

NOTICE
OF
MEETING

**LICENSING & PUBLIC SPACE
PROTECTION ORDER (PSPO) SUB
COMMITTEE**

will meet on

Thursday 9 March 2023

At 10.30 am

In the

Grey Room - York House, Windsor and on [RBWM YouTube](#)

To: Members of the Licensing & Public Space Protection Order (PSPO) Sub Committee

Councillors Phil Haseler, Mandy Brar and John Bowden

Substitute Members

Councillors Jon Davey, Karen Davies, Sayonara Luxton, Geoff Hill, David Hilton and Catherine Del Campo and David Cannon

Kirsty Hunt, Service Lead – Electoral & Democratic Services - Issued: 1 March 2023

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Democratic Services Officer **Oran Norris-Browne** Oran.Norris-Browne@RBWM.gov.uk

Recording of Meetings – In line with the council's commitment to transparency the Part I (public) section of the meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain. If you have any questions regarding the council's policy, please speak to Democratic Services or a Legal representative prior to the meeting.

AGENDA

<u>Item</u>	<u>Subject</u>	<u>Page No</u>
1.	<u>Election/Confirmation of Chair</u> To elect/confirm a Chair for the duration of the hearing.	-
2.	<u>Apologies for Absence</u> The Sub Committee shall receive any apologies for absence.	-
3.	<u>Declarations of Interest</u> The Sub Committee are asked to declare any interests that they may have.	3 - 4
4.	<u>Procedures of the Sub Committee</u> All attendees at the hearing are to note the procedures of the Sub Committee.	5 - 6
5.	<u>Consideration of an application to review a premises license</u> The Sub Committee are to consider an application to review a premises license for Jagz Ltd trading as Drinks & Flair under s51 of the Licensing Act 2003.	7 - 116

MEMBERS' GUIDE TO DECLARING INTERESTS AT MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a Disclosable Pecuniary Interest (DPI) or Other Registerable Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

DPIs (relating to the Member or their partner) include:

- *Any employment, office, trade, profession or vocation carried on for profit or gain.*
- *Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses*
- *Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.*
- *Any beneficial interest in land within the area of the council.*
- *Any licence to occupy land in the area of the council for a month or longer.*
- *Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.*
- *Any beneficial interest in securities of a body where:*
 - a) *that body has a place of business or land in the area of the council, and*
 - b) *either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.*

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.** If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Other Registerable Interests:

- a) any unpaid directorships
 - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
 - c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- of which you are a member or in a position of general control or management

Disclosure of Non- Registerable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, or a body included under Other Registerable Interests in Table 2 you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a financial interest or well-being of a body included under Other Registerable Interests as set out in Table 2 (as set out above and in the Members' code of Conduct)

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter (referred to in the paragraph above) **affects** the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Other declarations

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

Procedures

The Sub-Committee to elect a Chair. The Chair will welcome all parties to the meeting, introduce the Sub Committee members and officers present. The hearing will then proceed as follows;

- a) The Officer Reporting (as the licensing authority) to outline the application and the decision to be taken
- b) Members to ask questions of the Officer Reporting
- c) Applicant to ask questions of the Officer Reporting
- d) Premises licence holder to ask questions of the Officer Reporting

- e) The Applicant to put their case to the Sub Committee
- f) Members to ask questions of the Applicant
- g) Premises licence holder to ask questions of the Applicant

- h) Other responsible authorities to make their representation
- i) Members to ask questions of other responsible authorities
- j) Premises licence holder to ask questions of other responsible authorities

- k) Other persons to make their representation
- l) Members to ask questions of other persons
- m) Premises licence holder to ask questions of other persons

- n) Premises licence holder to make their representation
- o) Members to ask questions of the premises licence holder
- p) Applicant to ask questions of the premises licence holder

- q) Applicant to briefly summarise their position
- r) Premises licence holder to briefly summarise their position
- s) Officer Reporting to sum up and restate the options for the Members of the Sub Committee
- t) Chair to ask if any parties have any further questions or anything they wish to add
- u) Sub Committee to retire and make their decision within 5 working days

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RBWM LICENSING & PUBLIC SPACE PROTECTION ORDER SUB-COMMITTEE

09 March 2023 10.30 - York House, Windsor

CONSIDERATION OF AN APPLICATION TO REVIEW A PREMISES LICENCE UNDER s51 of the LICENSING ACT 2003

Sub-Committee Members: Cllr Brar, Cllr Haseler, Cllr Bowden

Officer reporting: Greg Nelson, Trading Standards & Licensing Manager

1. The Application

Applicant: Mr Alex Lisowski, RBWM Licensing Enforcement Officer, for RBWM Licensing acting as a responsible authority

Premises Licence: Jagz Ltd trading as Drinks and Flair, Station Hill, Ascot, SL5 9EG

Type of Premises: Licenced bar and events venue

The current premises licence is **Appendix A**

The application to review this premises licence is **Appendix B**

2. Previous Hearing

A hearing to determine this application before a Licensing and Public Space Protection Order Sub Committee originally took place on 23 January 2023. At that hearing the premises licence holder was represented by Ms Curtis and M Hayward, directors of Jagz Ltd, and they requested an adjournment of the proceedings as they were seeking to fully acquire the business in question.

A licensing authority is permitted to adjourn a hearing where it considers this to be necessary for its consideration of any representations or notice made by a party to the hearing.

The Chair of the Sub Committee on 23 January stated that the Sub Committee agreed to adjourn the hearing until a later date which would be notified forthwith. This was to allow the new minority shareholders to complete the acquisition of the business in question and fulfil the legal processes involved. The other reason was because Ms Natasha Tah, the director and majority shareholder of the company, was not present, and the Sub Committee wished for her to attend a future meeting to answer to the reasons as to why the licensing conditions were breached at the premises and to give her account of events.

When a hearing is adjourned the parties are to be notified forthwith of the date on which the hearing is to be reconvened. On 27 January the parties to these proceedings were notified that the new hearing date was Thursday 9 March 2023 at 10.30.

The minutes of the Licensing and Public Space Protection Order Sub Committee of 23 January 2023 can be found at

<https://rbwm.moderngov.co.uk/ieListDocuments.aspx?CId=599&MId=8434&Ver=4>

Since the hearing of 23 January Ms Curtis and M Hayward have ceased being directors of Jagz Ltd. This means they are no longer a party to these proceedings.

The rest of this report is largely the same as that presented to the Sub Committee on 23 January as no new evidence has been provided by any of the parties involved.

3. Background

Under section 51 of the Licensing Act 2003 a responsible authority or any other person may apply to the relevant licensing authority for a review of a premises licence.

A “responsible authority” is defined in the Licensing Act 2003 as one of the agencies set out in section 13 of that Act. This includes the relevant licensing authority in whose area the premises is situated.

Any such application must not be frivolous or vexatious or a repeat of a previous application, but it must relate to one or more of the four licensing objectives set out in the Licensing Act 2003, which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance, and
- the protection of children from harm

The application to review the premises licence of Jagz Ltd trading as Drinks and Flair is not frivolous or vexatious, or a repeat of a previous application. It relates to one or more of the four licensing objectives. It is therefore a valid application.

The application includes a statement from the applicant, Mr Lisowski, for RBWM Licensing acting as a responsible authority, which sets out in detail the reasons why the application has been submitted and the evidence to support it. Mr Lisowski concludes his statement by saying

“Because of all these factors I don’t think it is possible to stop further breaches of the licence happening. The only way to prevent further breaches of the licence from occurring, are to revoke the licence.”

You will hear from Mr Lisowski during the course of the hearing.

The premises licence holder was informed of this application by e-mail on 09 December 2022. The e-mail was sent to both the company’s e-mail address, and to Ms Natasha Tah who is the majority shareholder. This e-mail is **Appendix C** to this report.

The Sub Committee must consider the application from Mr Lisowski, the other representations received in respect of this application, and the response of the licence holder, and then determine the application in light of the four licensing objectives.

4. The Review Process

When an application is made to review a premises licence, the process is subject to statutory time limits which are as follows;

- Regulation 22 of The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 provides the following for receiving representations in relation to an application;
“a period of 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant”.

This application was received on Friday 09 December. The 28 consecutive day period to receive representations therefore started on Saturday 10 December and ended on Friday 6 January 2023

- Schedule 1 of The Licensing Act 2003 (Hearings) Regulations 2005 then provides the following for the timescale during which the hearing to determine an application for a review of a premises licence must be held;
“20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 51(3)(c)”

This 20 working day period started on Monday 9 January and would end on Friday 3 February 2023.

By having the original hearing on 23 January 2023 the requirement to hold a hearing within 20 working days was complied with.

At RBWM the hearing to determine an application to review a premises licence is before a Licensing and Public Space Protection Order Sub Committee, and that Sub Committee can take such steps, as set out in legislation, as are appropriate for the promotion of the four licensing objectives.

During the 28 consecutive day consultation period outlined above, responsible authorities, as defined by the Licensing Act 2003, may make representations about the application. Other persons may also make representations.

5. Relevant Representations Received

With respect to this application from Mr Lisowski to review the premises licence of Jagz Ltd trading as Drinks and Flair, relevant representations from responsible authorities other than RBWM Licensing were received as follows;

- | | |
|--|-------------------|
| a. Thames Valley Police | Appendix D |
| b. RBWM Environmental Health | None |
| c. RBFRS: | None |
| d. RBWM Planning | None |
| e. RBWM Local Safeguarding Children's Board (LSCB) | None |

- | | | |
|----|------------------------|------|
| f. | Public Health | None |
| g. | RBWM Trading Standards | None |

The applicant, Mr Lisowski, also made an additional representation which is added to his original application, Appendix B.

Representations about an application can also be made by any other person. Such a representation was received from Gosschalks LLP acting on behalf of Ei Group Ltd, the freehold owner of the premises that is the subject of this application. This representation is **Appendix E**.

All parties who made representations were required to notify the licensing authority, in advance, if they intended to attend the hearing and, if so, if they intended to be represented or call witnesses.

Proper notification was received from

- Mr Lisowski and Mr Hawkings, for RBWM Licensing acting as a responsible authority
- Debie Pearmain, Police Licensing Officer, Thames Valley Police
- Gosschalks LLP

6. Licensing Authorities Acting as Responsible Authorities

It should be noted that, in respect of this application, RBWM is acting as both the licensing authority and as a responsible authority.

Section 53 of the Licensing Act 2003 specifically provides that, where a local authority is both the relevant licensing authority and a responsible authority in respect of any premises, the authority may, in its capacity as a responsible authority, apply under section 51 for a review of any premises licence, and may, in its capacity as licensing authority, determine that application.

In such situations the guidance included in the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003, April 2018, must be followed. This guidance states that;

“ it is important to achieve a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. In such cases licensing determinations will be made by the licensing committee or sub committee comprising elected members of the authority (although they are advised by a licensing officer). Therefore, a separation is achieved by allocating distinct functions (i.e. those of licensing authority and responsible authority) to different officials within the authority” (paragraph 9.17)

“In these cases, licensing authorities should allocate the different responsibilities to different licensing officers or other officers within the local authority to ensure a proper separation of responsibilities. The officer advising the licensing committee (i.e. the authority acting in its capacity as the licensing authority) must be a different person from the officer who is acting for the responsible authority. The officer acting for the responsible authority should not be involved in the licensing decision process and should not discuss the merits of the case with those involved in making the determination by the licensing authority. For example, discussion should not take place between the officer

acting as responsible authority and the officer handling the licence application regarding the merits of the case. Communication between these officers in relation to the case should remain professional and consistent with communication with other responsible authorities” (paragraph 9.18)

Following the Home Office guidance this separation of responsibilities has been achieved in this matter by having one officer, Greg Nelson, Trading Standards & Licensing Manager, acting as the licensing authority. His role is to present this application to the Sub Committee by means of this report and to advise the Sub Committee about the licence review process.

A different officer, Mr Lisowski, is acting for the Royal Borough as a responsible authority along with Craig Hawkings RBWM Licensing Team Leader.

To further ensure fairness and impartiality, decisions relating to the application made by Mr Lisowski will be decided by the Sub Committee, comprising elected members of the authority, advised by an impartial legal advisor.

7. Matters to Consider

In considering an application to review a premises licence, the Sub Committee must take into account

- the application itself
- representations received about the application
- representations made by the premises licence holder
- the RBWM Statement of Licensing Policy 2021-2026
- the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003, April 2018.

8. RBWM Statement of Licensing Policy 2021-2026

The sections of the RBWM Licensing Policy relevant to this application are; Licensing Objectives and other Key Aims and Purposes

1.9 The four licensing objectives covered by this policy, as set out in the Licensing Act 2003, are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

1.10 These four objectives are of equal importance. There are no other statutory licensing objectives so the promotion of these four objectives is a paramount consideration at all times.

1.11 This Statement of Policy reflects the guidance issued by the Home Office under section 182 of the Licensing Act 2003 (version published April 2018).

1.12 Paragraph 1.5 of the section 182 guidance states that licensing legislation supports a number of key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. These include:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licenced premises.

- Giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing the problems

Conditions

5.2 The Council maintains that licensing is about the control of licenced premises, qualifying clubs and temporary events within the terms of the 2003 Act. Any terms and conditions attached to licences will be focused on matters which are within the control of individual licensees and others granted relevant permissions, centering on the premises and their vicinity.

Wider Community Interest

6.9 Wider Community Interest - The licensing authority considers that its licensing functions are exercised in the public interest. Furthermore, the licensing authority is under a duty to take any steps with a view to the promotion of the licensing objectives in the interests of the wider community and not just those of the individual licence holder.

Promoting the Prevention of Crime and Disorder

Where appropriate, the licensing authority and responsible authorities may propose conditions relating to the following issues in relation to the Prevention of Crime and Disorder objective:

- Measure to prevent bottles being carried from premises
- Use of drinks' promotions
- Measure to prevent binge drinking
- Participation in the Pub Watch Scheme
- Use of door supervisors
- Training staff in crime prevention measures
- Search procedures
- Use of close circuit television
- Lighting
- Where premises are new, designing out crime
- Quality of surveillance of premises

9. Revised Guidance issued under section 182 of the Licensing Act 2003

The sections and paragraphs of the Home Office Guidance relevant to this application are;

Licensing objectives and aims

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.3 The licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area;

Crime and disorder

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

Hearings

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

Reviews

11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.

11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives

11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons.

11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest.

11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.

11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation

Powers of a licensing authority on the determination of a review

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems

at the premises and, where other measures are deemed insufficient, to revoke the licence.

10. Conclusion

The LPSPO Sub Committee is obliged to determine this application with a view to promoting the four licensing objectives, which are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance
- The protection of children from harm.

In making its decision, the Sub Committee is obliged to have regard to national guidance and the Council's own Statement of Licensing Policy, as well as giving full consideration to all of the written representations made and the evidence that it has heard in relation to this application.

The Sub-Committee must then take such of the following steps (if any) as it considers appropriate for the promotion of the four licensing objectives:

- (a) to modify the conditions of the licence;**
- (b) to exclude a licensable activity from the scope of the licence;**
- (c) to remove the designated premises supervisor;**
- (d) to suspend the licence for a period not exceeding three months;**
- (e) to revoke the licence;**

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

In making their decision the Sub Committee is reminded that they have a duty to behave impartially and that their decision must be based on the evidence that has been presented to them.

In their written decision the Sub Committee should;

- Refer to every relevant representation and the supporting evidence provided
- State the extent to which it has taken account of RBWM Policy and national guidance
- When deciding in accordance with RBWM Policy and national guidance, explain why it has not considered a departure justified, if applicable
- If deciding contrary to RBWM Policy or national guidance, explain the basis and reason for the departure and the evidence that supported this decision
- When refusing an application in whole or in part, or modifying the activities and/or the hours and/or the conditions to a licence that is granted, state why it considered it appropriate to do so in order to promote one or more specified licensing objectives, and the evidence that supported this decision. Any such decision must be cogent and legally sound

- Use the legal adviser's help to draught its reasons and to assist in ensuring that the decision is legally robust, but the reasons must be the Sub Committee's
- Ensure, as far as is reasonably possible, that their decision will be able to withstand scrutiny should any of the parties to this hearing appeal that decision the to the Magistrates Court

The Sub Committee is reminded that any party to the hearing may appeal against its decision to the Magistrates Court within 21 days of the notification of that decision.

The Sub Committee is asked to determine the application

Appendices:

Appendix A – Premises licence for Jagz Ltd trading as Drinks and Flair

Appendix B – Application to review the premises licence for Jagz Ltd trading as Drinks and Flair plus additional representation

Appendix C – Notice of the Application

Appendix D – Representation from Thames Valley Police

Appendix E – Representation from Gosschalks LLP

Background papers:

Licensing Act 2003 found at

<https://www.legislation.gov.uk/ukpga/2003/17/contents>

Licensing Act 2003 s182 Statutory Guidance, found at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

RBWM Statement of Licensing Policy 2021-2026, found at

https://www.rbwm.gov.uk/sites/default/files/2021-07/licensing_policy_statement.pdf

Financial implications: None directly but Members should be aware that any decision of the Sub-Committee may be appealed against in the Magistrates' Court and such an appeal may involve additional costs and possible costs against the Council.

Environmental/Sustainability Implications: Any authorisation under the Licensing Act 2003 may give rise to environmental implications both positive and negative depending upon the application and any measures proposed to take control adverse environmental factors. However, in the case of this application, there are no specific environmental or sustainability implications.

Legal implications: As outlined in the report.

Equality Implications: None.

Risk Implications: None.

Community Safety Implications: As outlined in the evidence submitted to this hearing.

Report Author / Officer Reporting

Greg Nelson – Trading Standards & Licensing Manager

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07970 446526

Premises Licence

LOCAL AUTHORITY

The Royal Borough of Windsor and Maidenhead
Town Hall
St Ives Road
Maidenhead
SL6 1RF

Tel: 01628 683840
www.rbwm.gov.uk

Part 1 – Premises Details

www.rbwm.gov.uk



Royal Borough
of Windsor &
Maidenhead

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Drinks And Flairs

Station Hill Ascot SL5 9EG

WHERE THE LICENCE IS TIME LIMITED BY THE DATES

Date Issued: 3 January 2023

Not applicable

LICENSABLE ACTIVITIES AND TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF THOSE ACTIVITIES

Activity, Location and Area if Applicable	Description	From – To
G. Performance of Dance (Indoors)	Wednesday	12:00 - 02:00
	Thursday to Saturday	12:00 - 03:00
	Sunday	12:00 - 02:00
	Monday to Tuesday	12:00 - 01:00
	Permit the premises to be used for dancing performances and competitions as well as by customers	
B. Exhibition of a film (Indoors)	Wednesday	09:00 - 03:00
	Sunday	09:00 - 03:00
	Monday to Tuesday	09:00 - 02:00
	Thursday to Saturday	09:00 - 04:00
	Video Entertainment on TV screens and amusement machines.	
Indoor Sporting Event	Wednesday	09:00 - 03:00
	Sunday	09:00 - 03:00
	Monday to Tuesday	09:00 - 02:00
	Thursday to Saturday	09:00 - 04:00
	Seasonal Details - Darts Competitions, Dominoes, and activities of a like nature either organised or spontaneous	
F. Playing of Recorded Music	Wednesday	09:00 - 03:00
	Sunday to Saturday	09:00 - 03:00
	Monday to Tuesday	09:00 - 02:00
	Thursday to Saturday	09:00 - 04:00
	Recorded music, including juke box type music and Karaoke with or without DJ, during normal business or as part of functions, and including audience participation. Recorded music will be played as background in the Caf ^e and balcony/outside during the day and evening. Music will be turned down after permitted hours to supply alcohol	
	Seasonal Details - No outdoor music or any other Licensable activity outside after 2300 hours 7 days a week.	
H. Other Entertainment falling within Act	Sunday to Wednesday	12:00 - 00:00
	Thursday to Saturday	12:00 - 01:00
	Compeers for quiz and similar events, comedians and similar performances. In any case using voice amplification.	

Premises Licence

I. Provision of facilities for making music

Thursday to Sunday	12:00 - 01:00
Monday to Wednesday	12:00 - 00:00
A stage area and microphone with amplifiers for use as and when required, at any time during opening hours	

M. Supply of alcohol consumed BOTH on and off Premises

Thursday to Saturday	09:00 - 03:00
Monday to Tuesday	09:00 - 01:00
Sunday	09:00 - 02:00
Wednesday	09:00 - 02:00

THE OPENING HOURS OF THE PREMISES

Day	Time From – To
Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 03:00
Thursday	09:00 - 04:00
Friday	09:00 - 04:00
Saturday	09:00 - 04:00
Sunday	09:00 - 03:00

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

Alcohol is supplied for consumption both ON and OFF the Premises

Premises Licence

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Jagz Limited
Station Hill Ascot SL5 9EG
Telephone No:- 01344 622925

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Jagz Limited 02716823

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Pavun Gami
[REDACTED]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No: 1002

Licensing Authority: LB Of Brent

Premises Licence

ANNEXES

ANNEX 1 – Mandatory Conditions

No supply of alcohol may be made under the premises licence:

at a time when there is no designated premises supervisor in respect of the premises licence, or
at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- 1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- 2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise)
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
 - (f) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (3) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (4) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
- (5) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph date of birth and either:
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

The responsible person shall ensure that:

Premises Licence

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available in the following measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
- (iii) still wine in a glass: 125ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises, and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) For the purpose of the condition set out in paragraph 1:

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) "permitted price" is the price found by applying the formula:

$$P = D + (D \times V)$$

where -

- (i) P is the permitted price.
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged in relation to the alcohol as if the duty were charged on the date for the sale or supply of the alcohol and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date if the sale or supply of the alcohol.

(c) "relevant person" means, in relation to the premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence.
- (ii) the designated premises supervisor.
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a charge to the rate of duty or value added tax.

Premises Licence

5) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Any individual employed to carry out a security activity must be licensed by the Security Industry Authority (SIA).

Admission of children is restricted in accordance with the recommendation by the British Board of Film Classification. If the film has not been classified the restriction of children must be approved by the Licensing Authority. (Children means any person under 18 years).

ANNEX 2 – Conditions consistent with Operating Schedule General

Prevention of Crime and Disorder

Digital CCTV monitoring system to be installed and maintained to Thames Valley Police standard.

1. Recording to be kept securely for 31 days and made available to Thames Valley Police employees
2. DPS or nominated person 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 and Authorised persons as defined by Sections 13 & 69 Licensing Act 2003.
3. Nominated person is responsible in supplying the necessary media (discs, data stick) containing any downloaded content. Refusals Register to be on the premises and kept up to date and made available upon the request of Police, Trading Standards Officers and authorised persons as defined by Sections 13 & 69 Licensing Act 2003.
4. A minimum of 10 SIA door staff to be working on a Friday and Saturday night from 21:00 until close with one staff member being female. A minimum of 16 SIA door staff to be working when the Nightclub is in operation and at any such times as requested by Thames Valley Police and RBWM Licensing
5. Door Staff Register of SIA Security Personnel shall be kept. The register will show the following details:
6. Full SIA registration number.
7. Date and time that the Door Supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager.
8. Date and time that the Door Supervisor finished work, countersigned by the Designated Premises
9. Any occurrence or incident of interest involving crime and disorder, or public safety must be recorded giving names of the Door Supervisor involved.
10. ID photo and scan of SIA badge.
11. The SIA Security Personnel register shall be kept at the premises and be available for inspection by an authorised officer of Thames Valley Police, or an authorised Licensing Officer from the Local Authority and shall be retained for a period of 1 year.
12. Whilst SIA Security Personnel are employed at the premises all will be deployed with digitally recording Body Worn Video (BWV). The BWV will be used to record any incidents which occur inside or outside of the premises involving customers, prospective customers or any staff member that impact on any of the four licensing objectives. Data recordings shall be made immediately available to an authorised officer of Thames Valley Police or an authorised Licensing Officer from the Local Authority together with facilities for viewing upon request, subject to the provisions of the Data Protection Act.
13. The Premises Licence Holder/DPS shall ensure that all SIA Security Personnel whilst employed at the premises shall wear high visibility jackets/tabards in order to be clearly visible and identifiable at all times to the public and via CCTV both internally and externally. When tabards are worn, high visibility armbands must be worn that incorporate displaying SIA badges. If high visibility full sleeved jackets are worn the

Premises Licence

PLH/DPS must ensure that all SIA Security Personnel badges are also displayed via an easily visible arm band of a different high visibility colour to the jacket that is being worn.

14. All events using promoters, not normally associated with the premise, shall require notification to Thames Valley Police a minimum of ten (10) working days prior to the event taking place, where practicable, unless the Premises Licence Holder/DPS can evidence it was asked less than 10 days before to hold the event, when less than ten (10) working days' notice will be accepted, the notification shall identify the promoter, the event being promoted and the nature of the music being promoted.
15. Thames Valley Police to be notified of any DJ's not normally associated with the premises with a minimum of ten (10) working days prior to the event taking place.
16. These events shall be subject to a full risk assessment, to be carried out by DPS, or a nominated individual and be made available on request to an authorised officer of Thames Valley Police.
17. An ID scanning system will be employed at the premises and will be utilised for all customers. This will be in operation during licensable activities and shall be a condition of entry.
18. Last entry time to the premises to be:
 - a. Monday & Tuesday – 11.30pm
 - b. Wednesday – 00.30am
 - c. Thursday to Saturday – 01.30am
 - d. Sunday – 00.30am
19. Drugs Policy to be in place and approved by Thames Valley Police
20. The DPS or nominated individual to notify the Safety Advisory Group of any large outdoor events in the car-park at least 3 months prior to the event
21. The licensee and staff will at all times in line with policy demonstrate a responsible attitude to the marketing and sale of alcohol.
22. Licensee is a member of the pub watch scheme.
23. Customers will not be allowed to leave the premises with glasses or bottles

Public Safety

Public safety is to be reviewed regularly through the health and safety policy. The health and safety policy is to be fully briefed and trained to all management and staff and staff will continue to be trained to the standards required by legislation suitable and sufficient Fire Risk Assessment to include all licensable areas both inside and outside to be submitted to Royal Borough of Windsor and Maidenhead, Licensing, Thames Valley Police and Royal Berkshire Fire and Rescue Service, Eight (8) weeks prior to " Royal Ascot Week Race Meeting".

Prevention of Public Nuisance

The premises have sufficient noise insulation for the regulated activities from the premises. Signage will be displayed regarding customers responsibilities to leave in an orderly and quiet manner consistent with good neighbour relations

Premises Licence

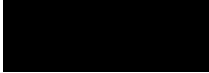
Protection of Children from Harm

The restrictions set out in the Licensing Act 2003 will apply. A recognised proof of age policy will be enforced

ANNEX 3 – Conditions attached after a hearing by the Licensing Panel

ANNEX 4 – Plans

See Attached Plans



Greg Nelson
Trading Standards & Licensing Manager

Premises Licence Summary

LOCAL AUTHORITY

The Royal Borough of Windsor and Maidenhead
Town Hall
St Ives Road
Maidenhead
SL6 1RF

Tel: 01628 683840
www.rbwm.gov.uk

[Premises Details](#)

www.rbwm.gov.uk



Royal Borough
of Windsor &
Maidenhead

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Drinks And Flairs

Station Hill Ascot SL5 9EG

WHERE THE LICENCE IS TIME LIMITED BY THE DATES

Date Issued: 3 January 2023

Not applicable

LICENSABLE ACTIVITIES AND TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF THOSE ACTIVITIES

<u>Activity, Location and Area if Applicable</u>	<u>Description</u>	<u>From – To</u>
G. Performance of Dance (Indoors)	Wednesday Thursday to Saturday Sunday Monday to Tuesday Permit the premises to be used for dancing performances and competitions as well as by customers	12:00 - 02:00 12:00 - 03:00 12:00 - 02:00 12:00 - 01:00
B. Exhibition of a film (Indoors)	Wednesday Sunday Monday to Tuesday Thursday to Saturday Video Entertainment on TV screens and amusement machines.	09:00 - 03:00 09:00 - 03:00 09:00 - 02:00 09:00 - 04:00
Indoor Sporting Event	Wednesday Sunday Monday to Tuesday Thursday to Saturday Seasonal Details - Darts Competitions, Dominoes, and activities of a like nature either organised or spontaneous	09:00 - 03:00 09:00 - 03:00 09:00 - 02:00 09:00 - 04:00
F. Playing of Recorded Music	Wednesday Sunday to Saturday Monday to Tuesday Thursday to Saturday Recorded music, including juke box type music and Karaoke with or without DJ, during normal business or as part of functions, and including audience participation. Recorded music will be played as background in the Caf ^a and balcony/outside during the day and evening. Music will be turned down after permitted hours to supply alcohol Seasonal Details - No outdoor music or any other Licensable activity outside after 2300 hours 7 days a week.	09:00 - 03:00 09:00 - 03:00 09:00 - 02:00 09:00 - 04:00
H. Other Entertainment falling within Act	Sunday to Wednesday Thursday to Saturday Compeers for quiz and similar events, comedians and similar performances. In any case using voice amplification.	12:00 - 00:00 12:00 - 01:00

Premises Licence Summary

I. Provision of facilities for making music

Thursday to Sunday	12:00 - 01:00
Monday to Wednesday	12:00 - 00:00
A stage area and microphone with amplifiers for use as and when required, at any time during opening hours	

M. Supply of alcohol consumed BOTH on and off Premises

Thursday to Saturday	09:00 - 03:00
Monday to Tuesday	09:00 - 01:00
Sunday	09:00 - 02:00
Wednesday	09:00 - 02:00

THE OPENING HOURS OF THE PREMISES

Day	Time From – To
Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 03:00
Thursday	09:00 - 04:00
Friday	09:00 - 04:00
Saturday	09:00 - 04:00
Sunday	09:00 - 03:00

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

Alcohol is supplied for consumption both ON and OFF the Premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Jagz Limited
 Station Hill Ascot SL5 9EG
 Telephone No:- 01344 622925

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Jagz Limited 02716823

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Pavun Gami

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

No prohibition or restriction on access to the premises by children

Royal Borough of Windsor and Maidenhead



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 **Alexander Lisowski**

(Insert name of applicant)

apply for the review of a premises licence under section 51 / 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, if none, ordnance survey map reference or description Drinks and Flair, Station Hill.	
Post town Ascot	Post code (if known) SL5 9EG

Name of premises licence holder or club holding club premises certificate (if known) Jagz Ltd

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

Part 2 - Applicant details

I am Alexander Lisowski

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

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 ✓ yes

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

Alexander Lisowski,
Responsible Authority Officer,
Licensing as Responsible Authority,
The Royal Borough of Windsor and Maidenhead.

Telephone number (if any)

E-mail address (optional)

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

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

Please tick one or more boxes ✓

- Y
-
-
- Y

Please state the ground(s) for review (please read guidance note 2)

SEE ATTACHED STATEMENT

Please provide as much information as possible to support the application (please read guidance note 3)

SEE ATTACHED STATEMENT

Please tick ✓ yes

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

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the 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 **Y**
- 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 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

8th December, 2022

Capacity Applicant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

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. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
STATEMENT OF WITNESS
CRIMINAL JUSTICE ACT 1967, S.9.
MAGISTRATES COURTS ACT 1980, S. 102, ss. 5A(3)(a) and 5B.
CRIMINAL PROCEDURE RULES 2005, r 27.1 (1)

STATEMENT OF: Alexander Lisowski

AGE OF WITNESS (if over 18, enter "over 18") Over 18

OCCUPATION OF WITNESS : Licensing Enforcement Officer

This statement (consisting of ~~51x~~ (6) pages each signed by me) is true to the best of my knowledge and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: 

Dated the 6th day of December 2022

I am a Licensing Enforcement Officer for The Royal Borough of Windsor and Maidenhead. I am making this statement in my capacity as a Responsible Authority Officer for the Licensing Department in its' capacity as a Responsible Authority.

I am requesting a review of the premises licence for Drinks and Flair on the grounds that there are serious breaches of the Licensing Objectives (the prevention of crime, and the protection of children) occurring, and that the Management of the venue are incapable of upholding the Licensing Objectives, or are deliberately breaching the conditions of the premises licence to the detriment of the Licensing Objectives.

Drinks and Flair, Station Hill, Ascot, SL5 9EG operates as a bar, restaurant and shisha lounge. It has events/nights with DJs so could also be regarded as a nightclub. The premises licence is attached (Exhibit AL/1). In the past the premises has variously been named as Jagz, Ascot Lounge, and Amaiya.

The premises licence holder is Jagz Ltd. One of the directors, and main shareholder, is Natasha Tah. The records at Companies House show her as having become a director on 28th July, 2022. The records also show her as being the main shareholder on that date, with a holding of at least 75% of the shares. She resigned as a director on 23rd September, 2022. On the same date Hardeep Singh Bharya was shown as being the main shareholder with at least 75% of the shares. On 26th September, 2022 Hardeep Singh Bharya ceased being the main shareholder. On the same day Natasha Tah resumed being a director and again she was shown as being the main shareholder with at least over 75% of the shares. (Exhibits AL/2A,B,C) The incidents shown below show that Natasha Tah takes an active role in the running of Drinks and Flair at Ascot.

On 22nd August, 2022 Natasha Tah submitted an application for a change of Designated Premises Supervisor (DPS) to the Council. It was incorrectly submitted on a form for the transfer of a premises licence. The next day I attended Drinks and Flair and gave her the correct forms to fill out.

On Tuesday, 30th August, 2022 I attended a meeting of the joint Council and Police Night Time Economy Forum. At this meeting the Police mentioned that they had visited Drinks and Flair the previous weekend. On the night of that visit they had found that although there

had been 10 Security Industry Authority (SIA) door staff to start with, 2 of them had been sent home because there weren't many customers at the venue. This breaches Condition 5 of Annex 2 of the licence, which requires a minimum of 10 SIA door staff to be present on Friday and Saturday nights. Because of this, when I was next doing a night-time economy patrol, on Friday 2nd September, 2022, I visited Drinks and Flair.

On that visit I found that none of the SIA door staff were wearing high visibility jackets or tabards. This breaches Condition 14 of Annex 2 of the licence, which requires all SIA door staff to wear high visibility jackets or tabards. I found that none of the SIA door staff were wearing body cameras. This breaches Condition 13 of Annex 2 of the licence, which requires all SIA door staff to wear body cameras. I also found that the venue's ID scanner was not being used to check customers. This breaches Condition 18 of Annex 2 of the licence, which requires an ID scanning to be used for all customers. The DPS explained to me that his predecessor was the only one had the codes for operating the body cameras and ID scanner. She had taken the details of these codes when she left, and efforts were being made to try to get the cameras and scanner working. Just before I left I was greeted by Natasha Tah who was present at the venue.

These breaches of the licence conditions were dealt with by warning letters for the DPS, Jay Brown, and for the 2 directors of Jagz Ltd, Natasha Tah and Paul Hertzberg. (Exhibits AL/3, AL/4 & AL/5). These letters were hand delivered to the venue on 7th September, 2022. The DPS, Jay Brown, was present to receive them. I had also e-mailed a copy of her warning letter to Natasha Tah on 6th September, 2022.

On Friday, 9th September, 2022 I revisited Drinks and Flair to see if the breaches of the licence I had found on 2nd September had been rectified. I found that only 2 of the SIA staff were wearing high visibility tabards, a breach of Condition 14 of Annex 2 of the licence. There was no refusals register on site, a breach of condition 4 of Annex 2 which requires a refusals register to be kept on the premises. Much latter I learned that the venue had an incident log which included details of refusals. However no one at drinks and Flair told me that at the time of my visit. I also found that the ID scanner was only being used when SIA door staff were working at the venue. This breaches Condition 18 of Annex 2 which requires an ID scanner to be used for all customers, and be in operation for all licensable activities. The ID scanner was only being used from 9pm onwards on a Friday and Saturday when the SIA door staff were on duty.

Because of the seriousness of the breaches of the licence, and the fact that a written warning had already been given, the DPS and the directors were each sent a letter advising them of the breaches of the licence conditions and inviting them to an interview as part of a criminal investigation. These letters were hand delivered to the venue on 6th October, 2022. (Exhibits AL/6, 7 & 8).

As part of the process with dealing with these breaches, the Police licensing officer had a meeting with Natasha Tah on 24th October, 2022. Council officers did not take part in this meeting because, as they were going to interview Natasha Tah, if they were present she would be under caution which would inhibit what was said at the meeting.

Since my visit on 9th September, 2022 Drinks and Flair had not been opening every weekend. However I visited it again Saturday night, 29th October, 2022 because a Halloween party was going to be held there that night. I found that there were only 5 SIA door staff on duty instead of 10, contrary to Section 5 of Annex 2 of the licence conditions. I only dealt with two of them but neither of them was wearing a high visibility jacket or tabard and neither of them was wearing a body camera. The ID scanner was not being used and there was no one there who could operate it, contrary to Section 18 of Annex 2 of the licensing conditions.

There was no one at the venue who could operate the CCTV. If Police had attended to deal with an earlier crime, there was no one available to download previous CCTV footage to the monitor to be viewed by the Police.

Whilst I was carrying out this inspection, one of the staff called someone on their mobile phone and then passed the phone to me so that they could speak to me. The person on the phone introduced himself to me as "H". He told me to get out of "his club" and then accused me of being a racist and a bully. I explained who I was and told him my powers to be at the premises. He continued to tell me to get out of the club. I explained to him that he wasn't shown on the premises licence and asked him to tell what his position was in relation to Drinks and Flair. He declined and continued to call me a racist and a bully. Because of this I ended the phone conversation.

Because breaches of the premises licence continued to occur at Drinks and Flair it was decided to interview Natasha Tah as part of a criminal investigation. The interview was set for 18th October, 2022. She didn't attend and informed me that she had Covid. She then hindered being interviewed. Another interview was set for the morning of 3rd November, 2022. She attended in the afternoon when, due to the sole interview room at the Town Hall being used by someone else, it was not possible to interview her. Then an interview was set for 7th November, 2022. When Natasha Tah turned up she said she had told her solicitor not to attend because train cancellations meant he would be late. This was done without consulting me to see if it was possible to conduct the interview later that day. Because she didn't have a solicitor the interview wasn't proceeded with. She was eventually interviewed on 11th November, 2022.

In the interview of 11th November, 2022 Natasha Tah confirmed that she was a director of Jagz Ltd and that she was the major shareholder of the Company.

When she was asked what she did, when she became a director of the Company, to ensure that the conditions of the licence were kept to she replied:

"So obviously I told the staff and appointed a DPS and explained the conditions to them."

When asked what she did later to ensure the licence conditions were being kept to, she replied:

"Obviously I was asking for feedback on a weekly basis, especially on a weekend Friday and Saturday, to ensure that they were doing their job and all the conditions of the licence were being met."

When asked what she had done to rectify the breaches of the licence that were discovered on 2nd and 9th September, 2022 she stated that she had directed the DPS, Jay Brown, to deal with those matters. I asked about the use of the ID scanner on 9th September. I said:

"The ID scanner, the door staff turn up at 9 o'clock and they started using the ID scanner. It wasn't being used prior to 9 o'clock although you were open and had customers. Why was that?"

She said, "So when I sat with Debie, who is the Police licensing officer. When she sat with me she said the ID scanner would be used from 9pm onwards. That was what I was told on the day that it would be from 9pm onwards ---- That was the information I passed on to Jay."

I said, "Right going back to the licence where it mentions the conditions about the ID scanner it is for all customers. There is no mention of it not being used until 9pm. You said you read the licence when you took over at the premises. Earlier in the interview you said you read the licence. Now Debie is the Police licensing officer. She is a Police officer. The licence is issued by the Council. You've said you've read the licence. You claim she said you didn't have to use until 9 o'clock. Did you not point out that the licence doesn't say that. It says you've got to use it all the time."

She said, "The thing is the ID scanner is operated by the security staff. So the security staff

start at 9pm on a Friday and a Saturday. So that was the conversation that was had. So the whole time I was under the assumption that it was from 9pm onwards. I wasn't aware that it would be at 12 o'clock on a Saturday, Sunday, Monday."

Also at the interview was Craig Hawkings the licensing team leader. He asked Natasha Tah when the meeting was.

Natasha Tah said, "Believe to be before the opening week around 20 or 21st August.

I said, "If you can go to your licence and look at Page 7, Condition 18. Now this is the licence that you said that you read when you took over as a director. Now I'm going to read out Condition 18. "An ID scanner system will be employed at the premises and will be utilised for all customers. This will be in operation during licensable activities and shall be a condition of entry." There is no mention that it has to be operated by door staff."

Natasha Tah said, "It was just the assumption I had from the conversation with her."

I said, "You're a business person you make big decisions. And you've said that you read the licence and you just make assumptions. You didn't come to anyone for confirmation."

She said, "I did, Debie."

I said, "Yes, okay, she's a Police Licensing Officer."

She said, "Yes so you would assume that the Police Licensing Officer would have given you the correct advice and that's the conversation I had with her."

(NB. I subsequently checked about this with the Police Licensing Officer, Debie Pearmain.

She did NOT give the advice that Natasha Tah claims she did.)

I said, "Are you aware that the licence is issued by the Council."

She said, "I am now. I thought it was a combination of the Police and the Council."

Craig Hawkings said, "Have you had a premises licence before, or been involved in another licence."

Natasha Tah said, "My family has. My father's owned Turkish restaurants. That's our family business. Most of it is construction and property. But you know obviously my parents trusted me to go into this business."

Craig Hawkings said, "This is your first venue. Your first."

Natasha Tah said, "Yes, my first one so that's why I'm sort of asking for a little bit of understanding because whatever I see that I could've rectified quickly I did it. There were somethings that weren't. I entrusted somebody to carry out the job I've now got rid of them. And I put you know the doors have been closed for about a week as my business you can imagine the impact that's having on me financially. Just so that I can sort things out to make sure that nothing wrong happens after this."

I then asked questions about what was done when I had discovered breaches of the licence conditions. I then said, "We've had various correspondence by e-mails and I'm going to give you a copy of some of that correspondence (Exhibit AL/9). So if you look halfway down under the date 17th October and there's the message Dear Alex. Now I'm going to read out what's been said. "All the issues you have raised about the licence conditions have been resolved since your last visit. Just to update you." Were you saying that you've resolved all the issues that here were yellow jackets for the door staff, that the scanner was being used properly that the cameras were working properly."

Natasha Tah said, "That's what I was informed by Jay Brown. Yes.

I said, "So you've told me that everything is okay and I visit on 29th October. On 29th October I visited again and what I found was that the ID scanner was not being used and there was no one there who could operate it. I found there was no one there who could operate the CCTV. I found that instead of there being 10 door staff as required by the licence there were only 5 door staff. I spoke to 2 of them neither of them had their yellow jacket or body camera. I didn't check the other 3 but there were 2 without that equipment. When I asked about the refusals log the person in charge was unable to tell me about the refusals log. You've said everything's been sorted. Why did I find all those offences?"

The questions and answers continued with Natasha Tah stating that she told the DPS, Jay Brown, to deal with these things. I then said: "Just to emphasis it again. 2 occasions I visit there are things wrong. You assume that your DPS Mr Brown was sorting those things out.

Because I've given you a warning letter and a request for an interview you then know that things are not being done properly, and your response is to tell the person that's not doing things properly to do it properly. There is no extra supervision from you to check what's going on."

Natasha Tah said, "Yea we did. We employed another general manager to try and see what's going on with him and if he's doing the job properly. He then informed me that he said I don't think Jay's heart is really in the job. I don't know if he can really carry out the conditions or adhere to the conditions and therefore I told him he's not for Drinks and Flair. He's not right for Jagz. And I'm sitting here because I entrusted someone that's not carried out their job."

I said, "I've asked a lot of questions about your supervision and only now have you mentioned you've employed a new general manager."

After some questions and answers about the general manager. I asked questions about who "H" was, the person who had spoken to me via mobile phone during my visit to Drinks and Flair on 29th October, 2022. Natasha Tah was evasive and all I could get from her was that there was a Harry Singh who acted as a floor manager on a casual basis, and was already working for Drinks and Flair before she became a director of Jaqz Ltd.

Natasha Tah is the sole director of another company, called Drinks and Flair. I asked her, "What relation does that company have to Jagz Ltd and the running of your bar in Ascot?"

Natasha Tah said, "The reason it's Drinks and Flair because I've built up a bar business which I've got experience in that business for the last 4, 5 years before Covid. And so that's where I have got? Drinks and Flair. So I work closely with a lot of caterers, premises like the Hilton, Park Lane, Shard, the Gherkin, Savoy. Events basically all over. And basically the Drinks and Flair brand is just because when couples come for cocktail tasting, or whatever, before their wedding we just sort of is parties wedding and functions. You know it was just nice to have a place with the name Drinks and Flair sort of went hand in hand."

The management structure at Drinks and Flair is not clear. Because of that it is not possible to have confidence that whenever the Police or the Council deals with someone who supposedly has responsibility for the running of the venue, that they actually do have that responsibility.

Natasha Tah has been involved in the running of the venue since she became a director, as witnessed by the incident detailed earlier in the report where she submitted the wrong paperwork for a change of DPS, her response to questions when she was interviewed, and the fact that she contacted the Council on 5th December, 2022 in connection with appointing a new DPS.

However, there is a mystery figure in the background. When I visited the venue on 29th October, 2022 I was spoken to by a man who identified himself as "H" and talked about Drinks and Flair as "my club". I asked this man what his connection to the venue but he did not say. When Jay Brown was interviewed in connection with events at the venue he said that his immediate boss was "H" who gave him orders and directions. When Natasha Tah was interviewed she was evasive in explaining who "H" was. She mentioned a Harry Singh who worked as a floor manager at the venue on a casual basis. From what she said it was not possible to show that Harry Singh and "H" were one and the same person. Although it is not illegal to have a position of authority at the venue without being named on the licence or being a director, it is difficult to sort out problems with the venue if someone who is in a position of authority is being shielded from the Police and the Council.

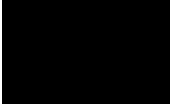
The records at Companies House show changes in directors which make it difficult to know, on a day to day basis, who is in charge of Drinks and Flair. Paul Herzberg became a director

on 2nd May, 2012. He resigned as a director on 30th November, 2022. He was re-appointed as a director on 1st December.

Natasha Tah was appointed as a director 28th July, this year. She was also shown as a majority shareholder of Jaqz on that day. On 23rd September 2022 she resigned as a director, and was no longer shown as a majority shareholder. She was re-appointed as a director on 26th July, and on the same day was again shown as the majority shareholder.

On 11th January, 2021 Hardeep Singh Bharya was appointed as a director. On 9th March, 2021 he resigned as a director. On 23rd September, 2022 he was shown as a majority shareholder. On 26th September, 2022 he ceased to be a majority shareholder.

Repeated breaches of the premises licence conditions have occurred at Drinks and Flare over a period of 3 months. Natasha Tah is the majority shareholder of Jagz Ltd, which is the premises licence holder. Despite meetings with the Police, and communications with the Council, about these breaches, she has not stopped these breaches occurring. This has culminated in the serious breaches found occurring on 29th October, 2022. In her interview on 11th November, 2022 she has made statements which at a minimum are misleading. She claimed she was given certain advice by the Police Licensing Officer concerning the use of the ID scanner at the venue. The Police officer concerned has denied giving this advice. Natasha Tah also stated in the interview that Drinks and Flair was her first licensed premises. At the end of the interview she contradicted this by stating that she had run mobile bars for 4 or 5 years before the onset of Covid. She has been unhelpful in assisting in explaining the role of someone called "H" in the running of the venue. Records at Companies House show changes in directors that make it unclear as to who is running Drinks and Flair at any one time. Because of all these factors I don't think it is possible to stop further breaches of the licence happening. The only way to prevent further breaches of the licence occurring, is to revoke the licence.



Licensing Act 2003 **PL050496**
Premises Licence

LOCAL AUTHORITY
 The Royal Borough of Windsor and Maidenhead
 Town Hall
 St Ives Road
 Maidenhead
 SL6 1RF
 Tel: 01628 683840
 www.rbwm.gov.uk

www.rbwm.gov.uk



Royal Borough
of Windsor &
Maidenhead

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Drinks And Flairs
 Station Hill Ascot SL5 9EG

WHERE THE LICENCE IS TIME LIMITED BY THE DATES

Date Issued: 20 September 2022 Not applicable

LICENSABLE ACTIVITIES AND TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF THOSE ACTIVITIES

<u>Activity, Location and Area if Applicable</u>	<u>Description</u>	<u>From - To</u>
G. Performance of Dance (Indoors)	Wednesday Thursday to Saturday Sunday Monday to Tuesday	12:00 - 02:00 12:00 - 03:00 12:00 - 02:00 12:00 - 01:00
Permit the premises to be used for dancing performances and competitions as well as by customers		
B. Exhibition of a film (Indoors)	Wednesday Sunday Monday to Tuesday Thursday to Saturday	09:00 - 03:00 09:00 - 03:00 09:00 - 02:00 09:00 - 04:00
Video Entertainment on TV screens and amusement machines.		
Indoor Sporting Event	Wednesday Sunday Monday to Tuesday Thursday to Saturday	09:00 - 03:00 09:00 - 03:00 09:00 - 02:00 09:00 - 04:00
Seasonal Details - Darts Competitions, Dominoes, and activities of a like nature either organised or spontaneous		
F. Playing of Recorded Music	Wednesday Sunday to Saturday Monday to Tuesday Thursday to Saturday	09:00 - 03:00 09:00 - 03:00 09:00 - 02:00 09:00 - 04:00
Recorded music, including juke box type music and Karaoke with or without DJ, during normal business or as part of functions, and including audience participation. Recorded music will be played as background in the Caf and balcony/outside during the day and evening. Music will be turned down after permitted hours to supply alcohol		
Seasonal Details - No outdoor music or any other Licensable activity outside after 2300 hours 7 days a week.		
H. Other Entertainment falling within Act	Sunday to Wednesday Thursday to Saturday	12:00 - 00:00 12:00 - 01:00
Compeers for quiz and similar events, comedians and similar performances. In any case using voice amplification.		

Premises Licence**I. Provision of facilities for making music**

Thursday to Sunday	12:00 - 01:00
Monday to Wednesday	12:00 - 00:00

A stage area and microphone with amplifiers for use as and when required, at any time during opening hours

M. Supply of alcohol consumed BOTH on and off Premises

Thursday to Saturday	09:00 - 03:00
Monday to Tuesday	09:00 - 01:00
Sunday	09:00 - 02:00
Wednesday	09:00 - 02:00

THE OPENING HOURS OF THE PREMISES

Day	Time From - To
Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 03:00
Thursday	09:00 - 04:00
Friday	09:00 - 04:00
Saturday	09:00 - 04:00
Sunday	09:00 - 03:00

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES
Alcohol is supplied for consumption both ON and OFF the Premises

Premises Licence

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Jagz Limited
Station Hill Ascot SL5 9EG
Telephone No:- 01344 622925

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Jagz Limited 02716823

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Jay Brown

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No: SBC0230 Licensing Authority: Stevenage Borough Council

Premises Licence

ANNEXES

ANNEX 1 – Mandatory Conditions

No supply of alcohol may be made under the premises licence:
at a time when there is no designated premises supervisor in respect of the premises licence, or
at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- 1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- 2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise)
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
 - (f) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (3) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (4) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
- (5) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph date of birth and either:
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

The responsible person shall ensure that:

Premises Licence

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available in the following measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
- (iii) still wine in a glass: 125ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises, and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) For the purpose of the condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula:

$$P = D + (D \times V)$$

where -

- (i) P is the permitted price.
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged in relation to the alcohol as if the duty were charged on the date for the sale or supply of the alcohol and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date if the sale or supply of the alcohol.

(c) "relevant person" means, in relation to the premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence.
- (ii) the designated premises supervisor.
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a charge to the rate of duty or value added tax.

Premises Licence

5) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Any individual employed to carry out a security activity must be licensed by the Security Industry Authority (SIA).

Admission of children is restricted in accordance with the recommendation by the British Board of Film Classification. If the film has not been classified the restriction of children must be approved by the Licensing Authority. (Children means any person under 18 years).

ANNEX 2 – Conditions consistent with Operating Schedule General

Prevention of Crime and Disorder

1. Digital CCTV monitoring system to be installed and maintained to Thames Valley Police standard.
2. Recording to be kept securely for 31 days and made available to Thames Valley Police employees
3. DPS or nominated person 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 and Authorised persons as defined by Sections 13 & 69 Licensing Act 2003
4. Nominated person is responsible in supplying the necessary media (discs, data stick) containing any downloaded content. Refusals Register to be on the premises and kept up to date and made available upon the request of Police, Trading Standards Officers and authorised persons as defined by Sections 13 & 69 Licensing Act 2003.
5. A minimum of 10 SIA door staff to be working on a Friday and Saturday night from 21:00 until close with one staff member being female. A minimum of 16 SIA door staff to be working when the Nightclub is in operation and at any such times as requested by Thames Valley Police and RBWM Licensing
6. Door Staff Register of SIA Security Personnel shall be kept. The register will show the following details:
 7. Full SIA registration number.
 8. Date and time that the Door Supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager.
 9. Date and time that the Door Supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager.
10. Any occurrence or incident of interest involving crime and disorder, or public safety must be recorded giving names of the Door Supervisor involved.
11. ID photo and scan of SIA badge.
12. The SIA Security Personnel register shall be kept at the premises and be available for inspection by an authorised officer of Thames Valley Police, or an authorised Licensing Officer from the Local Authority and shall be retained for a period of 1 year.
13. Whilst SIA Security Personnel are employed at the premises all will be deployed with digitally recording Body Worn Video (BWV). The BWV will be used to record any incidents which occur inside or outside of the premises involving customers, prospective customers or any staff member that impact on any of the four licensing objectives. Data recordings shall be made immediately available to an authorised officer of Thames Valley Police or an authorised Licensing Officer from the Local Authority together with facilities for viewing upon request, subject to the provisions of the Data Protection Act.
14. The Premises Licence Holder/DPS shall ensure that all SIA Security Personnel whilst employed at the premises shall wear high visibility jackets/tabards in order to be clearly visible and identifiable at all times to the public and via CCTV both internally and externally. When tabards are worn, high visibility armbands must be worn that incorporate displaying SIA badges. If high visibility full sleeved jackets are worn the

Premises Licence

PLH/DPS must ensure that all SIA Security Personnel badges are also displayed via an easily visible arm band of a different high visibility colour to the jacket that is being worn.

15. All events using promoters, not normally associated with the premise, shall require notification to Thames Valley Police a minimum of ten (10) working days prior to the event taking place, where practicable, unless the Premises Licence Holder/DPS can evidence it was asked less than 10 days before to hold the event, when less than ten (10) working days' notice will be accepted, the notification shall identify the promoter, the event being promoted and the nature of the music being promoted.
16. Thames Valley Police to be notified of any DJ's not normally associated with the premises with a minimum of ten (10) working days prior to the event taking place.
17. These events shall be subject to a full risk assessment, to be carried out by DPS, or a nominated individual and be made available on request to an authorised officer of Thames Valley Police.
18. An ID scanning system will be employed at the premises and will be utilised for all customers. This will be in operation during licensable activities and shall be a condition of entry.
19. Last entry time to the premises to be:
 - a. Monday & Tuesday – 11.30pm
 - b. Wednesday – 00.30am
 - c. Thursday to Saturday – 01.30am
 - d. Sunday – 00.30am
20. Drugs Policy to be in place and approved by Thames Valley Police
21. The DPS or nominated individual to notify the Safety Advisory Group of any large outdoor events in the car-park at least 3 months prior to the event
22. The licensee and staff will at all times in line with policy demonstrate a responsible attitude to the marketing and sale of alcohol.
23. Licensee is a member of the pub watch scheme.
24. Customers will not be allowed to leave the premises with glasses or bottles

Public Safety

Public safety is to be reviewed regularly through the health and safety policy. The health and safety policy is to be fully briefed and trained to all management and staff and staff will continue to be trained to the standards required by legislation A suitable and sufficient Fire Risk Assessment to include all licensable areas both inside and outside to be submitted to Royal Borough of Windsor and Maidenhead, Licensing, Thames Valley Police and Royal Berkshire Fire and Rescue Service, Eight (8) weeks prior to " Royal Ascot Week Race Meeting".

Prevention of Public Nuisance

The premises have sufficient noise insulation for the regulated activities from the premises. Signage will be displayed regarding customers responsibilities to leave in an orderly and quiet manner consistent with good neighbour relations

Protection of Children from Harm

The restrictions set out in the Licensing Act 2003 will apply. A recognised proof of age policy will be enforced

ANNEX 3 – Conditions attached after a hearing by the Licensing Panel

ANNEX 4 – Plans

See Attached Plans

Licensing Act 2003

PL050496

Premises Licence

Greg Nelson
Trading Standards & Licensing Manager

Find and update company information

Companies House does not verify the accuracy of the information filed
<http://resources.companieshouse.gov.uk/serviceInformation.shtml#compInfo>
[Advanced company search \(/advanced-search\)](/advanced-search)

JAGZ LIMITED

Company number **02716823**

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Date	Type	Description	View / Download
12 Oct 2022	DISS40	Compulsory strike-off action has been discontinued	(1 page)
04 Oct 2022	GAZ1	First Gazette notice for compulsory strike-off	(1 page)
27 Sep 2022	PSC01	Notification of Natasha Tah as a person with significant control on 26 September 2022	(2 pages)
27 Sep 2022	PSC07	Cessation of Hardeep Singh Bharya as a person with significant control on 26 September 2022	(1 page)
27 Sep 2022	AP01	Appointment of Ms Natasha Tah as a director on 26 September 2022	(2 pages)
23 Sep 2022	PSC01	Notification of Hardeep Bharya as a person with significant control on 23 September 2022	(2 pages)

23 Sep 2022	PSC07	Cessation of Natasha Tah as a person with significant control on 23 September 2022	(1 page)
23 Sep 2022	TM01	Termination of appointment of Natasha Tah as a director on 23 September 2022	(1 page)
03 Aug 2022	TM01	Termination of appointment of Benjamin Roberts as a director on 29 July 2022	(1 page)
01 Aug 2022	TM01	Termination of appointment of Angela Veronica Spencer as a director on 29 July 2022	(1 page)
29 Jul 2022	AD01	Registered office address changed from Drinks and Falir Sttion Hill Ascot Berksire SL5 9EF England to Drinks and Flair Station Hill Ascot Berkshire SL5 9EG on 29 July 2022	(1 page)
29 Jul 2022	AD01	Registered office address changed from C/O Jon Dawson Unit C17 Kestrel Business Centre Private Road 2 Colwick Industrial Estate Nottingham NG4 2JR England to Drinks and Falir Sttion Hill Ascot Berksire SL5 9EF on 29 July 2022	(1 page)
28 Jul 2022	PSC01	Notification of Natasha Tah as a person with significant control on 28 July 2022	(2 pages)
28 Jul 2022	PSC07	Cessation of Trinity Holdings (East Midlands) Ltd as a person with significant control on 28 July 2022	(1 page)
28 Jul 2022	AP01	Appointment of Natasha Tah as a director on 28 July 2022	(2 pages)
18 May 2022	CS01	Confirmation statement made on 11 May 2022 with updates	(5 pages)
04 May 2022	AP01	Appointment of Mr Benjamin Roberts as a director on 17 April 2022	(2 pages)
30 Mar 2022	AA01	Previous accounting period shortened from 30 June 2021 to 29 June 2021	(1 page)
28 Jun 2021	AA	Total exemption full accounts made up to 30 June 2020	(11 pages)
			Download iXBRL (/company/02716823/filing-history/MzMwNTYyOTcxM2FkaXF6a2N4/document?format=xhtml&download=1)



**Notice of Individual Person
with Significant Control**

EXHIBIT AL/2/B

Company Name: **JAGZ LIMITED**

Company Number: **02716823**



Received for filing in Electronic Format on the: **28/07/2022**

XB96YJTK

Notification Details

Date that person became **28/07/2022**
registrable:

Name: **NATASHA TAH**

Service Address: **UNIT C17 KESTREL BUSINESS CENTRE PRIVATE ROAD 2
COLWICK INDUSTRIAL ESTATE
NOTTINGHAM
ENGLAND
NG4 2JR**

Country/State Usually
Resident: **UNITED KINGDOM**

Date of Birth:



Nationality: **BRITISH**

Nature of control

The person holds, directly or indirectly, 75% or more of the shares in the company.

The person holds, directly or indirectly, 75% or more of the voting rights in the company.

The person has the right, directly or indirectly, to appoint or remove a majority of the board of directors of the company.

Register entry date

Register entry date **28/07/2022**

Authorisation

Authenticated

This form was authorised by one of the following:

Director, Secretary, Person Authorised, Administrator, Administrative Receiver, Receiver, Receiver manager, Charity Commission Receiver and Manager, CIC Manager, Judicial Factor



**Notice of Individual Person
with Significant Control**

EXHIBIT AL/2/C

Company Name: **JAGZ LIMITED**

Company Number: **02716823**



XBDF2N3C

Received for filing in Electronic Format on the: **27/09/2022**

Notification Details

Date that person became **26/09/2022**
registrable:

Name: **MS NATASHA TAH**

Service address recorded as Company's registered office

Country/State Usually **ENGLAND**
Resident:

Date of Birth:



Nationality: **BRITISH**

Nature of control

The person holds, directly or indirectly, 75% or more of the shares in the company.

Register entry date

Register entry date **27/09/2022**

Authorisation

Authenticated

This form was authorised by one of the following:

Director, Secretary, Person Authorised, Administrator, Administrative Receiver, Receiver, Receiver manager, Charity Commission Receiver and Manager, CIC Manager, Judicial Factor

EXHIBIT AL/3

www.rbwm.gov.uk



Royal Borough
of Windsor &
Maidenhead

7th September, 2022.

Dear Mr Jay Brown,,

I am writing to you as the designated premises supervisor for Drinks and Flair nightclub/bar, Station Hill, Ascot, SL5 9EG. The premises licence holder for the bar is Jagz Ltd. The two directors of this company, Natasha Tah and Paul Franz Herzberg, will be receiving a similar letter.

I visited the premises at 11.05pm on Friday, 2nd September, 2022 because I had been told by Police that when they visited the venue on an earlier occasion, the minimum number of SIA door staff as required by the premises licence were not present. Although the correct number were present when I visited, there were other breaches of the premises licence conditions being committed.

The conditions for the licence include:

Whilst SIA Security Personnel are employed at the premises all will be deployed with digitally recording Body Worn Video (BMV). The BMV will be used to record any incidents which occur inside or outside of the premises involving customers, prospective customers or any staff member that impact on any of the licensing objectives. Data recordings will be made immediately available to an authorised officer of Thames Valley Police or an authorised Licensing Officer from the Local Authority together with facilities for viewing upon request, subject to the provisions of the Data Protection Act.

The Premises Licence Holder/DPS shall ensure that all SIA Security Personnel whilst employed at the premises shall wear high visibility jackets/tabards in order to be clearly visible and identifiable at all times to the public and via CCTV both internally and externally. When tabards are worn, high visibility armbands must be worn that incorporate displaying SIA badges. If high visibility full sleeved jackets are worn the PLH/DPS must ensure that all SIA Security Personnel badges are also displayed via an easily visible arm band of a different high visibility colour to the jacket is being worn.

An ID scanning system will be employed at the premises and will be utilised for all customers. This will be in operation during licensable activities and shall be a condition of entry.

When I visited the Club I spoke to you, on the pavement outside the Club. Some of the SIA door staff were also outside the Club. I saw that none of them were wearing a body camera. When I pointed out this breach of the licence conditions you explained to me that your predecessor as designated premises supervisor had resigned suddenly and she had taken the code for down loading the body camera footage with her. Because of that it wasn't possible to download footage so the cameras weren't being worn. Similarly, when I asked about the ID scanning system you told me the previous designated premises supervisor had also taken the code for the ID scanner, so customers details were being logged manually. You further told me that someone was coming the next Thursday to try to unlock the systems and provide new codes. When I started having this conversation

Alison Alexander - Managing Director and Strategic Director of Adult, Children and Health Services
Russell O'Keefe - Strategic Director of Corporate and Community Services
Andy Jeffs - Interim Strategic Director of Operations and Customer Services

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one of the SIA door staff came up and stood next to us. He wasn't wearing a high visibility jacket. At the time I hadn't realised that the licence required SIA door staff to wear one, so I made no comment.

Because I wanted to confer with the Police Licensing Officer about the situation I didn't give any directions about the breaches of the premise licence at the time. Apart from conferring with the Police, I have also considered other information I know. Drinks and Flair had been closed prior to reopening on Friday, 19th August, 2022. On either that Friday, or the next day, the existing designated premises supervisor resigned and immediately stopped working at the Club. Since that time no one from the Club has informed the Police or the Council that the body cameras and the ID scanning system were not working. I only discovered this it when I visited the Club on Friday evening, 2nd September, 2022. Because of the time I visited, I was unable to inform the Police Licensing Officer until Monday, 5th September, 2022.

This letter is a formal warning that you, as the designated premises supervisor for Drinks and Flair, have allowed the conditions of the premises licence to be breached. A copy of this letter will be kept in my Department's records. A copy will also be passed to the Police for their records.

The breaches concerning the body cameras and the ID scanner are serious because, if an offence occurred at the club, there would be no evidence from them to assist a Police investigation.

As of today the Club has operated without the use of the body cameras and the ID scanner for at least 16 days. However, that is not a reason to allow the breaches to continue. You told me that someone will be coming on Thursday, 8th September, 2022 to try to fix the cameras and the ID scanner. If they cannot be made serviceable that day, I require the Club to stop carrying out licensable activities from Friday, 9th September, 2022.

Licensable activities can only be resumed if the existing body camera and the ID scanner are made serviceable, or working replacements are put in place. Please let me and the Police Licensing Officer know the result of the repairman's visit on Thursday, 8th September as soon as possible.

This situation has occurred because it seems only one person knew the operating codes of the body cameras and the ID scanner. Once they are working again I suggest that you make arrangements for more than one trustworthy person to know the codes.

Yours sincerely,
Mr A.Lisowski,

Licensing Enforcement Officer,
The Royal Borough of Windsor and Maidenhead.

EXHIBIT AL/4

www.rbwm.gov.uk



6thSeptember,2022.

Dear Natasha Tah,

I am writing to you as one of the directors of Jagz Ltd which is the premises licence holder for Drinks and Flair nightclub/bar, Station Hill, Ascot, SL5 9EG. The other director, Paul Franz Herzberg, will be receiving a similar letter. The designated premise supervisor, Jay Brown, will also get a letter.

I visited the premises at 11.05pm on Friday, 2nd September, 2022 because I had been told by Police that when they visited the venue on an earlier occasion, the minimum number of SIA door staff as required by the premises licence were not present. Although the correct number were present when I visited, there were other breaches of the premises licence conditions being committed.

The conditions for the licence include:

Whilst SIA Security Personnel are employed at the premises all will be deployed with digitally recording Body Worn Video (BMV). The BMV will be used to record any incidents which occur inside or outside of the premises involving customers, prospective customers or any staff member that impact on any of the licensing objectives. Data recordings will be made immediately available to an authorised officer of Thames Valley Police or an authorised Licensing Officer from the Local Authority together with facilities for viewing upon request, subject to the provisions of the Data Protection Act.

The Premises Licence Holder/DPS shall ensure that all SIA Security Personnel whilst employed at the premises shall wear high visibility jackets/tabards in order to be clearly visible and identifiable at all times to the public and via CCTV both internally and externally. When tabards are worn, high visibility armbands must be worn that incorporate displaying SIA badges. If high visibility full sleeved jackets are worn the PLH/DPS must ensure that all SIA Security Personnel badges are also displayed via an easily visible arm band of a different high visibility colour to the jacket is being worn.

An ID scanning system will be employed at the premises and will be utilised for all customers. This will be in operation during licensable activities and shall be a condition of entry.

When I visited the Club I spoke to the designated premises supervisor, Jay Brown, on the pavement outside the Club. Some of the SIA door staff were also outside the Club. I saw that none of them were wearing a body camera. When I pointed out this breach of the licence conditions he explained to me that his predecessor as designated premises supervisor had resigned suddenly and she had taken the code for down loading the body camera footage with her. Because of that it wasn't possible to download footage so the cameras weren't being worn. Similarly, when I asked about the ID scanning system I was told the previous designated premises supervisor had also taken the code for the ID scanner, so customers details were being logged manually. I was further told that someone was coming the next Thursday to try to unlock the systems and provide new

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codes. When I started having this conversation one of the SIA door staff came up and stood next to us. He wasn't wearing a high visibility jacket. At the time I hadn't realised that the licence required SIA door staff to wear one, so I made no comment.

Because I wanted to confer with the Police Licensing Officer about the situation I didn't give any directions about the breaches of the premise licence at the time. Apart from conferring with the Police, I have also considered other information I know. Drinks and Flair had been closed prior to reopening on Friday, 19th August, 2022. On either that Friday, or the next day, the existing designated premises supervisor resigned and immediately stopped working at the Club. Since that time no one from the Club has informed the Police or the Council that the body cameras and the ID scanning system were not working. I only discovered this it when I visited the Club on Friday evening, 2nd September, 2022. Because of the time I visited, I was unable to inform the Police Licensing Officer until Monday, 5th September, 2022.

This letter is a formal warning that you, as a director of the company that is the premise licence holder for Drinks and Flair have allowed the conditions of the premises licence to be breached. A copy of this letter will be kept in my Department's records. A copy will also be passed to the Police for their records.

The breaches concerning the body cameras and the ID scanner are serious because, if an offence occurred at the club, there would be no evidence from them to assist a Police investigation.

As of today the Club has operated without the use of the body cameras and the ID scanner for at least 16 days. However, that is not a reason to allow the breaches to continue. Jay Brown has told me that someone will be coming on Thursday, 8th September, 2022 to try to fix the cameras and the ID scanner. If they cannot be made serviceable that day, I require the Club to stop carrying out licensable activities from Friday, 9th September, 2022. Licensable activities can only be resumed if the existing body camera and the ID scanner are made serviceable, or working replacements are put in place. Please let me and the Police Licensing Officer know the result of the repairman's visit on Thursday, 8th September as soon as possible.

This situation has occurred because it seems only one person knew the operating codes of the body cameras and the ID scanner. Once they are working again I suggest that you make arrangements for more than one trustworthy person to know the codes.

Yours sincerely,
Mr A.Lisowski,
Licensing Enforcement Officer,
The Royal Borough of Windsor and Maidenhead.

EXHIBIT AL/5

www.rbwm.gov.uk



Royal Borough
of Windsor &
Maidenhead

7th September, 2022.

Dear Mr Paul Franz Herzberg,

I am writing to you as one of the directors of Jagz Ltd which is the premises licence holder for Drinks and Flair nightclub/bar, Station Hill, Ascot, SL5 9EG. The other director, Natasha Tah, will be receiving a similar letter. The designated premise supervisor, Jay Brown, will also get a letter.

I visited the premises at 11.05pm on Friday, 2nd September, 2022 because I had been told by Police that when they visited the venue on an earlier occasion, the minimum number of SIA door staff as required by the premises licence were not present. Although the correct number were present when I visited, there were other breaches of the premises licence conditions being committed.

The conditions for the licence include:

Whilst SIA Security Personnel are employed at the premises all will be deployed with digitally recording Body Worn Video (BMV). The BMV will be used to record any incidents which occur inside or outside of the premises involving customers, prospective customers or any staff member that impact on any of the licensing objectives. Data recordings will be made immediately available to an authorised officer of Thames Valley Police or an authorised Licensing Officer from the Local Authority together with facilities for viewing upon request, subject to the provisions of the Data Protection Act.

The Premises Licence Holder/DPS shall ensure that all SIA Security Personnel whilst employed at the premises shall wear high visibility jackets/tabards in order to be clearly visible and identifiable at all times to the public and via CCTV both internally and externally. When tabards are worn, high visibility armbands must be worn that incorporate displaying SIA badges. If high visibility full sleeved jackets are worn the PLH/DPS must ensure that all SIA Security Personnel badges are also displayed via an easily visible arm band of a different high visibility colour to the jacket is being worn.

An ID scanning system will be employed at the premises and will be utilised for all customers. This will be in operation during licensable activities and shall be a condition of entry.

When I visited the Club I spoke to the designated premises supervisor, Jay Brown, on the pavement outside the Club. Some of the SIA door staff were also outside the Club. I saw that none of them were wearing a body camera. When I pointed out this breach of the licence conditions he explained to me that his predecessor as designated premises supervisor had resigned suddenly and she had taken the code for down loading the body camera footage with her. Because of that it wasn't possible to download footage so the cameras weren't being worn. Similarly, when I asked about the ID scanning system I was told the previous designated premises supervisor had also taken the code for the ID scanner, so customers details were being logged manually. I was further told that someone was coming the next Thursday to try to unlock the systems and provide new

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codes. When I started having this conversation one of the SIA door staff came up and stood next to us. He wasn't wearing a high visibility jacket. At the time I hadn't realised that the licence required SIA door staff to wear one, so I made no comment.

Because I wanted to confer with the Police Licensing Officer about the situation I didn't give any directions about the breaches of the premise licence at the time. Apart from conferring with the Police, I have also considered other information I know. Drinks and Flair had been closed prior to reopening on Friday, 19th August, 2022. On either that Friday, or the next day, the existing designated premises supervisor resigned and immediately stopped working at the Club. Since that time no one from the Club has informed the Police or the Council that the body cameras and the ID scanning system were not working. I only discovered this it when I visited the Club on Friday evening, 2nd September, 2022. Because of the time I visited, I was unable to inform the Police Licensing Officer until Monday, 5th September, 2022.

This letter is a formal warning that you, as a director of the company that is the premise licence holder for Drinks and Flair have allowed the conditions of the premises licence to be breached. A copy of this letter will be kept in my Department's records. A copy will also be passed to the Police for their records.

The breaches concerning the body cameras and the ID scanner are serious because, if an offence occurred at the club, there would be no evidence from them to assist a Police investigation.

As of today the Club has operated without the use of the body cameras and the ID scanner for at least 16 days. However, that is not a reason to allow the breaches to continue. Jay Brown has told me that someone will be coming on Thursday, 8th September, 2022 to try to fix the cameras and the ID scanner. If they cannot be made serviceable that day, I require the Club to stop carrying out licensable activities from Friday, 9th September, 2022. Licensable activities can only be resumed if the existing body camera and the ID scanner are made serviceable, or working replacements are put in place. Please let me and the Police Licensing Officer know the result of the repairman's visit on Thursday, 8th September as soon as possible.

This situation has occurred because it seems only one person knew the operating codes of the body cameras and the ID scanner. Once they are working again I suggest that you make arrangements for more than one trustworthy person to know the codes.

Yours sincerely,

Mr A.Lisowski,
Licensing Enforcement Officer,
The Royal Borough of Windsor and Maidenhead.

EXHIBIT AL/6

www.rbwm.gov.uk



6th October, 2022.

Dear Jay Brown,,

INTERVIEW UNDER CAUTION

I am writing to you as the designated premises supervisor of Drinks and Flair nightclub/bar, Station Hill, Ascot, SL5 9EG. The directors of Jagz Ltd, Paul Franz Herzberg and Natasha Tah, will also be receiving a request to attend an interview.

On Friday, 9th September, 2022, a licensing inspection was carried out at Drinks and Flair. The following breaches of the premises licence conditions were found:

1. Not all the door staff were wearing high visibility jackets/tabards.
2. There was no refusals register on site.
3. The ID scanning system was being used for all customers. It was only being used when SIA door staff were on duty.

I am investigating these breaches and I request that you, in your capacity as a director of the Company that is the premises licence holder, attend an interview as part of the investigation. The interview will be recorded on disc, and will be held under the provisions of The Police and Criminal Evidence Act, 1984. You are entitled to bring a legally qualified representative with you. This will be at your own expense.

You have been invited to a meeting with the Police licensing officer on 10th October, 2022. That meeting is not part of the Council's investigation.

The interview with the Council will be at 14.00pm, on Monday, 17th October, 2022 at the Town Hall, St Ives Road, Maidenhead, SL6 1RF. If you are going to use any documentary evidence in your defence, please bring it with you to the interview. I will meet you at reception at the time of the interview.

If you are unable to attend the interview, please e-mail me on Alex.Lisowski@rbwm.gov.uk as soon as possible so that a new date can be arranged for the interview.

Yours sincerely,
Mr A.Lisowski,
Licensing Enforcement Officer,
The Royal Borough of Windsor and Maidenhead.

Alison Alexander - Managing Director and Strategic Director of Adult, Children and Health Services
Russell O'Keefe - Strategic Director of Corporate and Community Services
Andy Jeffs - Interim Strategic Director of Operations and Customer Services

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EXHIBIT AL/7

www.rbwm.gov.uk



6th October, 2022.

Dear Natasha Tah,

INTERVIEW UNDER CAUTION

I am writing to you as one of the directors of Jagz Ltd which is the premises licence holder for Drinks and Flair nightclub/bar, Station Hill, Ascot, SL5 9EG. The other director, Paul Franz Herzberg, and the designated premises supervisor, Jay Brown will also be receiving a request to attend an interview.

On Friday, 9th September, 2022, a licensing inspection was carried out at Drinks and Flair. The following breaches of the premises licence conditions were found:

1. Not all the door staff were wearing high visibility jackets/tabards.
2. There was no refusals register on site.
3. The ID scanning system was being used for all customers. It was only being used when SIA door staff were on duty.

I am investigating these breaches and I request that you, in your capacity as a director of the Company that is the premises licence holder, attend an interview as part of the investigation. The interview will be recorded on disc, and will be held under the provisions of The Police and Criminal Evidence Act, 1984. You are entitled to bring a legally qualified representative with you. This will be at your own expense.

You have been invited to a meeting with the Police licensing officer on 10th October, 2022. That meeting is not part of the Council's investigation.

The interview with the Council will be at 11.00am, on Tuesday, 18th October, 2022 at the Town Hall, St Ives Road, Maidenhead, SL6 1RF. If you are going to use any documentary evidence in your defence, please bring it with you to the interview. I will meet you at reception at the time of the interview.

If you are unable to attend the interview, please e-mail me on Alex.Lisowski@rbwm.gov.uk as soon as possible so that a new date can be arranged for the interview.

Yours sincerely,
Mr A.Lisowski,
Licensing Enforcement Officer,
The Royal Borough of Windsor and Maidenhead.

Alison Alexander - Managing Director and Strategic Director of Adult, Children and Health Services
Russell O'Keefe - Strategic Director of Corporate and Community Services
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EXHIBIT AL/8

www.rbwm.gov.uk



6th October, 2022.

Dear Paul Franz Herzberg,

INTERVIEW UNDER CAUTION

I am writing to you as one of the directors of Jagz Ltd which is the premises licence holder for Drinks and Flair nightclub/bar, Station Hill, Ascot, SL5 9EG. The other director, Natasha Tah, and the designated premises supervisor, Jay Brown will also be receiving a request to attend an interview.

On Friday, 9th September, 2022, a licensing inspection was carried out at Drinks and Flair. The following breaches of the premises licence conditions were found:

1. Not all the door staff were wearing high visibility jackets/tabards.
2. There was no refusals register on site.
3. The ID scanning system was being used for all customers. It was only being used when SIA door staff were on duty.

I am investigating these breaches and I request that you, in your capacity as a director of the Company that is the premises licence holder, attend an interview as part of the investigation. The interview will be recorded on disc, and will be held under the provisions of The Police and Criminal Evidence Act, 1984. You are entitled to bring a legally qualified representative with you. This will be at your own expense.

You have been invited to a meeting with the Police licensing officer on 10th October, 2022. That meeting is not part of the Council's investigation.

The interview with the Council will be at 14.00pm, on Tuesday, 18th October, 2022 at the Town Hall, St Ives Road, Maidenhead, SL6 1RF. If you are going to use any documentary evidence in your defence, please bring it with you to the interview. I will meet you at reception at the time of the interview.

If you are unable to attend the interview, please e-mail me on Alex.Lisowski@rbwm.gov.uk as soon as possible so that a new date can be arranged for the interview.

Yours sincerely,
Mr A.Lisowski,
Licensing Enforcement Officer,
The Royal Borough of Windsor and Maidenhead.

Alison Alexander - Managing Director and Strategic Director of Adult, Children and Health Services
Russell O'Keefe - Strategic Director of Corporate and Community Services
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Alex Lisowski

From: Alex Lisowski
Sent: 18 October 2022 11:03
To: Tasha Tah
Subject: RE: FW: Invitation to interview re offences at Drinks and Flair

Dear Natasha Tah,

Thank you for your e-mail. The interviews for Mr Brown, Mr Herzberg and yourself are all separate interviews for each person concerned. They are not a joint interview. Please confirm whether or not Mr Herzberg is coming for his interview this afternoon or not. It would make matters easier if you could give me an e-mail address for Mr Brown and Mr Herzberg so that I can communicate with them directly.

I will be in further contact with new details of a new appoint for the interview. Do you have any dates to avoid from 31st October, 2022 onwards?

Yours sincerely,

Mr A. Lisowski,

Licensing Enforcement Officer,

The Royal Borough of Windsor and Maidenhead.

Sent: 17 October 2022 18:15

To: Alex Lisowski <Alex.Lisowski@RBWM.gov.uk>

Subject: Re: FW: Invitation to interview re offences at Drinks and Flair

CAUTION: This email originated from outside the council. Do not click any links or open attachments in this email unless you recognise the sender and are sure that the content is safe.

Dear Alex

Hope you are well

You would have seen my email to Debbie last week as I have covid and have not recovered fully.

Unfortunately my team and I will be unable to make the meeting for this reason. Can we kindly reschedule over the next few weeks.

All the issues you have raised about the licence conditions have been resolved since your last visit - just to update you.

Kind Regards

Natasha

On Tue, 11 Oct 2022 at 10:28, Alex Lisowski <Alex.Lisowski@rbwm.gov.uk> wrote:

Dear Natasha Tah,

Re the request for you to attend an interview re the offences at drinks and flair, I'm also requesting Paul Herzberg and Jay Brown to attend interviews. I hand delivered letters to Drinks and Flair last Thursday.

However it was closed. Please send me the e-mail addresses for both of them so that I can e-mail the letters to them.

Thank you,

Mr A. Lisowski,

Licensing Enforcement Officer,

The London Borough of Windsor and Maidenhead

From: Alex Lisowski

Sent: 06 October 2022 16:04

To: Tasha Tah <[REDACTED]>

Subject: Invitation to interview re offences at Drinks and Flair

Dear Natasha Tah,

You have already received a formal warning concerning breaches of the conditions for the premises licence for Drinks and Flair, Station Hill, Ascot, SL5 9EG. Since then further offences were found on an inspection of the venue on 9th September, 2022. I am now investigating those offences with a view to deciding on whether or not further action needs to be taken by my Department.

As part of that investigation you are requesting to attend an interview at the Town Hall. Full details are in the attached letter. The interview at the Town Hall is separate from the meeting you have been invited to with the Police licensing officer, on 10th October, 2022. As mentioned in the letter, you are entitled to legal representation. If you are going to be legally represented, I advise you to show your representative a copy of the premises licence so that he understands what the matter is about.

I don't have e-mail addresses for Paul Herzberg or Jay Brown. If you could provide them, it would simplify matters.

Yours sincerely,

Mr A .Lisowski,

Licensing Enforcement Officer,

The Royal Borough of Windsor and Maidenhead.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
STATEMENT OF WITNESS
CRIMINAL JUSTICE ACT 1967, S.9.
MAGISTRATES COURTS ACT 1980, S. 102, ss. 5A(3)(a) and 5B.
CRIMINAL PROCEDURE RULES 2005, r 27.1 (1)

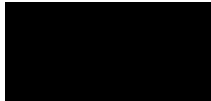
STATEMENT OF: Alexander Lisowski

AGE OF WITNESS (if over 18, enter "over 18") Over 18

OCCUPATION OF WITNESS : Licensing Enforcement Officer

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

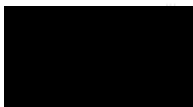
Signature:



Dated the 6th January, 2023

Further to my statement of 6th December, 2022, I wish to add the following information. An invoice was sent to Jagz Ltd, for the annual premises licence renewal, on 27th October, 2022. The fee was due to be paid by 17th November, 2022 (Exhibit AL/10). The fee was not paid and 2 reminders were sent to Jagz Ltd requesting payment. Yet another reminder was sent on 16th December, 2022. Jagz responded by saying that the payment would be made by 19th December, 2022. This did not happen, and I suspended the premises licence on 20th December, 2022. A few days later the payment was made (Exhibit AL/11). This is another example of bad management by Natasha Tah.

Paul Franz Herzberg is a director of Jagz Ltd. Although Natasha Tah is the major shareholder of the Company, Paul Herzberg has a significant role within the Company. The latest accounts for Jagz Ltd (as of 6th January, 2023), posted at Companies House, show Paul Herzberg signing them on behalf of the Company's board on 1st November, 2022. The accounts also show a loan of £1,488,219 made by Paul Herzberg to Jagz Ltd (Exhibit AL/12).



69
6TH JANUARY, 2023

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

Adults, Health & Housing

Town Hall, St. Ives Road, Maidenhead, Berkshire, SL6 1RF

www.rbwm.gov.uk



INVOICE

Jagz Ltd
At The Station
Station Hill
Ascot
Berkshire
SL5 9EG

VAT Reg No.	[REDACTED]
Invoice Number	IC2760188
Invoice Date	27/10/2022
Your Order	6013700
Order Date	13/10/2022
Customer Id	[REDACTED]

All enquiries concerning this invoice should be addressed to Licensing Dept on 01628 685850

Page 1 of 1

DESCRIPTION	NO. OF UNITS	UNIT VALUE	NET £	VAT £	VAT %
Premises Licence Annual Fee	1.00	320.00	320.00	0.00	0.00

Total excl. VAT 320.00

Total VAT 0.00

Total Amount in £ 320.00

PAYMENT SLIP

PLEASE SEE OVERLEAF FOR PAYMENT INFORMATION



9826160713802760184

Issued: 13/10/2022

NAME: Jagz Ltd

PAYMENT IS DUE WITHIN 21 DAYS

To :-
Royal Borough of Windsor & Maidenhead,
Town Hall,
St. Ives Road,
MAIDENHEAD,
BERKSHIRE, SL6 1RF.

Amount Due : 320.00

Invoice No : IC2760188

Invoice Date : 27/10/2022

Payment Information

HOW CAN I PAY THIS INVOICE?

Pay Online, simply visit <https://www.rbwm.gov.uk/pay> at any time and click 'Council invoices'.

Pay over the phone, using our automated payment line on (01628) 683888 (restrictions apply).

Pay via BACS : Sort code: 30-95-36 Lloyds bank account 00617715. Please quote the Invoice number when making your payment to avoid delay in payment allocation.

Pay at Post Office or Paypoint outlet. Take this invoice to any UK Post Office or take it to any shop which displays the 'Paypoint' sign. The Post Office or shop will be able to read the bar code on this invoice to ensure your payment reaches the council. You may pay by cash or Debit Card at the Post Office or Paypoint outlet.

Please note the invoice does not have a slip for you to pay at the bank.

OTHER INVOICE QUERIES

Q. I think this invoice is incorrect or I need further information about why I have received this invoice, or how it was calculated.

A. Please refer to the original invoice and contact the officer whose name and number appear on the front of this invoice. Electronic copies of this invoice can be requested by email to incomes@rbwm.gov.uk.

Q. I cannot afford to pay this invoice straight away.

A. You must contact the Council's Corporate Debt Team as soon as possible. You can contact them by;

E-mail: Incomes@rbwm.gov.uk (preferred)

Post : Incomes, Town Hall, St Ives Road, Maidenhead, SL6 1RF.

If you are unable to email please contact the Customer Services on 01628 683800 who will email a message to Incomes.

For all other queries concerning Council services, please call us on 01628 683800, visit us at www.rbwm.gov.uk or via email at customer.service@rbwm.gov.uk

EXHIBIT AL / 11

Alex Lisowski

From: Alex Lisowski
Sent: 20 December 2022 14:16
To: [REDACTED]
Cc: Craig Hawkings; Monika Kolodziejczyk
Subject: FW: Outstanding Invoice
Attachments: IC2760188 Jagz Ltd.pdf

Dear Sir/Madam,
The yearly renewal fee for the premises licence for Drinks and Flair is overdue. Despite reminders it has not been paid.

Because it hasn't been paid the premises licence is suspended as of now. It will not be reinstated until the fee is paid. As of now it is illegal to carry out any licensable activities at the venue.

Please ensure that your directors, Natasha Tah, Candice Curtis and Philip Hayward are informed as soon as possible.

Yours faithfully,
Mr A. Lisowski,
Licensing Enforcement Officer,
The Royal Borough of Windsor and Maidenhead.

From: Monika Kolodziejczyk [REDACTED]
Sent: 19 December 2022 11:10
To: [REDACTED]
Subject: FW: Outstanding Invoice

Good morning,

Thank you for your e-mail.

Please ensure **you have paid by the end of today** and please send me a proof of payment so I can clear the outstanding balance.

If you have any questions let me know.

Kind regards,

Monika Kolodziejczyk
Licensing Enforcement Officer

Licensing | Royal Borough of Windsor & Maidenhead
Town Hall, St Ives Road, Maidenhead, Berkshire, SL6 1RF
T: 01628 683800
E: [REDACTED]

Website | Twitter | Facebook | YouTube

From: Drinks & Flair LTD <[REDACTED]>
Sent: 16 December 2022 15:42
To: Monika Kolodziejczyk <[REDACTED]>
Subject: Re: Outstanding Invoice

CAUTION: This email originated from outside the council. Do not click any links or open attachments in this email unless you recognise the sender and are sure that the content is safe.

Hi Monika,

Apologies for the delay of payment.

We will make payment on Monday morning.

Thanks

Sent from my iPhone

On 16 Dec 2022, at 15:39, Monika Kolodziejczyk <[REDACTED]> wrote:

Dear Manager,

A Premises Licence Annual Fee for Drinks And Flairs is overdue. An invoice was posted out to the premises dated 27/10/2022. After this invoice was sent out a further two reminders were sent to pay to prompt the premises for payment, and this is still showing as unpaid on our accounts.

I was notified today of this matter by our accounts team, I have told them I would be in contact with you.

Attached to this email is the invoice that needs to be paid, once payment has been made please can you send me proof of payment so I can send this through to the accounts team and ensure your balance is cleared.

If you have any questions please do not hesitate to contact me, I hope to hear from you soon.

Kind Regards,

Monika Kolodziejczyk
Licensing Support Officer

Licensing | Royal Borough of Windsor & Maidenhead
Town Hall, St Ives Road, Maidenhead, Berkshire, SL6 1RF
T: 01628 683800
E: [REDACTED]

Website | Twitter | Facebook | YouTube

This message is personal to and intended for the exclusive use of the named addressee only. It may contain material protected by legal or other privilege (laws restricting its use). If this message reaches you in error we apologise – in which case we request that you do not save it, print it, forward it, act on it, or tell anyone anything about it. All emails received and sent by the Royal Borough of Windsor and Maidenhead are subject to the Freedom of Information Act 2000 and other legislation, and may therefore be disclosed to a third party. Any views or opinions in this email are solely those of the author, and do not necessarily represent those of the Royal Borough. We also have partnerships with third parties (including Optalis and Achieving for Children who provide social care on behalf of the Royal Borough of Windsor and Maidenhead). The content of any emails sent by employees of these partners remain their responsibility, and are not the Royal Borough's responsibility. All emails sent by the Royal Borough are checked for viruses, but this does not constitute a guarantee that they are virus-free. Thank you <http://www.rbwm.gov.uk>

JAGZ LIMITED

Company No. 02716823

Information for Filing with The Registrar

30 June 2021

JAGZ LIMITED Directors Report**Registrar**

The Directors present their report and the accounts for the year ended 30 June 2021.

Principal activities

The principal activity of the company during the year under review was operating a public house and music venue.

Directors

The Directors who served at any time during the year were as follows:

Angela Spencer (Resigned 29 July 2022)

Paul F Herzberg

The above report has been prepared in accordance with the provisions applicable to companies subject to the small companies regime as set out in Part 15 of the Companies Act 2006.

Signed on behalf of the board

Paul F Herzberg

Director

01 November 2022

JAGZ LIMITED Balance Sheet

Registrar

at 30 June 2021

Company No. 02716823

	Notes	2021 £	2020 £
Fixed assets			
Tangible assets	5	87,566	95,910
		<u>87,566</u>	<u>95,910</u>
Current assets			
Stocks	6	20,000	20,000
Debtors	7	64,292	109,604
Cash at bank and in hand		1,376	2,645
		<u>85,668</u>	<u>132,249</u>
Creditors: Amount falling due within one year	8	<u>(1,650,026)</u>	<u>(1,637,093)</u>
Net current liabilities		<u>(1,564,358)</u>	<u>(1,504,844)</u>
Total assets less current liabilities		<u>(1,476,792)</u>	<u>(1,408,934)</u>
Net liabilities		<u>(1,476,792)</u>	<u>(1,408,934)</u>
Capital and reserves			
Called up share capital		252,486	252,486
Share premium account	9	87,850	87,850
Profit and loss account	9	(1,817,128)	(1,749,270)
		<u>(1,476,792)</u>	<u>(1,408,934)</u>
Total equity		<u>(1,476,792)</u>	<u>(1,408,934)</u>

These accounts have been prepared in accordance with the special provisions applicable to companies subject to the small companies regime of the Companies Act 2006.

For the year ended 30 June 2021 the company was entitled to exemption from audit under section 477 of the Companies Act 2006 relating to small companies.

The members have not required the company to obtain an audit in accordance with section 476 of the Companies Act 2006.

The directors acknowledge their responsibilities for complying with the requirements of the Companies Act 2006 with respect to accounting records and the preparation of accounts.

As permitted by section 444 (5A) of the Companies Act 2006 the directors have not delivered to the Registrar a copy of the company's profit and loss account.

Approved by the board on 01 November 2022

And signed on its behalf by:

Paul F Herzberg

Director

01 November 2022

**JAGZ LIMITED Notes to the
Accounts Registrar
for the year ended 30 June 2021**

1 General information

Its registered number is: 02716823

Its registered office is:	Its trading address is:
Station Hill	Station Hill
Ascot	Ascot
Berkshire	Berkshire
SL5 9EG	SL5 9EG

The functional and presentational currency of the company is Sterling. The accounts are rounded to the nearest pound.

The accounts have been prepared in accordance with FRS 102 Section 1A - The Financial Reporting Standard applicable in the UK and Republic of Ireland (March 2018) and the Companies Act 2006.

Going concern

The financial statements have been prepared on the going concern basis.

2 Accounting policies

Turnover

Turnover is measured at the fair value of the consideration received or receivable. Turnover is reduced for estimated customer returns, rebates and other similar allowances.

Revenue from the sale of goods is recognised when all the following conditions are satisfied:

- the Company has transferred to the buyer the significant risks and rewards of ownership of the goods;
 - the Company retains neither continuing managerial involvement to the degree usually associated with ownership nor effective control over the goods sold;
 - the amount of revenue can be measured reliably;
 - it is probable that the economic benefits associated with the transaction will flow to the Company;
- and
- the costs incurred or to be incurred in respect of the transaction can be measured reliably.

Specifically, revenue from the sale of goods is recognised when goods are delivered and legal title is passed.

Intangible fixed assets

Intangible fixed assets are carried at cost less accumulated amortisation and impairment losses.

Tangible fixed assets and depreciation

Tangible fixed assets held for the company's own use are stated at cost less accumulated depreciation and accumulated impairment losses.

At each balance sheet date, the company reviews the carrying amount of its tangible fixed assets to determine whether there is any indication that any items have suffered an impairment loss. If any such indication exists, the recoverable amount of an asset is estimated in order to determine the extent of the impairment loss.

Depreciation is provided at the following annual rates in order to write off the cost or valuation less the estimated residual value of each asset over its estimated useful life:

Leasehold land and buildings	5% Straight line
Plant and machinery	10% Reducing balance
Furniture, fittings and equipment	25% Straight line

Taxation

Income tax expense represents the sum of the tax currently payable and deferred tax.

The tax currently payable is based on taxable profit for the year. Taxable profit differs from profit as reported in the profit and loss account because of items of income or expense that are taxable or deductible in other years and items that are never taxable or deductible. The Company's liability for current tax is calculated using tax rates that have been enacted or substantively enacted by the end of the reporting period.

Deferred tax is recognised on timing differences between the carrying amounts of assets and liabilities in the financial statements and the corresponding tax bases used in the computation of taxable profit. Deferred tax liabilities are generally recognised for all taxable temporary differences. Deferred tax assets are generally recognised for all deductible timing differences to the extent that it is probable that taxable profits will be available against which those deductible temporary differences can be utilised. The carrying amount of deferred tax assets is reviewed at the end of each reporting period and reduced to the extent that it is no longer probable that sufficient taxable profits will be available to allow all or part of the asset to be recovered.

Deferred tax assets and liabilities are measured at the tax rates that are expected to apply in the period in which the liability is settled or the asset realised, based on tax rates (and tax laws) that have been enacted or substantively enacted by the end of the reporting period.

Current or deferred tax for the year is recognised in profit or loss, except when they relate to items that are recognised in other comprehensive income or directly in equity, in which case, the current and deferred tax is also recognised in other comprehensive income or directly in equity respectively.

Freehold investment property

Investment properties are revalued annually and any surplus or deficit is dealt with through the profit and loss account.

No depreciation is provided in respect of investment properties.

Investments

Unlisted investments are recognised initially at fair value less attributable transaction costs. Subsequent to initial recognition, any changes in fair value are recognised in profit and loss.

Stocks

Stocks are stated at the lower of cost and estimated selling price less costs to complete and sell. Costs, which comprise direct production costs, are based on the method most appropriate to the type of inventory class, but usually on a first-in-first-out basis. Overheads are charged to profit or loss as incurred. Net realisable value is based on the estimated selling price less any estimated completion or selling costs.

When stocks are sold, the carrying amount of those stocks is recognised as an expense in the period in which the related revenue is recognised. The amount of any write-down of stocks to net realisable value and all losses of stocks are recognised as an expense in the period in which the write-down or loss occurs. The amount of any reversal of any write-down of stocks is recognised as a reduction in the amount of inventories recognised as an expense in the period in which the reversal occurs.

Work in progress is reflected in the accounts on a contract by contract basis by recording revenue and related costs as contract activity progresses.

Trade and other debtors

Trade and other debtors are initially recognised at fair value and thereafter stated at amortised cost using the effective interest method, less impairment losses for bad and doubtful debts.

Trade and other creditors

Short term creditors are measured at the transaction price. Other financial liabilities, including bank loans, are measured initially at fair value, net of transaction costs, and are measured subsequently at amortised cost using the effective interest method.

Foreign currencies

The functional and presentational currency of the company is Sterling. The accounts are rounded to the nearest pound.

Transactions in currencies, other than the functional currency of the Company, are recorded at the rate of exchange on the date the transaction occurred. Monetary items denominated in other currencies are translated at the rate prevailing at the end of the reporting period. All differences are taken to the profit and loss account. Non-monetary items that are measured at historic cost in a foreign currency are not retranslated.

Leased assets

Where the company enters into a lease which entails taking substantially all the risks and rewards of ownership of an asset, the lease is treated as a finance lease.

Leases which do not transfer substantially all the risks and rewards of ownership to the Company are classified as operating leases.

Assets held under finance leases are initially recognised as assets of the Company at their fair value at the inception of the lease or, if lower, at the present value of the minimum lease payments. The corresponding liability to the lessor is included in the balance sheet date as a finance lease obligation. Lease payments are apportioned between finance expenses and reduction of the lease obligation so as to achieve a constant rate of interest on the remaining balance of the liability. Finance expenses are recognised immediately in profit or loss, unless they are directly attributable to qualifying assets, in which case they are capitalised in accordance with the Company's policy on borrowing costs (see the accounting policy above).

Assets held under finance leases are depreciated in the same way as owned assets.

Operating lease payments are recognised as an expense on a straight-line basis over the lease term.

In the event that lease incentives are received to enter into operating leases, such incentives are recognised as a liability. The aggregate benefit of incentives is recognised as a reduction of rental expense on a straight-line basis.

Defined contribution pensions

The Company operates a defined contribution plan for its employees. A defined contribution plan is a pension plan under which the company pays fixed contributions into a separate entity. Once the contributions have been paid the company has no further payments obligations.

The contributions are recognised as expenses when they fall due. Amounts not paid are shown in accruals in the balance sheet. The assets of the plan are held separately from the company in independently administered funds.

Financial instruments

Financial assets

Basic financial assets, including trade and other receivables and cash and bank balances, are recognised and carried forward at transaction price. Financial assets are derecognised when:

- (a) The contractual rights to the cash flows from the asset expire or are settled;
- (b) Substantially all the risks and rewards of the ownership of the asset are transferred to another party; or
- (c) Control of the asset has been transferred to another party who has the practical ability to unilaterally sell the asset to an unrelated third party without imposing additional restrictions.

Financial liabilities

Basic financial liabilities, including trade and other payables, and loans from third parties are initially recognised and carried forward at transaction price.

Financial liabilities are derecognised when the liability is extinguished, that is when the contractual obligation is discharged, cancelled or expires.

The company has only financial assets and financial liabilities of a kind that qualify as a basic financial instruments. Basic financial instruments are recognised initially at transaction value and subsequently measured at their settlement value with the exception of bank loans which are subsequently measured at amortised cost using the effective interest rate method.

Effects of the COVID-19 pandemic on the company's financial statements

The directors have carefully considered the potential impact of the COVID-19 pandemic on the finances of the company. Having reviewed the activities of the company and its assets and liabilities the directors do not consider that there is any reason to make any adjustment to the assets and liabilities of the company as shown in its financial statements for the year ended 30 June 2021.

The directors do not consider that the pandemic causes a serious threat to the ability of the company to continue as a going concern for the foreseeable future.

Grants receivable

Grants from the government are recognised at their fair value when there is a reasonable assurance that the grant will be received and the company will comply with the relevant conditions.

Amounts receivable are recognised in the Profit and Loss account Grant accounting has been applied to the amount receivable under the Small Business Support Grant and the Coronavirus Job Retention Scheme.

Provisions

Provisions are made where an event has taken place that gives the Company a legal or constructive obligation that probably requires settlement by a transfer of economic benefit, and a reliable estimate can be made of the amount of the obligation.

Provisions are charged as an expense to the profit and loss account in the year that the Company becomes aware of the obligation, and are measured at the best estimate at balance sheet date of the expenditure required to settle the obligation, taking into account relevant risks and uncertainties.

When payments are eventually made, they are charged to the provision carried in the balance sheet.

3 Employees

	2021	2020
	Number	Number
The average monthly number of employees (including directors) during the year was:	8	8

4 Other operating income:

	2021	2020
	£	£
Small Business Support Grant	16,500	-
Coronavirus Job Retention Scheme grants	47,612	20,674
Miscellaneous income	-	460
	<u>64,112</u>	<u>21,134</u>

10 Commitments

<i>Capital commitments</i>	2021	2020
	£	£
<i>Other financial commitments</i>	2021	2020
	£	£
Total commitments under non-cancellable operating leases:	-	152,000

11 Related party transaction

The director, P Herzberg is a Director of Ooh La La Productions Limited.

At 30 June 2021 and 30 June 2020 the company owed £21,500 to Ooh La La Productions Limited.

The balance is interest free, unsecured and is repayable upon demand.

12 Related party disclosures

	2021	2020
	£	£
<i>Transactions with related parties</i>		
<i>Name of related party</i>	Paul F Herzberg	
<i>Description of relationship between the parties</i>	Director	
<i>Description of transaction and general amounts involved</i>	Loan account	
<i>Amount due from/(to) the related party</i>	(1,488,219)	(1,451,513)
<i>Provision for doubtful debts due from the related party</i>	-	-
<i>Amounts written off in the period in respect of debts from/(to) the related party</i>	-	-

Controlling Party

The company is a subsidiary undertaking of Trinity Holdings (East Midlands) Limited, a company incorporated and registered in England and Wales.

Trinity Holdings (East Midlands) Limited is the immediate controlling party.

Trinity Holdings (East Midlands) Limited

The parent's registered office address is:

C17 , Kestrel Business Centre

Colwick Industrial Estate

Nottingham

NG4 2JR

5 Tangible fixed assets

	Land and buildings £	Plant and machinery £	Fixtures, fittings and equipment £	Total £
Cost or revaluation				
At 1 July 2020	271,764	230,248	1,550	503,562
At 30 June 2021	<u>271,764</u>	<u>230,248</u>	<u>1,550</u>	<u>503,562</u>
Depreciation				
At 1 July 2020	195,972	210,130	1,550	407,652
Charge for the year	6,332	2,012	-	8,344
At 30 June 2021	<u>202,304</u>	<u>212,142</u>	<u>1,550</u>	<u>415,996</u>
Net book values				
At 30 June 2021	<u>69,460</u>	<u>18,106</u>	<u>-</u>	<u>87,566</u>
At 30 June 2020	<u>75,792</u>	<u>20,118</u>	<u>-</u>	<u>95,910</u>

6 Stocks

	2021 £	2020 £
Raw materials and consumables	20,000	20,000
	<u>20,000</u>	<u>20,000</u>

7 Debtors

	2021 £	2020 £
Other debtors	58,000	58,000
Prepayments and accrued income	6,292	51,604
	<u>64,292</u>	<u>109,604</u>

8 Creditors:

amounts falling due within one year

	2021 £	2020 £
Trade creditors	126,003	165,971
Other taxes and social security	10,404	13,353
Loans from directors	1,488,219	1,431,513
Other creditors	21,500	23,307
Accruals and deferred income	3,900	2,949
	<u>1,650,026</u>	<u>1,637,093</u>

9 Reserves

Share premium account - includes any premiums received on issue of share capital. Any transaction costs associated with the issuing of shares are deducted from share premium.

Profit and loss account - includes all current and prior period retained profits and losses.

This document was delivered using electronic communications and authenticated in accordance with the registrar's rules relating to electronic form, authentication and manner of delivery under section 1072 of the Companies Act 2006.

From: Alex Lisowski

Sent: 09 December 2022 10:55

To: management@drinksandflair.com; Tasha Tah <tahtasha@gmail.com>

Cc: Craig Hawkings <Craig.Hawkings@RBWM.gov.uk>

Subject: Review of premises licence for Drinks and Flair, Station Hill, Ascot, SL5 9EG

Dear Natasha Tah,

Please see attachment which is a review which has been launched against the premises licence for Drinks and Flair. The public consultation period for the review is 10thnd December, 2022 to 6th January, 2023. Once that period has ended the review will be held in front of the Council's Licensing Panel. Once a date for that hearing has been set, you will be informed and invited to attend the meeting. You will then receive a copy of the report that is submitted to the Panel before the hearing. Any one who might support your case is entitled to make representations, in support of you, during the public consultation period. They will be entitled to attend the hearing, and you are entitled to have someone represent you at the hearing.

Public notices advertising the review will be posted on the outside of your premises. They must remain in place until the end of the consultation period at midnight 6th January, 2023.

Because I am not a neutral party in this process, please address any enquiries you have about the review to: licensing@rbwm.gov.uk

Yours sincerely,

Mr A. Lisowski,

Licensing Enforcement Officer,

The Royal Borough of Windsor and Maidenhead.

THAMES VALLEY POLICE

Division/Station HQ Local Policing
From Debie Pearmain
Police Licensing Officer
Ref .

To : Greg Nelson
Licensing Manager, RBWM

Date : 3rd January 2023

Tel.NO. 07970145624

Drinks & Flair. Station Hill, Ascot. SL5 9E — Supporting Evidence for the Licence Review

In relation to the review application submitted by Alexander Lisowski, Licensing Enforcement Officer, on behalf of the Licensing Department RBWM, Thames Valley Police support this review application.

I have detailed below my involvement with Natasha Tah from August 2022:

22/08/2022

Email from Natasha Tah who had contacted me by email to update me of the change of DPS application that should be submitted in the next day or so. Natasha also invited myself and the Neighbourhood Officer to attend the venue so that she could show us what has been done to the venue.

23/08/2022

Application submitted for the change of DPS.

23/08/2022

Licensing meeting held at Drinks and Flair, Ascot. In attendance were Natasha Tah, [REDACTED], Operations Director, [REDACTED] Area Manager of the Security Firm, PC Race, Neighbourhood Officer and Debie Pearmain, Police Licensing Officer.

Gen40 dated 23/08/2022 attached

Email sent to Natasha Tah dated 23/08/2022 attached.

27/08/2022 at 11.30pm

Report from Officers of only 8 door staff members working when they attended the premises.

Gen 40 dated 27/08/2022 attached.

01/09/2022

Email sent by Debie Pearmain, Police Licensing Officer to Natasha Tah informing her of the potential breach of Licence on the 27/08/2022. Email dated 01/09/2022 attached.

02/09/2022

Email response sent by Natasha Tah to Debie Pearmain, Police Licensing Officer.

Email dated 02/09/2022 attached.

02/09/2022 at 11.30pm

Licensing check as per the Night Time Economy tasking — Officer reported that the door staff gave numbers; Manager came out and was sarcastic with Officers.

Gen40 dated 02/09/2022 attached.

06/09/2022

Email sent by Debie Pearmain, Police Licensing Officer, to Natasha Tah informing her of the potential breach of Licence.

Email dated 06/09/2022 attached.

10/09/2022 at 00.51am

Licensing check as per the Night Time Economy tasking — Officers reported a negative and hostile response to them, with Police Officers being refused entry to the premises.
Gen40 dated 10/09/2022 attached.

27/09/2022

No Staff member attended the Ascot Pub Watch meeting. This is a condition on the Premises Licence.

15/10/2022

Information received by Thames Valley Police that the premises staff are selling take away alcohol in plastic cups and bottles of beer are being sold for take-outs.

24/10/2022

Licensing meeting held at Windsor Police Station. In attendance were Natasha Tall, [REDACTED], DPS, PC Race, Neighbourhood Officer and Debie Pearmain, Police Licensing Officer.
Gen40 dated 24/10/2022 attached.

30/10/2022

[REDACTED] DPS emailed both the Police Licensing Officer and the Local Authority Licensing Officers to inform us that he was removing himself as the DPS.

09/12/2022

New DPS appointed.

As you can see from the detailed report, I have tried to work with the premises DPS's and Natasha Tall. I fully agree and support Mr Alexander Lisowski, Licensing Enforcement Officers comments and agree this Licence should be revoked.

Natasha Tah has been advised on three separate occasions by me that all of the conditions have to be adhered to on this Premises Licence and she has also been told by me several times, that there are no discretions on these conditions.

I have been the Police Licensing Officer for nearly 30 years and would never encourage or give permission to anyone to break the law.

Thames Valley Police are very concerned with the way that this premise has been managed and the continual breaches of the Premises Licence. If it were not for the Local Authority applying to Review this Licence, I would have applied to Review the Licence myself for undermining the Licensing Objectives. Unfortunately, no matter how we have all tried to assist Natasha Tah, she has total disregard for the Licensing Objectives, Local Authority Licensing Officers and Thames Valley Police Licensing.

I agree with the Local Authority that this Premises Licence should be revoked.

Debie Pearmain
Police Licensing Officer

POLICE LICENSED PREMISES INCIDENT REPORT

Submitting Officer

Shoulder No/Name: C3232

Station:

LPA: Windsor/Maidenhead

Incident References

Premises Name/Location: Drinks & Flair, Station Hill, Ascot

Incident Date: 2pm 23/08/2022

Incident Time:

Command & Control URN:

Crime Report(s):

CCTV Seized?

Sources of Information:

Nature of Incident = what happenedQ

Licensing meeting at the request of Natasha Tah, new part owner of the venue. Also in attendance was PC Race, [REDACTED] Operations Director, [REDACTED], Area Manager of [REDACTED] Security. Licensing meeting was held at the premises.

Natasha was fully updated of the issues/problems that had happened at the venue since July 2021. We also discussed the issues and concerns around a male known as [REDACTED] being in, working at the venue and socialising at the venue during this time period.

Natasha was informed that [REDACTED] had been banned from working/socialising in the venue from last July by the DPS. This was due to all the issues that he had been associated with and the continual undermining of the Licensing Objectives.

Natasha was updated that Thames Valley Police had been looking to execute a drugs warrant at the venue and also Review the Premises Licence last July. This enforcement action was due to the Licensing Objectives been undermined and lack of Management and serious concerns around [REDACTED] being involved at the premises. It was then down to the new DPS that had been appointed that things changed for the better and the Crime and Disorder, Public Safety Licensing Objectives were not undermined and the drugs information more or less stopped being received by Thames Valley Police.

Natasha was also informed that Thames Valley Police had received information that during the recent soft launch, [REDACTED] had been in the venue. Natasha told myself and PC Race that [REDACTED] hadnot been in the venue during the soft launch.

Debie and PC Race went through all of the conditions on the Premises Licence and it was explained that because of all the issues last year, Thames Valley Police had requested extra conditions be placed on the Premises Licence. The application for the Minor Variation was submitted in May 2021 and these condition were agreed to by the DPS and Premises Licence Holders at that time. Failure to do so would have resulted in a Review of the Licence to request the conditions be placed on the licence. It was stressed that all of these conditions had to be adhered to when the premises was open. There was no discretion with any of the conditions.

Premises Response – what part did staff play? How did they react/assist (include good/poor performance)?

Police Response – what action was taken? Please identify the main officers who dealt with the incident

GEN 40 (01/2013)

THAMES VALLEY

LICENSED PREMISES INCIDENT REPORT

Persons Involved to add more rows click into the final cell of this table

Name	Date of Birth	Role	Action Taken	Ref No. (e.g. Custody, PND etc)

When complete, please forward to the Licensing Officer for the area (and anyone else as per local instructions)

Pearmain, Debie (C3232)

From: Pearmain, Debie (0232)
Sent: 23 August 2022 16:21
To: [REDACTED]
Cc: Race, Michelle (P0272)
Subject: Licensing
Hi Tasha

It was good to meet you earlier this afternoon along with [REDACTED] and [REDACTED].

I just need to confirm that until the DPS application has been submitted to the Local Authority and accepted, you are not able to sell alcohol.

Also, I just want to confirm that at this time the condition, "An ID scanning system will be employed at the premises and will be utilised for all customers. This will be in operation during licensable activities and shall be a condition of entry." As with all of the conditions on the Premises Licence this condition must be adhered to at this time.

We are happy to try to work with you in relation to the potential re-wording of this condition, but until such times, this condition must be adhered to.

Regards

Debie

Debie Pearmain (i t Local Policing – Windsor, Maidenhead & Slough I Police
Licensing Officer IT telephone C) q 865 8540221 Internal: 330 5571 |

Address: Windsor Police Station, Alma Road, Windsor, Berkshire SL4 3ES | Mail:

debie.pearmain@thamesvalley.onn.police.uk

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What know more about Licensing? Read our [Alcohol Licensing Operational Guidance](#)

POLICE

LICENSED PREMISES INCIDENT REPORT

Submitting Officer			
Shoulder No/Name: P3301		Station: Maidenhead	LPA: RBWM
Incident References			
Premises Name/Location: DRINKS & FLAIR, Station Hill, Ascot			
Incident Date: 27/08/2022		Incident Time: 23:30	
Command & Control URN: N/A		Crime Report(s): N/A	
CCTV Seized? None			
Sources of Information: Police Attendance			

Nature of Incident — what happened⁹

Police attended the venue to complete tasking checks as requested. Upon attendance the venue only had 8 staff and 4 of which were visible to police upon attendance. However, they have had only 6 customers at the venue and they stated they had sent 2 staff home earlier in the night. One of the staff on duty was female.

This GEN 40 is to confirm the taskings have been completed and to note the exception made to licence conditions in case it becomes a regular occurrence that they under resource doorstaff and use the number of customers as validation.

Premises Response — what part did staff play⁹ How did they react/assist (include good/poor performance)?

As above - No direct performance.

Police Response — what action was taken Please Identify the main officers who dealt
 PC 3 With the incident
 PC 3301 BEAN and pc 6687 WATTS. Advice given, tasking completed.

Persons Involved - to add more rows click into the final cell of this table

Name	Date of Birth	Role	Action Taken	Ref No. (e.g. Custody, PND etc)
		N/A	N/A	N/A

When complete, please forward to the Licensing Officer for the area (and anyone else as per local instructions)

Pearmain, Debie (0232)

From: Pearmain, Debie (0232)
Sent: 01 September 2022 14:15
To: Tasha Tah
cc: Race, Michelle (P0272); Richard Ferguson; Alex Lisowski
Subject: Drinks and Flair, Station Hill, Ascot
Good Afternoon Tasha

I am just catching up from the weekend and need to touch base with you about a report I have received from Police Officers. This was following a visit to your venue at 11.30pm on 27/08/22. The report states that there were only 8 door staff present and that 2 door staff had been sent home earlier in the evening, due to the premises not being

Just to remind you that you do have to adhere to all the conditions on the Premises Licence, which includes 10 x SIA door staff on a Friday and Saturday from 2100 until close. One of the door staff members is to be female.

Your premises will be checked again and if any breaches are found, we will take further action.

Regards

Debie

Debie Pearmain t Local Policing Windsor, Maidenhead & Slough I Police
Licensing Officer I Telephone 01865 8540221 Internal: 330 5571 |

Address: Windsor Police Station, Alma Road, Windsor, Berkshire SL4 3ES I

E Mail debie.pearmain@thamesvallev.onn.ooffice.uk

VPOLICE

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Pearmain, Debie (0232)

From: Tasha Tah <[REDACTED]>
Sent: 02 September 2022 14:45
To: Pearmain, Debie (0232)
cc: Drinks & Flair LTD
Subject: Re: Drinks and Flair, Station Hill,
Ascot

Hey Debie

Hope you are well and thanks for your email.

I have spoken to my staff and they informed that they were getting ready to close early on the day in question as the venue was near empty and that's why staff were told to wrap up.

However, I have told them that all door team are to remain up until the shutters come down. I'm working hard to work with you on all matters and hope to get these licence restrictions eased in the near future as this is financially effecting my restaurant part of the business.

I have attracted a new crowd and aiming to turning things around from the past.

I look forward to introducing you to my appointed DPS in the coming weeks.

Any further questions please let me know.

Many Thanks

Tasha

On Thu, 1 Sep 2022 at 14:14, Pearmain, Debie (C3232) <debie.pearmain@,thamesvallev.Dolice.uk> wrote:

Good Afternoon Tasha

I am just catching up from the weekend and need to touch base with you about a report I have received from Police Officers. This was following a visit to your venue at 1 1.30pm on 27/08/22. The report states that there were only 8 door staff present and that 2 door staff had been sent home earlier in the evening, due to the premises not being busy.

Just to remind you that you do have to adhere to all the conditions on the Premises Licence, which includes 10 x SIA door staff on a Friday and Saturday from 2100 until close. One of the door staff members is to be female.

Your premises will be checked again and if any breaches are found, we will take further action.

1

Regards

Debie

Debie Pearmain | Local Policing Windsor, Maidenhead & Slough Police Licensing
Officer | Telephone 8540221 Internal: 330 5571 |

Address: Windsor Police Station, Alma Road, Windsor, Berkshire SL4 3ES | E Mail:

debie.pearmain@thamesvalley.police.uk

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LICENSED PREMISES INCIDENT REPORT

Submitting Officer			
Shoulder No/Name: P5132		Station: Maidenhead	LPA: RBWM
Incident References			
Premises Name/Location:	Al Frazao (AMAIYA's)		
Incident Date:	02/09/2022	Incident Time:	23:30
Command & Control URN:	N/A	Crime Report(s):	N/A
CCTV Seized?	N/A		
Sources of Information:	Police		

Nature of Incident - what happened

On NTE partof officers attended Al Frazao's which is has replaced AMANA's, door staff were outside and gave numbers as usual. The manger has come out was very friendly but sarcastic with officers, he has tried to speak with officers twice but did seem intoxicated. This was at around 23:30 and they bar was not due to shut until 0200 hours. Details of the managers details were not ascertain due to the reason stated below.

Premises Response - what part did staff play? How did the react/assist (include good/poor performancgo

[The staff were not challanged on this as a missing person from SUSSEX has presented himself to us. This took up a significant amount of time so no details were ascertained, this is also due to the council licenecing coming at the same time so the manager soon moved on to him.

Police Response what action was takeno Please identify the man officers who dealt With the Incdntent

No action was taking at the time. Myself and PC FRANCIS 2748 were the only officer there, no offences were committed so no power for the police to do anything at this point. A GEN 40 was the best way to deal with this.

Persons Involved - to add more rows cltck tnto the final cell of this table

Name	Date of Birth	Role	Action Taken	Ref No.
				(e.a. Custody, PND etc)

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When complete, please forward to the Licensing Officer for the area (and anyone else as per local instructions)

GEN 40 (01/2013)

Pearmain, Debie (0232)

From: Pearmain, Debie (C3232)
Sent: 06 September 2022 12:48
To: Tasha Tah; Richard Ferguson; Race, Michelle (P0272); Alex Lisowski
CC: [REDACTED]
Subject: Licensing Meeting - 19/09/2022
Good Afternoon Tasha

I have been made aware of further breaches of your Premises Licence from last weekend. The breaches relate to door staff not having body worn video on them and the ID Scanner not working.

When PC Race and I attended the venue and met with you and the door company on the 23rd August 2022, I went through all of the conditions on the Licence and informed you that they all had to be adhered to. There is no discretion on these conditions.

I am arranging a meeting for llam on Monday 19th September 2022 at Windsor Police Station, which I would like you all to attend, including the current DPS.

Please ensure that there are no further breaches of your Licence.

Regards

De bie

De'ie Pearmain | Local Poticing Windsor7 Maidenhead & Slough | Policx
Ežcens:nti (Jrficer | Telephone O'i 865 8540221 Internal: 330 5571 |

Address: WindsorPolice Siation Alma Road, \Vindsor Berkshire sc4 i

Mail: debie.oearmain@thamesvallev.onn.oolice.uk

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POLICE

LICENSED PREMISES INCIDENT REPORT

Submitting Officer

Shoulder No/Name: PC6711 LAVER

Station: MAIDENHEAD

LPA: RBWM

Incident References

Premises Name/Location: DRINKS N FLARE

Incident Date: 10/09/2022 Incident Time: 0051

Command & Control URN: 43220400934 Crime Report(s): 43220400934

CCTV Seized? N/A

Sources of Information: BWV Uploaded by attending officers and is linked to the above Occ.

— what happened

Officers attended DRINKS N FLARE, ASCOT to carry out NTE briefing taskings. Upon arriving, the manager believed to be named 'Paul', was immediately hostile with officers and refused entry for the officers to complete taskings given. 'Paul' began saying that the police and council were bullying and harassing him and that everyone is making out to be the 'bad guy'. He stated that he was angry because someone from licensing had already attended earlier that evening and carried out their checks. When officers attempted to explain that we needed to do the checks and would leave, he was still irate and shouting at officers, it was then that a security guard named George tried to help the situation and assist the officers to carry out the checks needed. He allowed us to check that the ID scanner was working and that there were 10 door staff by checking the staff sheet for that evening, however we were unable to confirm that there were 10 door staff as we only saw 7 and the names on the sheet were foreign so was unable to confirm who were male or female. Once this was completed officers left. At no point were officers allowed to enter

the premises to properly do their checks. Paul was [REDACTED]

Nature of Incident ⁹

GEN40 submitted and attached to Occ. No. 43220400934.

Persons Involved - to add more rows click into the final cell of this table

Name	Date of Birth	Role	Action Taken	Ref No. (e.g. Custody, PND etc)
George	N/K	N/K	Attempted to diffuse the situation.	N/A
Paul	N/K	N/K	Was irate and not engaging.	N/A

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Premises Response — what part did staff play? How did they react/assist (include good/poor performance)?

Police Response — what action was taken ^Q Please identify the man officers who dealt With the Incident When complete, please forward to the Licensing Officer for the area (and anyone else as per local instructions)

Submitting Officer		
Shoulder No/Name:	C3232	Station:
		LPA: Windsor/Maidenhead

Incident References

Name/Location: Drinks & Flair. Station Hill, Ascot

Incident References

Name/Location: Drinks & Flair. Station Hill, Ascot

Incident Date: 11.30am 24/10/2022

Incident Time:

Command & Control URN:

Crime Report(s):

Seized?

Source of Information:

Premises

Incident

Command

CCTV

Sources

LICENSED PREMISES INCIDENT REPORT

_____ what happened?

Licensing meeting held at Windsor Police Station with Tasha Tah, 100% Director of Jagz Ltd, _____, DPS, PC Race NHO and Debie Pearmain, Police Licensing Officer

Tasha confirmed that she was 100% Share Holder and _____ and herself were 50 50 Directors

Debie started by saying that since she and PC Race had met Tasha in August this year, when she had taken over the Business, we had both been very open and honest with her about the issues and the history of the venue with her. This was agreed.

_____ then introduced himself and gave an update of his experience in the licensing trade , which has been nearly 30 years.

Debie then read out the Gen40's dated 27/08/22, 02/09/2022, 10/09/2022 and that no-one had attended the last pub watch meeting. There was mention in some of the Gen40's of possible breaches of licence, which has been disputed by _____, concern of him being intoxicated when Officers were at the venue, _____ informed us this was not true, he doesn't drink at work, he doesn't drink and drive and he has Lupas. We also discussed the Gen 40 which stated that he had refused Officers entry to the venue, was irate and was shouting at Officers. He informed us that this report was not a true account of what happened, but he accept that he was irate with Officers, as further checks had already taken place by Officers and the Local Authority Licensing Officer General discussion took place and he did apologise for his behaviour that night.

Both Tasha and _____ were reminded that Police Officers have the power of entry to Licensed Premises under Section 179 (1) of the Licensing Act and if any Officer is obstructed they could be arrested.

It was agreed and acknowledged that crime and disorder hasn't been an issue so far at the venue but PC Race informed both Tasha and _____ that certain information around drugs had been received It was mentioned that _____ who had previously caused issues at the venue last year (of which Tasha had been updated of by PC Race and Debie Pearmain at their very first meeting on the 23/08/2022) was back in the venue.

PC Race stated that we had asked Tasha if she had known '_____' back in the meeting in August 2022 and she had told us that she was aware of him through the trade but he didn't come to the venue.

PC Race then told Tasha that we knew that they were a couple and why had she lied to us? PC Race then showed a picture from social media of them together. We were told that he doesn't work there and the relationship had grown PC Race said whatever Tasha choose to do in her private life was up to her. Debie then stated that the concern over the way the venue had been run last year with '_____' involved had caused serious concerns with the Police to the point where we were looking to obtain a warrant and a Review of the Premises Licence. This is the reason why we are extremely concerned to hear that '_____' is attending the venue. _____ informed us that he works for Tasha and no-one else.

General discussion took place and Taha was informed by PC Race and Debie that they wanted the venue to be a success and for the Business to work.

Debie summed up with the following:

Nature of Incident - _____

LICENSED PREMISES INCIDENT REPORT

All conditions on the Premises Licence have to be adhered to (we were told this is the reason they haven't been opening on a regular basis due to the cost) Full co-operation from staff
 The concern over '█' was for Tasha and █ to make any decisions relating to him and the venue.
 No glasses/bottles/plastic cups with alcohol to be taken off site.

Premises Response —what part did staff do? How did the react/assist include food/beverage service? █

Police Response —what action was taken? Please identify the main officers who dealt with the incident. █

Persons Involved - to add more rows click into the final cell of this table █

Name	Date of Birth	Role	Action Taken (e.g. Custody, PND etc)	Ref	No.

When complete, please forward to the Licensing Officer for the area (and anyone else as per local instructions)

GOSSCHALKS

BY EMAIL AND FIRST CLASS POST
Royal Borough of Windsor & Maidenhead Council
Town Hall, St Ives Road
Maidenhead
SL6 1RF

Please ask for: [REDACTED]
Direct Tel: 01482 590284
Email: [REDACTED]@gosschalks.co.uk
Our ref: ARG / MJM / 098454.28588
#GS4948650
Your ref:
Date: 16 December 2022

Dear Sirs,

**Re: Licensing Act 2003 – Review Proceedings
Drinks and Flair, Station Hill, Ascot SL5 9EG**

We act on behalf of Ei Group Ltd. Our client is the freeholder owner of these premises and we have received a copy of the application for review of the premises licence by the Licensing Authority dated 8th December 2022.

We would be grateful if you would accept this letter as a formal representation on behalf of our client.

Ei Group Ltd owns around 4000 public houses in England and Wales. The vast majority of these premises are the subject of lease/tenancy agreements through which the tenant operates his/her/its own business out of our client's premises. The lease/tenancy agreement makes it clear that all operational responsibility for the premises lies with the tenant. Drinks and Flair is the subject of a 30 year lease agreement in favour of Jagz Ltd, the premises licence holder.

Please note that we take a wholly neutral stance with regards to the allegations made given that our client has no operational responsibility for the operation of these premises.

Our representation is that the licensing objectives will be promoted by the removal of the DPS and the current management and also with some intense staff training as to their responsibilities under the Licensing Act 2003.

We would be grateful if you could acknowledge receipt of this representation and advise as to the date of the hearing as our client may wish to expand upon it at the hearing.

We look forward to hearing from you.

Yours faithfully,



GOSSCHALKS LLP

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