King attended Bar H after police received reports of a fight at that location. On his arrival outside he saw a 22 year old female with blood on her face. This female stated she had been hit in the face by another female customer in Bar H with a glass. Pc King could see she had a lump and several cuts to her face around her right eye. He could also see glass fragments on her clothing.

Pc King states that he had no assistance off staff at the premise in relation to assisting the victim or providing information to trace the offender. Whilst at the scene Pc King saw another male at the venue with a head injury and the victim confirmed this male had been assaulted. Pc King states that the staff have previously been unhelpful at this premise in relation to assisting police and this has fallen well below the levels of cooperation for an operator to meet their premise license objectives in relation to prevention of crime and disorder. Due to the hostility of customer at this venue toward him and the victim PC King had to withdraw from the scene.

At 00.55 A.M. PC Hewitt Pc Leamon and WPC Canning attended this incident and entered the premise to locate the offender. They saw 25 to 30 people still in the bar drinking. When they asked bar staff where the manager was, no one knew. They then entered the snooker area and saw 6 people there drinking and in the garden area were 10 to 15 people drinking. The officers saw several discarded empty bottles and there was broken glass on the floor in this area. They moved back into the main bar where again they saw broken glass on the floor. WPC Canning searched the female toilets and found that the cubicles were locked. She asked a member of staff to speak to the occupants to identify them and confirm whether one of these could be the offender. The member of staff spoke to them and stated that they were OK. When these girls left one was in fact identified by the police as the offender.

A group of male customers then tried to get the offender out of the premise without police seeing her. However the police spotted her and arrested her for GBH. The group of customers then became aggressive to the officers and tried to prevent them taking the offender away. During their time dealing with this incident the officers identified that drugs had been used by customers at the venue and that a lot of the customers were drunk and aggressive. Again these officers formed the opinion that the staff were unhelpful and obstructive. The officers formed the opinion that the staff had no control over the customers at this bar.

PC 6214 Butler became the investigating officer for this offence. He confirms that the victim was hit by a half pint glass within Bar H and as a result the victim required hospital treatment to have 4 wounds in her face glued and a further wound glued and sterostripped closed. The injuries were very close to the victim's right eye.

The offender made no comment when questioned.

PC Butler confirms that his investigation was severely hampered by the fact that the management were unable to provide a copy of the premise CCTV. This was as a result of numerous requests. When police were able to get their Technical unit to the site to retrieve the CCTV themselves they discovered it had been over written after 17 days. This was a breach of the premise licence condition at the venue in that it had been agreed by police that footage would be retained for 28 days and all CCTV footage would be made readily available to the police on request.

PC Butler stated that his investigation was further hampered in the fact that all the staff at Bar H that night stated they did not see anything in relation to this offence.

This became even more concerning when the police have since discovered that another male was glassed during this incident but fearing reprisals did not report this to police. When questioned by police the DPS stated she was aware of this second incident but she informed PC Denman the licensing officer that she did not reveal this fact to the police.

Additionally during the course of this investigation PC Butler identified that a party was taking place at the venue on the night of this assault and that there were no SIA door supervisors working at the venue. This is in breach of the premise licence conditions.

On the 3rd of March 2010, PC 4395 Denman spoke to the DPS Kuljinder Kaur and informed her that the police were seeking a review of Bar H. Pc Denman asked her if she was aware that on the night of 13th of February 2010, that a male customer had been hit in the face with a glass. She stated she was aware of this but decided not to inform the police of this incident.

On the 13th of March 2010 at 3.30 A.M. police attended a report of a male being assaulted with a bottle in Langley High street. On arrival outside the Subway shop 20 metres from Bar H, the WPC Marchetto found a male with injuries to his face and another male with injuries to his shoulder. At this location there was a group of people who were intoxicated and shouting and swearing. WPC Marchetto through speaking to this group established that the males were injured during a fight which started in Bar H and spilled out onto the street. When the officer made enquires with the doorstaff at Bar H they stated they had not seen anything, which the officer found hard to believe. At this time the officer saw a heavily intoxicated male being detained by staff in the venue who was being abusive. Both injured parties were taken to hospital by ambulance. Both males subsequently would not support police actions against the offenders.

On the 30th of March 2010 Officers from Slough Borough council served a notice on the premise in relation to noise nuisance complaints.

On the 8th of April 2010 Jim Ferguson, police licensing officer attended Bar H. He spoke there to the DPS, who admitted allowing persons to be served in the premise, that were on pubwatch bans. This greatly undermines the steps that Slough publicans are taking to address violent offenders. Jim Ferguson then carried out a drug survey of the premise using the itemiser system. The results of this revealed that Cocaine had been used on the premise, with high readings in the toilets. Additionally there were high readings in the staff areas behind the bar indicating that cocaine had been present in this location.

Also attached are letters from 6 local residents highlighting the effect on the quality of their lives that the anti social behaviour generated by the operator and users of Bar h are having on them. This includes, noise disturbance, litter, foul language and violent behaviour.

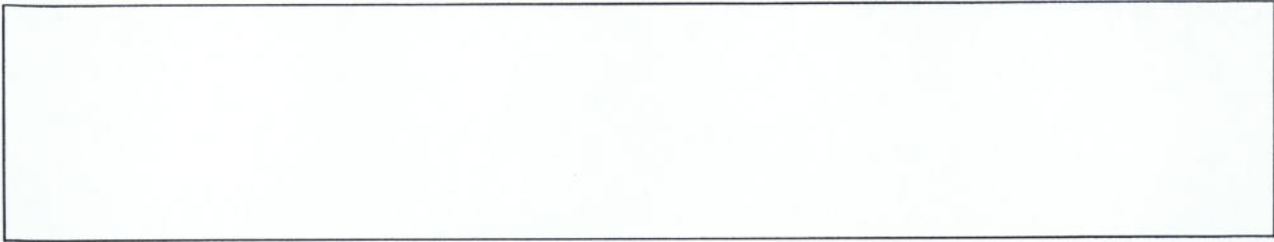
Given the above the operators of this premise are clearly not meeting the licensing objective for the safe running of this premise. Members of the public have received serious injuries whilst attending this premise, there is evidence of class A drug use in the premise and in staff areas and the way this premise operates is causing significant disruption to the lives of local residents. The operator and staff have broken the licensing conditions on numerous occasion, breaches include,

1. A C.C.T.V. system has been installed and is working to the satisfaction of Thames Valley Police and the Licensing Authority
2. Recordings will be maintained for an appropriate period of time to be agreed with the Police and the Licensing Authority)
3. If the C.C.T.V. equipment fails, the Police and the Licensing Authority will be informed immediately by telephone and immediate steps will be taken to put the equipment back into working order
4. Alcohol and soft drinks will be served in plastic or toughened glasses

5. All bottles sold will be made of plastic (where available)
6. Where glass bottles are to be used the contents will be decanted into plastic or toughened glasses where it is not intended that the contents are to be consumed direct from the bottle
7. Customers carrying open or sealed bottles or glasses will not be admitted to the premises at any time
8. Customers will not be permitted to take open containers of alcoholic or soft drinks from the premises
9. All bottles and glasses are to be removed from public areas as soon as the contents have been drunk or are empty
10. We have an anti-drugs policy that has been agreed following discussion with the Police and the Licensing Authority and is in line with the Safer Clubbing Guidance
11. A drugs register will be maintained
12. The Police will be notified of all seizures of controlled drugs
13. We are a member of Pubwatch and a representative attends Pubwatch meetings and participates in all initiatives
14. If a disco/party is to be held two SIA approved doorman will be on site for the duration of the party.
15. Carried out licensable activity outside permitted hours

It is the police opinion that the operators of Bar H, who has been made aware of the major police concerns in the running of this premise, after the police have held two formal meeting chaired and facilitated by Slough Borough council's licensing team to correct these concerns have chosen to ignore the authorities. They have carried on trading in a manner that had put the public of Slough at risk some of whom have been injured and in a manner which has caused major disturbance to local residents.

Thames valley police therefore request that the premise licence be revoked.



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

1. PREMISE LICENCE
2. STATEMENT WPC MARCHETTO
3. LICENSING REPORT 06/06/09 PC SLOANE
4. CRIME REPORT CE3360266/09
5. LICENSING REPORT 15/06/09
6. URN 1437 14/06/09
7. URN 61 25/12/09
8. URN 367 04/07/09
9. MINUTES OF MEETING 05/08/09
10. LETTER FROM DPS 10/01/10
11. NOISE COMPLAINT NOTICE 30/03/10
12. URN 50 13/02/10
13. STATEMENT SPC SAXBY
14. MINUTES OF MEETING 22/09/08
15. STATEMENT PC PRYCE
16. LETTER OF COMPLAINT TO JIM FERGUSON
17. STATEMENT WPC CANNING
18. STATEMENT PC HEWITT
19. STATEMENT PC KING
20. STATEMENT PC BUTLER
21. STAMENT JIM FERGUSON
22. STATEMENT PC DENMAN X 2
23. 6 X LETTER FROM LOCAL RESIDENTS

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

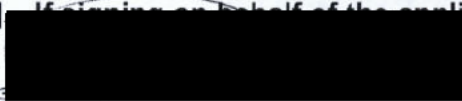
Please tick ✓ Yes

- 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. X
- I understand that if I do not comply with the above requirements my application will be rejected X

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: 

Date: 19/04/10

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.