

**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 Chief Superintendent Fell

(Insert name of applicant)

**apply for the review of a premises licence under section 51 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, if none, ordnance survey map reference or description Bar Q Bano Ebeneezer Place Kettering	
Post town Kettering	Post code (if known) NN16 0DE

Name of premises licence holder or club holding club premises certificate (if known) Pravin Sadrani

Number of premises licence or club premises certificate (if known) K/05/75634

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)

Please tick

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

Surname

First names

I am 18 years old or over

Please tick yes

**Current postal
address if
different from
premises
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 address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Northants Police (North) Licensing Unit Unit C, Diamonds Business Centre Attley Way Irthlingborough Northants NN9 5GF
Telephone number (if any) 03000 111222 Ext 5706
E-mail address (optional) nblicensingunit@northants.pnn.police.uk

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

Please tick 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 type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

Northamptonshire Police are seeking a review of the Premises Licence for Bar Q Bano under the Licensing Objectives marked above, in accordance with the Licensing Act 2003.

The grounds for this application stem mainly from on-going problems with alcohol related violence at the premises. This application will show evidence of poor practise and lax management procedures which have resulted in a town centre premises that continues to cause concern.

A series of alcohol related violent crimes are detailed within this report together with the facts concerning a recent prosecution for selling alcohol to a drunk.

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

Please see attached report at Page 7.

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

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

None

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
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature PC1048

Date 17 June 2010

Capacity Police Licensing Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) PC 1048 Kevin Murphy Northants Police (North) Licensing Unit Unit C, Diamonds Business Centre Attley Way	
Post town Irthlingborough	Post Code NN9 5GF
Telephone number (if any) 03000 111222 Ext 5706	
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 which we shall use to correspond with you about this application.

Licensing Officers report

Bar Q Bano has historically caused concern in respect of crime and disorder and the Northamptonshire North Police Licensing Unit have now met with the Premises Licence Holder on two separate occasions where concerns have been voiced and suggestions made in respect of tackling the on-going problems experienced at the premises.

In March 2009 PC Kev Murphy (Licensing Officer) wrote to the Premises Licence Holder in order to inform him that the premises were showing as Red in the Licensing Matrix and to arrange a meeting to discuss the pertinent issues, (copy letter attached). A meeting took place and as a result suggestions which included an upgrade to the CCTV system and the use of polycarbonate drinking vessels were forwarded by e-mail to Pravin Sadrani on 28th March 2009, (Copy E-mail attached). Confirmation of an upgrade to the CCTV system was received by police, however the use of polycarbonate was not supported.

Unfortunately the premises continued to suffer incidents of drunken violence which included the following:

- 19/04/09 - Male alleges assault by door-staff
- 15/05/09 - Two intoxicated males fighting in beer garden
- 20/06/09 - Door supervisor punched to the head by female customer
- 17/07/09 - Male ejected after fight trying to re-enter premises
- 31/10/09 - GBH assault (broken jaw) occurred outside premises after persons ejected
- 07/11/09 - Group fighting outside premises
- 28/11/09 - Male struck to back of the head with a bottle
- 11/12/09 - Male head-butts another to bridge of nose
- 19/12/09 - Male fighting with door-staff – arrested drunk and disorderly

On 22nd Nov 2009 the Local Authority Enforcement Officer, Mr Paul Baker, entered the premises with police and spoke with the duty manager. This manager was not aware of the location of the Premises Licence and did not know the identity of the DPS.

Again, on 03rd Feb 2010, in an attempt to encourage a change in working practises at the premises, PC Andy Glover (Licensing Officer) met with Mr Sadrani as the premises were once again in the 'Red'. It was explained to him that we suspected patrons were being allowed to drink excessively and that the resulting drunkenness was a factor in the problems being encountered. He was advised to ensure that staff monitored the sobriety of customers closely and again the use of polycarbonate drinking vessels was suggested. Mr Sadrani agreed that he would improve staff training but would not switch to polycarbonate. The meeting was documented and forwarded by way of e-mail to Mr Sadrani, (copy statement and e-mail attached).

A further incident occurred on 13th Feb 2010, when a 17yr old male was arrested from the premises after committing an ABH assault on another customer. It is strongly suspected that this youth had been drinking alcohol inside the premises.

Northants Police are continually striving to reduce alcohol related violent crime and have identified the fact that some premises are continuing to serve alcohol to persons that are already extremely drunk. In order to address this problem and as part of our on-going Operation Shelley, on 28th May 2010 officers were deployed onto Kettering town centre in an attempt to gain evidence of 'drunk sales'. It became clear that Bar Q Bano contained a number of drunk males, this being noted and captured by the town CCTV operators. At around 2230hrs plain clothes officers inside the premises witnessed a sale of alcohol to an extremely drunk male. The circumstances of this offence are detailed in the attached statements from PC 1428 Fleming and PC 328 Murray. Uniformed officers attended the premises and a PND (fixed penalty) was administered to the 'seller'. Footage of the drunk male was captured via police body worn video, (relevant officer statements attached).

On Sat 07th Jun 2010 at around midnight, PC 1309 McLoughlin observed the fact there were no door-staff supervising entry to the premises and witnessed what he believed to be drunk and under-age persons entering. PC McLoughlin continued to monitor the premises into the early hours and noted a continuing lack of door-staff, (copy statement attached).

CCTV and body worn video footage will be made available to the Licensing Panel.

It is clear that attempts by the police licensing unit to support and encourage improvement at the premises have failed and I would ask that the revocation of this Premises Licence now be considered. Should revocation not be deemed appropriate on this occasion, I would suggest the following conditions are placed onto the licence in order to ensure the premises are run in a more responsible and professional manner.

1. Door Supervisors to be in place from 2100hrs Thu-Sat – A minimum of 2 for the first 100 customers and 1 for each additional 100 or part thereof. High-vis jackets / outer clothing to be worn at all times (SIA detail already in place)
2. The PLH shall have in place and properly maintain in working order a CCTV system which shall; Hold images for at least 14 days, cover all areas to which the public have access to include entrances / exits, sufficient staff will be trained in its operation to ensure that images can be made immediately available to a police officer on request
3. Polycarbonate (or similar) drinking vessels will be employed anytime after 2100hrs on any day that the premises are open. No glass receptacle of any kind shall be used except behind the bar where drinks will be decanted at point of sale.
4. All staff will be trained in respect of current licensing legislation and records of this training will be kept and made available to police and local authority officers on request.
5. At any time that alcohol is being sold there will be at least one Personal Licence Holder on the premises in order that sales can be correctly authorised and monitored.

Again, should the licence not be revoked I would strongly suggest the removal of the current DPS, who by his own admission does not spend a great deal of time at the premises during the busier periods at weekends. This along with a period of remedial suspension in order to implement changes and present a 'fresh start' would, I believe, be justified and beneficial to all concerned.

PC 1048 K. Murphy ABII
Licensing Constable
Northamptonshire Police (North)
Unit C
Diamond Business Centre
Attley Way
Irthlingborough
NN9 5GF

Tel: 08453 700700 ex 5706
E-mail: kev.murphy@northants.pnn.police.uk

27 Mar 2009

Pravin Sadrani
Bar Q Bano
Ebenezer Place
KETTERING
Northamptonshire
NN16 ODE

Dear Pravin,

Northants Police Licensing Officers maintain and monitor a database of all licensed premises. All incidents relating to these premises are inputted after being score rated according to their severity. The sum total of the score, in any three-month period, is fed into a matrix which is then graded Red, Amber or Green; Red being the more serious, the Green being the preferred position as this indicates a relatively problem free premises.

The purpose of this letter is to highlight that your premises, Bar Q Bano is showing Red on the Licensing Database and as such is raising concern. Could you please contact me to arrange a suitable time and date for us to meet and discuss the issues in order that we can aim to return you to Green and prevent any proceedings being taken.

I await your response.

Yours sincerely,

Kev Murphy
Police Constable 1048

Murphy Kev

From: Murphy Kev
Sent: 06 April 2009 16:41
To: Pravin Sadrani (E-mail)
Subject: FW: Red RAG actions

Pravin,

Can you please let me have a response in respect of the below detail sent on 28/03/09.

Regards,

Kev

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

From: Murphy Kev
Sent: 28 March 2009 10:26
To: Pravin Sadrani (E-mail)
Cc: Glover Andy; Fletcher Ian; Aistrop Richard; Russ Howell (E-mail)
Subject: Red RAG actions

Pravin,

As discussed at our meeting yesterday, I have listed below the points that we covered in respect of steering the premises out of 'red'.

1. To employ a hard-drive upgrade to ensure that good quality CCTV images can be stored for an extended period (initially at least 7 days with a view to improving further without loss of clarity). To replace / upgrade the camera covering the dancefloor / bar area to a 'low light capable' device.
2. To employ the current incident book as a 'safeguard' against malicious complaints against doorstaff by completing in detail for every doorstaff incident together with the copying and saving of relevant CCTV images. As discussed this will also allow an easier and hopefully quicker resolution to incidents / crimes investigated by the police and provide a safety net for any civil litigation that could be directed at your staff.
3. I would suggest a move towards the removal of glass containers entirely i.e. all vessels including wine glasses to be polycarbonate and the decanting of bottled drinks into the same. (The recent incident of 'glassing' was indeed a male who first smashed a glass bottle and then used this as a weapon).

Please let me know your thoughts in respect of the above - I must stress the importance of tightening these procedures in order to prevent a review of the Premises Licence.

Regards,

Kev.

Kev Murphy
Police Constable 1048
Licensing Officer
Community Safety Department
Northamptonshire Police
Rushden Police Station
North St, Rushden, NN10 6 BU

☎(Office) 08453 700700 ext 5706

Murphy Kev

From: pravin.sadrani@ntlworld.com
Sent: 26 April 2009 19:34
To: Murphy Kev
Subject: Re: FW: Red RAG actions

HI Kev,

Thank-you for your email

1] As i mentioned at our meeting i replaced our old black and white CCTV
---- Murphy Kev <Kev.Murphy@northants.pnn.police.uk> wrote:

> Pravin,

>

> As discussed

>

> Cheers

>

>

>

> Kev

>

> > -----Original Message-----

> > From: Murphy Kev

> > Sent: 06 April 2009 16:41

> > To: Pravin Sadrani (E-mail)

> > Subject: FW: Red RAG actions

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stored for an extended period (initially at least 7 days with a view to improving
further without loss of clarity). To replace / upgrade the camera covering the
dancefloor / bar area to a 'low light capable' device.

> >

> > 2. To employ the current incident book as a 'safeguard' against malicious
complaints against doorstaff by completing in detail for every doorstaff incident
together with the copying and saving of relevant CCTV images. As discussed this will
also allow an easier and hopefully quicker resolution to incidents / crimes
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> >

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drinks into the same. (The recent incident of 'glassing' was indeed a male who first
smashed a glass bottle and then used this as a weapon).

> >

RESTRICTED (when complete)

WITNESS STATEMENT

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

URN

Statement of: Andy Glover

Age if under 18: (if over 18 insert 'over 18') Occupation: Police Constable 792

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

Signature:

Date: 1st June 2010

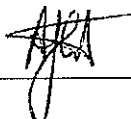
Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Licensing Officer for Northamptonshire North Area of Northamptonshire Police and I have been a Police Officer for 19 years. My role is within the Community Safety Department dealing with licensing issues. I have received external training and I have the 'BIIAB Level 2 National Certificate for Licensing Practitioners', the 'BIIAB National Certificate for Designated Premises Supervisors' and the 'BIIAB Level 2 National Certificate for Licensing Practitioners (Gambling)' qualifications, I am an affiliate member of The BII, (British Institute of Innkeepers) and a member of The Institute of Licensing. I have signed documentation from the Chief Constable Adrian Lee delegating responsibility and authorisation to act on his behalf with regard to representations made by Northamptonshire Police to Licensing Authorities across the county of Northamptonshire.

This statement relates to the premises in Kettering town centre known as Bar Qbano, and is made in response to a police operation on 28th May 2010.

At 3pm on the afternoon of Wednesday 3rd February 2010 I held a meeting, by appointment, with the premises licence holder, Mr PRAVIN SADRANI, in the conference room of Kettering Police Station; this meeting was arranged by myself in response to the premises being in Red on the police 'Traffic Light' matrix system on the Licensing Database. It had entered Red second week of December 2009 due to incidents of fighting and drunkenness within the premises and remained there following similar incidents. For each incident the door staff had managed to remove the offenders effectively from the premises, this was the point of argument put forward by SADRANI who could not see what they had done wrong in order to be in red, his staff were acting appropriately. I explained that the fact the staff carried out their duty does not negate the fact an incident occurred in the first place and that there was a common factor for most incidents, drunkenness. I offered words of advice with regard to door staff being extra vigilant in monitoring the sobriety of patrons entering the premises, and with the bar staff and glass collectors monitoring closely the customers, including those having drinks purchased for them. I also suggested he should consider the use of polycarbonate drinking vessels but he declined this as he believes drink 'spiking' would be made easier and girls could monitor their bottles more effectively. He also stated that customers also brought their own bottles in, some had been found when tidying up, I suggested a search policy be adopted by the door staff.

Signature: _____

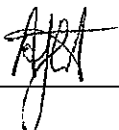


Signature Witnessed by: _____

At the conclusion of this meeting, which lasted nearly an hour, SADRANI agreed he would improve the staff training. On 5th February 2010 I sent him an email of the points we agreed, I have had no response to this. A copy of this email is attached.



Signature: _____



Signature Witnessed by: _____

Murphy Kev

From: Glover Andy
Sent: 01 June 2010 15:36
To: Murphy Kev
Subject: FW: Meeting of 03/02/10

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

From: Glover Andy
Sent: 05 February 2010 14:37
To: Pravin Sadrani (E-mail)
Cc: Murphy Kev; Paul Baker (E-mail); Russ Howell (E-mail)
Subject: Meeting of 03/02/10

Prav,

Many thanks for meeting with me on Wednesday, I hope you appreciate the partnership working ethos that Kev Murphy and myself work by. I also hope you realise now the workings of the Traffic Light Matrix and how it is purely an early warning system to allow Kev and myself to be notified more easily which of our 1600+ premises has an issue and how we (the Police) and you (the trade) can work together to remove or reduce the issue in a mutually agreeable way. Often the trade does not realise their problems until we inform them.

At the meeting we discussed the issues that put your premises into the Red. The issues raised were mainly with regards to your door staff ejecting problem customers for one reason or another. Whilst I accepted the door teams were doing their job, the criticism was the underlying issue of the frequency with which they had to, this ultimately proving to be drunkenness. We discussed this and the way forward, below is the actions you agreed to take, please return this email to me approving the actions as agreed. I must for the record make mention that we discussed the option of decanting bottles by staff at point of sale as a result of a bottling incident on 28th November 2009, but you have declined to accept this, as your own principle is that your female customers are more able to monitor and protect their own drink more easily with a bottle. I accept your argument and leave you to police your bar appropriately with the caveat that further incidents of use of glass as weapons would force my hand to call your licence in for review in order to place the decanting as a condition.

You have agreed to:

1. Instruct your door staff to be extra vigilant in terms of not permitting preloaded customers into the premises or persons who have clearly reached their limit. If in doubt err on the side of caution and refuse entry.
2. Instruct internal staff, e.g. glass/bottle collectors to collect more frequently and inform SIA and bar staff of anyone who appears drunk so the appropriate action can be taken if required, either refusal to serve drink or removal before behaviour escalates.
3. Provide more frequent training to staff with regards to the Licensing Act 2003, First Aid, Conflict Resolution and document all training given, signed and dated by each staff member.

With regard to your problem of persons bringing their own bottles in, you may wish to adopt a condition of entry for searches at crucial times.

I trust you still agree to these measures and await your response

Regards

PC 792 Andy Glover | Licensing Officer
Northamptonshire North | Northamptonshire Police
☎ Telephone 03000 111 222 Ext 5741 | 📠 Facsimile 01933 235175
✉ Email andy.glover@northants.pnn.police.uk

✉ Email NBLicensingUnit@northants.pnn.police.uk

📍 Address Licensing Unit, Community Safety Department, Unit C,
Diamonds Business Centre, Attley Way, Irthlingborough, NN9 5GF

♻️ Please consider the environment before printing this email

RESTRICTED (when complete)

Appendix A

STATEMENT OF WITNESS

(Criminal Procedure Rules, r.27.2;
Criminal Justice Act 1967, s. 9, Magistrates Courts Act 1980, s.5B)

URN

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Statement of : Donna Michelle FLEMING

Age if under 18 : Over 18 (if over 18 insert 'over 18') Occupation : Police Constable 1428

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

Signature:

Date: 28-May-2010

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

On the evening of Friday 28th May 2010 I was on plain-clothes covert police duties in company with PC 328 Nicola MURRAY under Operation Shelley, which on this particular night involved checking bar staff who were serving alcohol to persons who were intoxicated.

At 21:35 hours I attended BAR QBANA on Ebenezer Place where I sat at the bar with PC MURRAY. At 22:15 hours my attention was drawn to a white male that was approximately sixty years old, of a medium build wearing what I would describe as a lumber jacket, which was chequered. I noticed him as he walked from the bar area he stumbled onto the empty dance floor as if he was struggling to maintain his balance, I formed the opinion he was under the influence of intoxicating liquor. There were approximately twenty people in the bar at the time, some of whom began to laugh at him, I heard a member of bar staff say "HE'S HAD ONE OR TWO" and was also laughing. The male wearing the lumber jacket disappeared from my view for a short time and then returned to the bar area where he was sat on a stool slumped on the bar.

At 22:35 hours whilst still seated at the bar I observed a member of staff who I now know to be named [redacted] walk over to the male and a conversation took place, whereby the [redacted] then went to the spirit bottle handing up behind the bar and deliver some of the liquid into a small glass and then walk to the soft drink mixers where some further liquid was put in the glass. Initially, from the position where I was seated I believed the alcohol to be from a Jack Daniels bottle but have since established the liquid was a double shot of vodka with coke.

The male wearing the lumberjack top was then handed the drink, he seemed to take a lot of time to get his money out of his pocket before handing over a twenty pound note which was taken by [redacted] and change delivered. [redacted] then walked out from behind the bar and was stopped by PC MURRAY who identified herself as a police officer and the reason for out attendance in the bar and he had been observed serving a male who was drunk. [redacted] began to protest that he had not seen the male fall over and he did not believe him to be drunk as he was a regular customer, he tried to insist to me that he would have a word with the customer as he was not actually causing any trouble but I stopped him from doing so. He was informed that we had seen the male almost

Signature:

Signature witnessed by:

(To be completed if applicable M.N being unable to read the above statement I, of read it to him/her before he/she signed it.

Signed Date

Continuation of Statement for : Donna Michelle FLEMING

Appendix A

fall over and a member of staff had also commented on the fact that he had had a few drinks.

██████████ was then moved to the outside area where he received a fixed penalty notice for serving a drunken person. PS 1128 FLETCHER then attended the bar, conducted a litmus paper test on the drink that had been seized from the male wearing the lumber jacket. PS FLETCHER then asked ██████████ what was in the glass at which point he stated it was a house double with coke (house double being vodka).

The litmus paper turned green when dipped in liquid that had been served to the male wearing the lumberjacket, which confirmed it as alcohol at 0.04%.

The only other comment of note from ██████████ was that he stated he was bottling up when the male had fallen across the dance floor and had not seen him fall over.

During my time at Bar Qbana I had three quarters of a bottle of WKD BLUE to drink, up the point when I left the bar there was a quarter of a bottle remaining.

 R L W D

Signature :



Signature witnessed by :

PC (L) W D

RESTRICTED (when complete)

WITNESS STATEMENT

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

URN

Statement of: Nichola Jayne MURRAY PC328

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

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

Signature: *Nichola Jayne Murray*

Date: 28/5/10

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

On Friday 28th May 2010 I was on duty in plain clothes covert duties, under Operation SHELLEY. As part of this duty I was crewed with PC1428 FLEMING and tasked with observing bar staff serving drunk persons, contrary to Section 141 Licensing Act 2003, Selling or attempting to sell alcohol to a person who is drunk.

At 2137 hours I entered BAR QBANA Public House, EBERNEZER PLACE, CORBY went to the bar and ordered a drink, I remained with PC1428 at the edge of the Bar area.

There were about 20 persons inside the premises, most mainly sitting at the bar area.

At 2215 hours my attention was drawn to a white male, aged about 60, 5'0", with short grey hair and a moustache wearing a lumberjack type shirt, had left the bar area and was walking away from the bar, I turned to look at this male as he nearly fell backwards and staggered two steps, before being able to right himself. He went off to my left out of sight, in the direction of the toilets. Due to the manner in which he was walking, in my opinion, I would say that this male was exceptionally drunk and the other persons at the bar looked over towards him and laughed at him. At this point there were two bar staff behind the bar and young male and young female.

After about 5 minutes this male returned back to the bar area and sat on a bar stool, next to a white female, with wearing a hat. This male, finished the drink that he had in his hand resting on the bar in front of him. This was a dark coloured drink in a half pint sized glass. The male then sat at the bar and appeared to nearly fall asleep as his head fell forward towards his chest area. The female was then talking to this male. His eyes were glazed and it was clear to me in the way he was sitting on the stool that he was drunk.

At about 2232 hours I observed a male member of bar staff wearing a white t-shirt, take a drink order from the male in the lumberjack shirt. The member of staff had to lean forward to take the order from the male and laughed as he listened to the order. I did not hear exactly what was said at this point.

I then saw the male member of bar staff who I now know as [redacted] pick up a tumbler type glass, go to the optics on the wall behind him, I did not see which one, and then use the drinks mixer to fill the glass up. He then handed the tumbler glass filled with a dark coloured liquid to the male wearing a lumberjack shirt. The male then leaned back slightly to look for change in his pockets and he picked up the change in his hand and looked like he was trying to focus on the coins in his hands. He then reached back into his pockets and pulled out a £20 note to pay for the drink. He handed this to [redacted] who then gave him change. At 2232 hours I sent a text message to Sgt FLETCHER to inform him we had observed a sale.

After serving the male in the lumberjack shirt [redacted] then went to walk away from behind the bar, at this point I stopped him and informed him I was a police officer and that I had just observed him selling alcohol to a drunk male. PC1158 PRENTICE, PC502 NORTH, PC1198 SAE-THANG and PC725 STREET arrived at the premises, I informed them of what I had observed and advised them which male had sold the alcohol and which male had drank it. I do not know the

Signature: *Nichola Jayne Murray* Signature Witnessed by: _____

name of the male in the Lumberjack shirt.

I observed PC1158 PRENTICE issue [redacted] with a PND and Sgt FLETCHER undertake a litmus paper test of the drink that had been served to the male which was positive for alcohol.

Whilst in the public house I had consumed one bottle of SMIRNOFF ICE.

I saw that there was a CCTV camera behind the bar which had several screens and appeared to be recording inside the outside the front of the premises. [redacted] indicated that this was fully operational and recording at that moment in time.

Signature: _____

Signature Witnessed by: _____

RESTRICTED (when complete)

WITNESS STATEMENT

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

URN

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Statement of: Jan Fletcher
Age if under 18: 0/21 (if over 18 insert 'over 18') Occupation: POUCE SGT 1124

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

Signature: [Signature] PS1124 Date: 2/6/10

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

I am the Manager of the Northamptonshire North Licensing Unit and an a fully qualified Police Licensing Officer

On the evening of Friday 28th May 2010, I was on plain clothes duties in WENNER, a company with PC 1048 MURRAY

At 21.30 hours, some day, acting on information received, I attended BAR Q'DANJA, ENNER, POUCE

On arrival I spoke to PC 15328 NICOLA MURRAY and 1428 FLETCHER (plain clothes), who identified to me a man who I was known to be the defendant

~~REDACTED~~

I identified myself to the defendant
Signature: [Signature] Signature witnessed by: _____ PTO

Continuation of Statement of Ja Fleder

who had been combured by PC 1152
PREVIOUS

I noted a small tumbler on
the table in front of He defedat
The tumbler containing a black
liquid.

1118 " What is in that glass ? "

def " WOSE DORSE AND COKE ! "

1120 " Double what ? "

def " VODKA ! "

I He explained that I would
need to test the liquid for
alcohol content and opened an
'Acacia TEST STRIP' which

I dipped into the liquid.

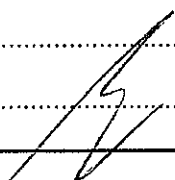
After 2 minutes the strip (lot 91705)
indicated a light blue colour

~~_____~~ alcohol,

confirming that the drink was
indeed alcoholic

The test and conversation was
recorded on a head camera by
PC 1198 SWE - THAND

I He left the premises

Signature:  PS112

Signature witnessed by:

RESTRICTED (when complete)

Appendix A

WITNESS STATEMENT

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

URN

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Statement of: Megan Susan Emma SAE-THANG

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

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

Signature:



Date:

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

I am PC1198 Megan SAE-THANG of the Northamptonshire presently stationed at Kettering Police station.

I am trained in the use of Body Worn Video.

On Friday 28th May 2010 I commenced uniform patrol duties at 20.00 hours at Kettering Police station. At the commencement of my duty I was issued with a Body Worn Video Camera No. 093104.

I assembled the unit and checked it was working correctly and the date/time stamp of the R1 unit was correct.

At 22.41 hours on 28th May 2010 I was on patrol when I was directed to attend a report of bar staff that had served a drunk male in Bar QBANA. I commenced recording an incident of Selling or Attempting to sell alcohol to a person who is drunk at BAR QBANA, EBENEZER PLACE, KETTERING.

The recording shows a drunk male identified as [REDACTED], date of birth unknown who had been witnessed by officers at the location be served alcohol by the bar staff. The identified member of staff is then issued a PND by PC1158 PRENTICE.

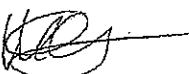
I continued recording until 22.49 hours when I turned the unit off at BAR QBANA because the incident had been resolved and dealt with.

During my tour of duty I attended 1 incident and recorded footage from the relevant incident onto the memory of the device.

At 23.10 hours I burnt a master copy DVD of the images recorded which I exhibit MS1 and deposited this into Detained property (ref No. NC/004281/10) at Kettering Police station.

I later downloaded the incidents onto the Force FotoWeb system.

Signature :



Signature witnessed by :

RESTRICTED (when complete)**WITNESS STATEMENT**

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


URN

Statement of: Craig MCLOUGHLIN PC1309

Age if under 18: Over 18

(if over 18 insert 'over 18') Occupation: Police Constable

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

Signature: 



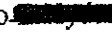

Date: 7th June 2010


I am a police officer with Northamptonshire Police based at the Kettering police station within the Safer Community Team. On Saturday 7th June 2010 I was in full police uniform on foot duty around Kettering town centre as part of Operation Nightsafe.


This statement is in relation to my observations regarding Bar Qbana's lack of control at the main entry point to the premises.


My town centre foot patrol began at 22:00hrs on Saturday 5th June 2010 and concluded at 03:00hrs Sunday 6th June 2010. Part of my duties is to visit the licensed premises and check SIA badge compliance, customer volumes and liaise with door staff to monitor any potential trouble in the area. Over the last couple of months there have been increased problems around the location of Bar Qbana, Kettering with underage persons being heavily intoxicated.

At 00:00hrs on Sunday 6th June 2010 I approached Bar Qbana in Kettering and noticed that there were no door supervisors present. I waited by the door for ten minutes before a member of door security came outside to supervise the main entry point to the premises. During this ten minutes I observed persons enter the premises who appeared to be drunk and obviously under the age of eighteen.

The door supervisor who came out was , SIA expiry date , badge number D130011820144278. I said to  "HOW MANY DOOR STAFF HAVE YOU GOT ON?",  replied with "WE ONLY GOT TWO ON TODAY, I'M WATCHING INSIDE AS WELL AS THE DOOR, THE OTHER GUY IS AT THE BACK". At this time the other door supervisor was not visible.

At 00:25hrs I returned to Bar Qbana and saw  standing outside the door of the premises. I asked him "WHO'S LOOKING AFTER THE INSIDE?" he replied "WE GOT THREE ON, ONE'S JUST NIPPED OFF FOR A BIT TO HELP OUT THE TAXI'S". At this time I was concerned that at most only one supervisor was looking after the inside of the premises at its peak customer time.

At 01:40hrs I walked past Bar Qbana and there was no door supervisors present on the outside of the door. I waited a couple of minutes and went over to Bar Qbana where I could see  inside the premises monitoring the inside, around four meters from the main entry point to the premises.

Signature: Signature Witnessed by: 

At 01:50hrs I again walked past Bar Qbaan and again no door supervisor present, I could not see one near to the door either.

A while later, time not recorded by myself I again walked past Bar Qbana and saw a different door supervisor on the door being [REDACTED] SIA expiry 02-SEP-2012.

Both door supervisors were displaying their SIA badge and allowed details to be taken from them upon request. My main concern is that there was insufficient door staff on duty to monitor and control the volume of customers within the premises. With one door supervisor at the rear this left the other to control the main area of the bar and also the main entry point in to the premises.

The number of supervisors is obviously not sufficient as I observed intoxicated persons entering the premises un-challenged due to no control at the entry point. I also observed persons clearly under the age of eighteen years old enter the premises without being challenged.

PC1309

Signature: _____

PC1309

Signature Witnessed by: _____

MA



MEMORANDUM

From: Chief Superintendent Paul FELL

Extension 4700

Date: 15 June 2010

Our Ref: PF.DF

TO: PC 1048 MURPHY

REVIEW APPLICATION – BAR Q BANO, KETTERING

PC Murphy,

Please find attached your own report and premises licence review application documentation in relation to the premises of Bar Q Bano that is situated in Ebenezer Place, Kettering.

I have carefully reviewed this application and I consider that the case for an application or a review of this premises licence is made out.

My rationale for this decision is based around what appears to be an ongoing history of disorder, coupled with attempts by the Northamptonshire North BCU Licensing Unit to engage with the licensee and DPS to resolve.

Whilst it is fair to state and indeed to acknowledge that there have been efforts in order to do this with the promise of additional training for door staff and a potential upgrading CCTV this does not appear to have diminished to any great extent these issues that have arisen and more recently there have been concerns raised that have clearly now been evidenced in relation to the serving of persons under the age of 18 with alcohol emanating from that premises.

As such please take this memorandum as support to proceed to the next stage of the licence review application.

I would recommend that in forwarding these papers to the local licensing committee we not only agree to the use of Borough CCTV and the officer's body worn video in relation to this incident that we also offer up our overt support to the licensing authority with having those officers who were situated inside the premises and witnessed the sale, along with those who undertook the testing of the alcohol and the issuing of the penalty notice in relation to its sale attend the hearing should they be required in person to provide prima facia evidence.

Thank you.

A handwritten signature in black ink, appearing to read "Paul Fell", written over a white background.

PAUL FELL
Chief Superintendent
Area Commander Northamptonshire North

