

Public Document Pack

Notice of Meeting

Licensing & Public Space Protection Order (PSPO) Sub Committee
Councillors Mandy Brar, Jack Douglas and Neil Knowles

Thursday 13 July 2023 10.00 am
Council Chamber - Town Hall - Maidenhead & on [RBWM YouTube](#)

www.rbwm.gov.uk



Agenda

Item	Description	Page
1	Appointment of Chair The Sub Committee are asked to appoint a Chair for the duration of the hearing.	-
2	Apologies for Absence The Sub Committee shall receive any apologies for absence .	-
3	Declarations of Interest The Sub Committee are asked to declare any interests that they may have.	3 - 4
4	Procedures of the Sub Committee All attendees at the hearing are to note the procedures of the Sub Committee.	5 - 6
5	Consideration of an application to review the premises licence for Drinks and Flair The subcommittee are to consider an application to review the premises licence for Drinks and Flair under s51 of the licensing act 2003.	7 - 180

By attending this meeting, participants are consenting to the audio & visual recording being permitted and acknowledge that this shall remain accessible in the public domain permanently.

Please contact Oran Norris-Browne, Oran.Norris-Browne@RBWM.gov.uk, with any special requests that you may have when attending this meeting.

Published: Wednesday 5 July 2023



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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.

Procedure

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

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RBWM LICENSING & PUBLIC SPACE PROTECTION ORDER SUB-COMMITTEE

13 July 2023 10.00 – Town Hall, Maidenhead

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

www.rbwm.gov.uk



Sub-Committee Members: Cllr Brar, Cllr Douglas, Cllr Knowles

Officer reporting: Greg Nelson, Trading Standards & Licensing Manager

Contents

1. The Application
2. Previous Hearing
3. The Application Process
4. Licensing Authorities Acting as Responsible Authorities
5. Outline of the Application
6. Relevant Representations Received
7. Subsequent Events
8. Matters to Consider
9. RBWM Statement of Licensing Policy 2021-2026
10. Revised Guidance issued under section 182 of the Licensing Act 2003
11. Conclusion

1. The Application

Applicant: Mr Craig Hawkings, RBWM Licensing Team Leader for RBWM Licensing, acting as a responsible authority

Application To review a premises licence

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 (LPSPOSC) originally took place on 23 January 2023. At that hearing the premises licence holder was represented by Ms C Curtis and Mr P Hayward, minority directors of Jagz Ltd at that time, 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 LPSPOSC on 23 January stated that they 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 at that time, was not present, and the LPSPOSC wished for her to attend a future meeting to answer to the charges that the licensing conditions had been 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. This was subsequently moved to Monday 20 March, with all parties being properly notified.

For reasons set out below in Part 7 Subsequent Events, the hearing was subsequently postponed until this hearing, Thursday 13 July 2023, with all parties having been properly notified.

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>

3. The Application Process

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.

When an application is made to review a premises licence, the process is subject to statutory time limits. 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.

Even though there have been several postponements of this hearing, for reasons set out below in Part 7 Subsequent Events, 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(LPSPOSC), and that Sub Committee can take such steps, as set out in legislation, as are appropriate for the promotion of the four licensing objectives.

4. 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, must be followed. This guidance (December 2022, updated 12 January 2023) states that;

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. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of

responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance

9.17 In cases where a licensing authority is also acting as responsible authority in relation to the same process, 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.

9.18 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. Representations, subject to limited exceptions, must be made in writing. It is for the licensing authority to determine how the separate roles are divided to ensure an appropriate separation of responsibilities. This approach may not be appropriate for all licensing authorities and many authorities may already have processes in place to effectively achieve the same outcome

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 LPSPOSC by means of this report and to advise the Sub-Committee about the licence review process.

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

To further ensure fairness and impartiality, decisions relating to the application to review this premises licence will be decided by the LPSPOSC, comprising elected members of the authority, advised by an impartial legal advisor.

5. Outline of the Application

The original applicant for this review was Mr Alexander Lisowski, RBWM Licensing Enforcement Officer, for RBWM Licensing acting as a responsible authority.

Mr Lisowski left RBWM on 30 March 2023 so Mr Craig Hawkings, RBWM Licensing Team Leader, is now acting for RBWM Licensing as a responsible authority based on Mr Lisowski's original application, and Mr Lisowski is now a witness in these proceedings.

The application from Mr Lisowski, **Appendix B** to this report, includes his statement dated 06/12/2022 setting out in detail the reasons why the application to review this premises licence was 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.”

The report of Mr Hawkings, now acting for RBWM Licensing as a responsible authority, is **Appendix C**.

The premises licence holder, in the form of the Director and majority shareholder of Jagz Ltd at that time, Ms Natasha Tah, 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 Tah's personal e-mail address. This e-mail is **Appendix D** to this report.

6. Relevant Representations Received

During the 28 consecutive day consultation period outlined in Part 3 The Application Process, above, responsible authorities, as defined by the Licensing Act 2003, may make representations about the application. Other persons may also make representations.

With respect to this application, originally 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 E
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

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 the freehold owner of the premises that is the subject of this application. This representation is **Appendix F**.

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

7. Subsequent Events

As has been stated, this hearing was originally scheduled for 23 January 2023, then postponed to 9 and then 20 March 2023.

The reason for the postponement from 09 March to 20 March was because an allegation was made about one of the councillors due to sit on the Sub Committee on 9 March.

The allegation against the councillor related to a claim that he had already predetermined the outcome of this matter. These allegations were not substantiated but it was felt prudent to exclude him from these proceedings, so a new Sub Committee was convened for Monday 20 March with all parties being properly notified.

Ms Natasha Tah, at that time the director and majority shareholder of Jagz Ltd, the premises licence holder, made contact by e-mail on 7 March to say that she would be on tour (she is a music artist) until the end of April and asked for a postponement until after that time.

It was suggested that she attend the hearing by Zoom but she said that she wanted to attend the hearing in person, and in any case the nature of her touring schedule meant her availability could not be determined.

Legal advice was sought and the advice provided was that the hearing could go ahead on 20 March without Ms Tah present, but she then said that her solicitor was on holiday that week.

Under the circumstances it was agreed that the hearing would have to be postponed. This meant that it was unlikely that a new LPSPOSC could be convened until at least late May, or even June, because of the local elections on 4 May and the subsequent process of induction and training for the incoming councillors.

On 15 March Ms Tah was asked to provide

- Dates from 01 May to 30 June that her and her solicitor definitely could attend a hearing
- Dates from 01 May to 30 June that her and her solicitor definitely could not attend a hearing
- The name and contact details for her solicitor

All other parties were also asked for dates to avoid.

On 20 March Ms Tah made a complaint about the actions of Thames Valley Police and RBWM Licensing Officer Mr Lisowski at an event at the Drinks & Flair premises on 17 March 2023. The issues raised by Ms Tah, the response from RBWM and a statement from Mr Lisowski covering this incident can be found at **Appendix G**. The evidence from Thames Valley Police relating to this incident is included in **Appendix H** (see below)

On 27 April Ms Tah was asked again for her dates to avoid, she replied on the same day to say that she would be away performing from 3 May until 29 June, so any date after 29 June would be perfect for her and her solicitor.

On 2 June Ms Tah was contacted to say that a hearing in July was being looked at and she was asked for dates to avoid.

On 7 June Ms Tah replied to say that any time after 10 July would be fine.

On 12 June all parties were properly notified that the hearing would take place on Thursday 13 July.

Ms Pearmain for Thames Valley Police, Mr Lisowski (who is no longer a Licensing Officer with RBWM) and Ms Hipkiss, Licensing Manager from Stonegate Group, the owner of the free hold of the property, all confirmed that they would be attending.

On 16 June Ms Pearmain provided Further Evidence for Drinks & Flair, Station Hill Ascot, this is produced as **Appendix G**. This further evidence relates to;

- Advice given to the premises about an irresponsible drinks event that was being advertised at the premises (and which the premises agreed to stop advertising), and
- The incident on 17 March, referred to above, including a detailed statement from PC Gleave which includes
 - a customer saying she was admitted to the premises without an ID check, a breach of the premises licence
 - an individual identified as “H” being spoken to, this individual being “incredibly rude to both officers and the licensing officer, arguing with all of us, making personal comments towards them and accusing the licensing staff of taking bribes from various other pubs”

Ms Pearmain stated that Inspector Bennet, PC Gleave and PC Race would also be attending the hearing on 13 July.

In the run up to, and during the week of the Royal Ascot race meeting a number of incidents took place involving the Drinks & Flair premises. These were;

- In the run up to Royal Ascot, a failure to comply with the licence condition; “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".”

This is included in the report of Mr Hawkings, **Appendix C**

- On 21 June, witnessed by Mr Hawkings, Licensing Team Leader, a failure to use the ID scanner for all customers upon entry, a breach of a licence condition which the premises had been repeatedly warned about and which features in the application from Mr Lisowski to review the premises licence.

This is also included in the report of Mr Hawkings, **Appendix C**

- From Tuesday 20 June until Saturday 24 June 2023 evidence from Inspector Katarzyna Filipek of British Transport Police of the following;
 - large numbers of persons being allowed access without the use of ID scanners due to gaps in the queuing systems and insufficient numbers of security personnel
 - people being able to walk in around the security unchallenged
 - admittance to the premises of intoxicated persons
 - the serving of alcohol to intoxicated persons
 - failure of security personnel to actively move people along to aid the egress from Royal Ascot, which meant the footpath into Ascot Station was blocked by people queuing to get into the Drinks & Flair premises, causing serious safety issues and an increased risk of crashing and serious injury
 - no count of the number of persons on the premises and too many people on the premises
 - security staff not wearing hi vis outer clothing, a breach of the premises licence

These matters were all witnessed by Inspector Filipek of British Transport Police, who had to intervene on numerous occasions at the premises to make the management aware of the issues and request them to make changes, see Inspector Filipek’s statement **Appendix I**, with the failure to use the ID scanner also witnessed by PC Reavil on 23 June, her statement is **Appendix J**

- On Friday 23 June, noise heard in surrounding residential streets from the music being played at the premises that “would have caused a significant disturbance to people attempting to relax both within and without their dwellings”. This was considered to be a statutory nuisance under the Environmental Protection Act 1990 and therefore a breach of the noise abatement notice previously served on the premises, in itself a criminal offence. These matters were witnessed by Carl Griffin, RBWM Environmental Protection Team Leader, and Michael McNaughton, RBWM Environmental Protection Officer, see their statements **Appendix K** and **Appendix L** respectively

On 27 June 2023 it was noted on the Companies House website that Ms Tah had resigned as a director of Jagz Ltd on 26 June 2023 and that she had ceased to be a person with significant control of Jagz Ltd on 26 June 2023.

Similarly, it was noted that Ms Tah had resigned as a director of Drinks & Flair Ltd on 26 June 2023 and ceased to be a person with significant control of Drinks & Flair Ltd on 26 June 2023.

Ms Tah was contacted by e-mail on 27 June and asked if she still had any ownership of or involvement of any kind with either Jagz Ltd and/or Drinks & Flair Ltd, and if so what that ownership or involvement was. She was also asked, if she was no longer the owner of one or both of these companies, if she could say who the owners were.

She was also asked if she would be attending the hearing on 13 July and whether she would be contesting the application to review the premises licence for Jagz Ltd t/as Drinks & Flair.

Ms Tah responded to say that she was no longer the owner of Jagz Ltd and had no interest or share in the company. She said that the ownership had been passed to Ms Candice Curtis and Mr Philip Hayward of Pantiles Properties Ltd.

Ms Tah also confirmed that she was no longer the owner of Drinks & Flair Ltd and had no interest or share in the company (in fact the full name of the company is Drinks & Flair UK Ltd – at the time this report was written that company had no directors or any other officers).

Ms Curtis and Mr Hayward were the two individuals who attended the LPSPOSC hearing on 23 January 2023, as explained in Part 2 Previous Hearing, above.

On 28 June 2023 it was noted on the Companies House website that Ms Candice Curtis had taken up the position of Secretary of Jagz Ltd on 28 June 2023.

Ms Curtis was contacted by e-mail on 29 June to advise her that a meeting of a RBWM LPSPOSC was taking place on 13 July 2023 to hear an application from RBWM Licensing to revoke the premises licence of Jagz Ltd trading as Drinks and Flair. Ms Curtis was asked about the ownership of Jagz Ltd, whether directors were to be appointed to the company, and whether she or another person or legal representative would be attending the hearing to act as or for the premises licence holder.

Ms Curtis replied to say that she and Mr Philip Haywood were now directors of Jagz Ltd (and this was confirmed by a check on the Companies House website on 30 June 2023). She said that the majority shareholder of Jagz Ltd was now Pantiles Properties Limited, of which she and Mr Haywood were the directors (confirmed by a check on the Companies House website).

Ms Curtis said they were working with Stonegate Pub Company Limited, the owners of the freehold of the property, and;

“In the interim our intentions here are completely different to the previous tenants and we look forward to bringing our hotel/shop/restaurant and bar/nightclub/venue room to the community, reviving the infamous Pantiles name and working with yourselves, the police and the local community to ensure this can happen as quickly as possible. Giving us the security that Philip and I need to invest further into this dilapidated but lovely old building and bring back the legacy of Pantiles.”

The e-mail and attachment of 29 June from Ms Curtis are **Appendix M**

8. Matters to Consider

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

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

9. 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

10. 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;
- 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 problems;

Crime and disorder

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

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.

The review process

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. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

11.9 Responsible authorities and other persons may make representations in respect of an application to review a premises licence or club premises certificate. They must be relevant (i.e., relate to one or more of the licensing objectives) and, in the case of other persons, must not be frivolous or vexatious. 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. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.

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

11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

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.

11. 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 seen and 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 licencing 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 from Mr Lisowski
- Appendix C Report of Craig Hawkings, Licensing Team Leader
- Appendix D Notice of the Application
- Appendix E Representation from Thames Valley Police
- Appendix F Representation from Gosschalks LLP
- Appendix G Complaint details, RBWM response and statement of Mr Lisowski
- Appendix H Further Evidence from TVP for Drinks & Flair, Station Hill Ascot
- Appendix I Statement of Inspector Filipek, British Transport Police
- Appendix J Statement of PC Reavil
- Appendix K Statement of Carl Griffin, RBWM Environmental Protection Team Leader
- Appendix L Statement of Michael McNaughton, RBWM Environmental Protection Officer
- Appendix M e-mail and attachment from Ms Curtis

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://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2022-accessible#introduction>

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. Any such an appeal will involve additional costs to RBWM, and possible costs against the Council should the appeal be successful.

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

greg.nelson@rbwm.gov.uk

07970 446526

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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

<u>Activity, Location and Area if Applicable</u>	<u>Description</u>	<u>From – To</u>
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

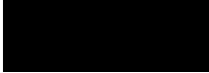
Protection of Children from Harm

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)

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder **Y**
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm **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 some things 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 do 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.

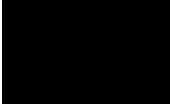
The records at Companies House show changes in directors which make it difficult to know, on a day to day basis, who is in charge of Drinks and Flair. Paul Herzberg became a director

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

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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

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

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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 A/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.

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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.

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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

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

W: www.rbwm.gov.uk E: custo@rbwm.gov.uk T: 01628 683800



@rbwm



search: rbwm

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
Andy Jeffs - Interim Strategic Director of Operations and Customer Services

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

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@rbwm search: rbwm

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
Andy Jeffs - Interim Strategic Director of Operations and Customer Services

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

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@rbwm search: rbwm

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).




EXHIBIT AL/10

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

Table with 2 columns: Field Name and Value. Fields include VAT Reg No., Invoice Number, Invoice Date, Your Order, Order Date, and Customer Id.

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

Page 1 of 1

Main invoice table with 6 columns: DESCRIPTION, NO. OF UNITS, UNIT VALUE, NET £, VAT £, and VAT %. Row 1: 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	271,764	230,248	1,550	503,562
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	202,304	212,142	1,550	415,996
Net book values				
At 30 June 2021	69,460	18,106	-	87,566
At 30 June 2020	75,792	20,118	-	95,910

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.

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RBWM LICENSING & PUBLIC SPACE PROTECTION ORDER SUB-COMMITTEE

13 JULY 2023 10.00 – TOWN HALL, MAIDENHEAD

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

Report of Craig Hawkings
Occupation: Licensing Team Leader, for RBWM Licensing acting as a responsible authority

This report has been written to assist the Licensing and Public Space Protection Order Sub-Committee to determine an application to review a Premise Licence under s51 of Licensing Act 2003.

Since the adjourned hearing of Drinks and Flair in January 2023 further breaches of licence conditions have occurred and now a criminal offence of breaching a Noise Abatement Notice under the Environmental Protection Act 1990.

Incident 1: Breach of Mandatory Licensing Conditions.

On 16 March 2023 The premises advertised an irresponsible drinks promotion for St Patricks. After discussions between Thames Valley Police and Licensing it was agreed that the premises would be requested to discontinue with the promotion and remove it from social media. They were sent a letter from Inspector Bennett of Thames Valley Police.

Incident 2: Breach of annex 2 licence condition

On 24 April 2023 the premise failed to comply with a condition of the Premises Licence.

- 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, Licencing, Thames Valley Police and Royal Berkshire Fire and Rescue service, eight (8) weeks prior to Royal Ascot week Race Meeting.

The premises supplied the plans 3 days late, see **(Appendix A)**

Incident 3: Repeated breach of licence condition 18

On 21 June 2023 the premises was visited by the Licensing Team Leader (Craig Hawkings) and the Licensing Service Manager from Wokingham Borough Council (Keiran Hinchliffe). This was during Royal Ascot week, and they were aware that the premises had outside entertainment including tribute acts and DJ's every night from the Tuesday through to Saturday night. Whilst conducting observations of the premises and the entertainment, it was clear that not all customers accessing the

premises through the car park entrance monitored by security staff, we're being asked to present identification. Officers observed two groups of four to five males being let in without presenting identification. This is not the first incident of condition 18 being breached by the premises as can be seen in the report of Alex Lisowski. For full details see Statement of Craig Hawkings, **(Appendix B)**

Incident 4: Concerns for safety and breach of Noise Abatement Notice, Not upholding Licensing Objectives.

On 23 June 2023 at approximately 20:30hrs The Licensing Team Leader was contacted by Inspector Adrian Lewis (Thames Valley Police) requesting assistance and that the Premises (Drinks and Flair) was out of control. The police had to intervene and close entry to the premises and car park area.

British Transport Police officers, Thames Valley Police Officers, Environmental Protection Officers, RBWM Out of Hours Officer in attendance with Licensing. Breach of Noise Abatement Notice as a statutory nuisance was evidenced. For full details see Statement of Craig Hawkings, **(Appendix C)**

Other considerations:

We are aware of eviction proceedings between the Premises Owner (Stonegate Group Ltd) and the Premises Licence Holder (Jagz Ltd.)

The original hearing was to be held at 12.10pm on 15 May 2023 at the County Court at Slough. The hearing was adjourned at short notice that day.

The next hearing is now listed to be held in the County Court at Reading at 3.00pm on 15 August 2023. See **(Appendix D)**

Recommendation:

It is my professional opinion that, due to the number and the frequency of incidents at the premises, particularly in relation to the actual number of days upon which the premises is open, breaches of the Premise Licence Conditions will continue, even if new management takes over.

After the request from Ms C Curtis and Mr P Hayward for the adjournment on the 23 January, these incidents have all taken place since that adjournment of the hearing held in January 2023.

I no longer have any trust that the premises can operate responsibly or be trusted in upholding and promoting the licensing objectives set out in the Licensing Act 2003, or to operate in accordance with the Licensing act 2003.

The only way to prevent further repeated breaches of the licence conditions occurring is to revoke the premises licence.

Appendices:

Appendix A – Correspondence re: Breach of licence condition

Appendix B – Witness statement of Craig Hawkings 21 June

Appendix C – Witness statement of Craig Hawkings 23 June

Appendix D – Correspondence re: Eviction proceedings

APPENDIX A

Sent Thu 27/04/2023 16:48

Dear Pavun

We have not received any plans, public safety, fire risk assessment policies for any events during Royal Ascot Week. This is required by way of a condition on the Premises Licence.

- 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".

Any events now held will be in breach of the above condition.

Please contact me to discuss. Or please clarify that you are not intending to hold any events indoors or outdoors that week.

Kind Regards

Craig Hawkings

Licensing Team Leader

Licensing, Royal Borough of Windsor & Maidenhead

Town Hall | St Ives Road | Maidenhead | Berkshire | SL6 1RF

Tel: 01628 685709

Mobile: 07833047887



[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

From: Pavun Gami <[REDACTED]>

Sent: 23 March 2023 15:30

To: Pearmain, Debie (C3232) <[REDACTED]>

Subject: Re: Royal Ascot 2023

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.

Sure, thank you Debie.

On Thu, 23 Mar 2023, 15:28 Pearmain, Debie (C3232), [REDACTED] >
wrote:

Thanks Pavun

Are you ok if I pass your email to the BTP Inspector who will also wish to arrange a site visit/meeting with you prior to the Royal Ascot week?

Regards

Debie

From: Pavun Gami <[REDACTED]>

Sent: 23 March 2023 15:21

To: Pearmain, Debie (C3232) <[REDACTED]>
[REDACTED]

Subject: Royal Ascot 2023

Caution: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe - If unsure email ICTSecurityTeam@thamesvalley.police.uk to report this message.

Hello,

Thank you for taking my call this afternoon, I appreciate you confirming the details for Royal Ascot 2023 and our plans for our outdoor car park space where we will have a stage, bar, and food vans.

As discussed we will ensure 10 minimum door security. We will have ID scanners for entry to the space.

A public safety, fire risk assessment policy will be done (8 weeks prior to ascot) and sent to yourself, Craig as well as fire department.

If there is anything else that you can think of that I may have missed, please do not hesitate to contact me. As we want to ensure a smooth sailing week along with the council, police, and fire department.

Please can I get an acknowledgement from yourselves for this email.

Kindest Regards

Pavun Gami

APPENDIX B

STATEMENT OF WITNESS

(Criminal Procedure Rules, r. 16.2;

Criminal Justice Act 1967, s. 9)

STATEMENT OF: Craig Hawkings

Age of witness (if over 18, enter "over 18"): Over 18

Premises: Drinks and Flair, Station Hill, Ascot, SL5 9EG

Offence: Breach of Licence condition 18

Condition 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

This statement (consisting of two pages) **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.**

1. I have worked in Licensing for 8 Years, and I have been employed by the Royal Borough of Windsor and Maidenhead as the Licensing Team Leader since June 2021. Prior to this employment I have worked within the field of Licensing as a Licensing Enforcement Officer for the Royal Borough of Windsor and Maidenhead and Elmbridge Borough Council.
2. On the 21 June 2023 at 19:32 Hrs I attended the above premises with Keiran Hinchliffe (Licensing Manager, Wokingham Borough Council) to conduct some licensing observations during Royal Ascot week. As I arrived, I positioned myself opposite the entrance to the car park area, which is turned into an outdoor drinking establishment with bars, entertainment, and food concessions. Upon closer inspection whilst observing the SIA Door Staff myself and Kieran noticed that the door staff were Asking for ID and were using a handheld scanning device to record the ID presented by customers. We then witnessed larger groups of

customers not being instructed to present ID and gaining entry, after a few words from the Door Staff. This happened on 2 occasions directly after one another of 2 groups of 4-5 males in the que


3. I approached the 2 Door staff, who asked how many were in my group? I identified myself whilst presenting too them my warrant card. I informed them, myself and another officer had just witnessed two groups of males being let in without any ID checks or scanning. The member of staff to my right stated that the manager has instructed the to only request ID from individuals but if it was groups to let them in. I asked who is the manager that has instructed you to do this? The member of staff said he is called "H". I asked is "H" on the premises? To which he stated yes, he is up there on the balcony. I informed them that it is a Licence requirement that all customers must be ID checked and scanned and that "H's" instruction is incorrect as per condition 18 of the licence. They both stated that they will request ID from everyone. I stated that no ID no entry they both said yes ok.
4. I noticed Phillip Hayward standing at the end of the way-out access area, nearest the Cocktails & Champagne Bar. I stated to Phillip that the door staff are breaching the licence condition in relation to ID checking and scanning. Phillip stated that they shouldn't be and that he has personally seen them using the scanners to which I said yes, they are using the scanners, but they are not requesting ID for all customers. Phillip stated that Natasha (Premises Licence Holder), was inside and did I wish to speak to her. I stated yes and could we do it in the front bar as the noise from the entertainment stage was too loud.
5. We approached the front door entrance to the premises and informed the door staff we were waiting for the premises licence holder to come down. Natasha arrived at the front door, and we started our discussion outside. I Informed Natasha that officers had witnessed a breach of the licence condition for ID checks and scanning and that the door staff had stated that they were instructed by a manager of what to do. Natasha stated that they are conducting ID checks on everyone and that the new scanners were used. I stated that we had witnessed 2 occasions of this not happening and that 8-10 customers were let in with no ID check or scan. I stated that they had named "H" as the manager who had instructed them of who and how many to ID. Natasha stated that "H" would never say that and that he is her partner, and she must stick by her man, of course. I stated that the door staff had specifically named him and that the incidents had been witness by ourselves. I reminder that the licence is still under review and this breach will be noted and submitted as another breach of a licence condition. I asked her did she understand? She said yes.
6. Natasha asked if we wanted to enter the premises and observe the event and to see the improvements from last year that had been implemented. We agreed and discussed the staggng and seating provision had been improved. It appeared that the patrons were enjoying themselves and that the music was quite loud. She stated it wasn't too loud to which I explained I am not a professional is noise nuisance or acceptable limits but is does appear to be Loud for the size of the event. I stated to be mindful that she may be visited by Environmental Protection

for checks. Natasha made assurances that the staff will be re instructed to conduct the ID checks properly and that the event this week will all be safe and fun.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed:

A solid black rectangular box used to redact the signature of the witness.

Date: 26 June 2023

APPENDIX C

STATEMENT OF WITNESS

*(Criminal Procedure Rules, r. 16.2;
Criminal Justice Act 1967, s. 9)*

STATEMENT OF: Craig Hawkings

Age of witness (if over 18, enter "over 18"): Over 18

Premises: Drinks and Flair, Station Hill, Ascot, SL5 9EG

This statement (consisting of three pages) 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.

1. I have worked in Licensing for 8 Years, and I have been employed by the Royal Borough of Windsor and Maidenhead as the Licensing Team Leader since June 2021. Prior to this employment I have worked within the field of Licensing as a Licensing Enforcement Officer for the Royal Borough of Windsor and Maidenhead and Elmbridge Borough Council.
2. On the evening of Friday 23rd June 2023, I was conducting an inspection of Ascot Town Centre during Royal Ascot week. I was located at the Esso Garage on the High Street with Officers from Reading Borough Council conducting enforcement operations.
3. At approximately 20:30hrs I was contacted by Inspector Adrian Lewis (Thames Valley Police) requesting assistance and that the Premises (Drinks and Flair) was out of control, and they had to intervene and close entry to the premises and car park area, I informed him I was making my way there, but was about 5 to 10 Minutes away with the crowds.
4. As I approached the premises it was very clear that there was a large police presence in attendance, I was approached by Inspector Kasia Filipek (British Transport Police). She informed that the venue was completely out of control and that the premise had approached the Police for assistance as they could not safely control the que of people waiting to enter the carpark area. The Inspector informed that there was almost a CRUSH scenario as the que was backing up into the path of the crowds attempting to access the station from Station Hill. She asked if I had the power to close them, I informed her that it is done under the crime and policing act 2014
5. Whilst observing the Premises I noticed my Licensing Enforcement Officers who were near the premises to observe problems with Hackney Carriage vehicles / Taxi enforcement related issues in the vicinity. Giuseppe Bruzzese stated that they had been approached by "H" when the police were being called in. He stated that he was aggressive to begin with and that he was vocal about previous officers, He

was demanding that the Licensing Enforcement officers confirm that He / premises were complying with the conditions of the Premises Licence. Officers stated they could not confirm that was the case at that point in time.

6. I noticed the DPS Pavun Gami at the entrance monitoring the que. I approached and asked him why am I getting calls from Thames Valley Police to attend? He stated that he had ask for the help as he / the team were unable to control the numbers in the premises and trying to still get in. Inspector Kasia Filipek joined the conversation and claimed that "Pav" had been nothing but polite and helpful and has attempted to adjust the queuing system to make it safer.
7. I was approached by Teresa Pearson (Station Manager) who was expressing concern that the music was far too loud and that it had hindered in the communication when trying to restore order at the premises. She also stated that she had massive concerns that if the station should need to be evacuated for any reason, the announcements would be inaudible as the music was deafening. I agreed with her statements. I informed the inspector and station manager that we had Environmental Protection Officers out on patrol tonight.
8. I contacted Carl Griffin (Environmental Protection Team Leader) and requested their Immediate attendance to the premises. He stated he was with Michael McNaughton, and they were on Station Hill making their way to Drinks and Flair. As I arrived back the Transport Officer introduced me to Liz Johnston (Out of Hours Officer for the Royal Borough). I introduced Liz to the DPS (Pav) as she had had expressed in her professional opinion that the music was too loud. They had a discussion around noise levels, and they were instructed to turn the levels down and for the DJ to stop using the microphone to entertain the crowds whilst music was being played. The DPS was relying on WhatsApp messaging the DJ / Entertainment team as he was unable to gain access quickly or call them as they would have been unable to hear any instructions.
9. Carl and Michael arrived outside the car parking area to the rear of the buildings of Drinks and Flair at approximately 20:50 hrs. Carl explained his concerns to the DPS and informed him that a noise abatement had previously been served, He explained that a breach of a noise abatement is a criminal offence.
10. Carl requested to the DPS that we monitor from the nearest residential properties along with Michael McNaughton and me. We walked through the tunnel under Ascot train station to the residential area on the opposite side of the railway line. Carl and Michael began assessing the noise for approximately 10–15-minutes, from 2 locations. We visited the cul-de-sac residential streets of Sunnybank and Stanmore Close which are both off Lyndhurst Road. It was clear that most of the residential dwellings had their windows open due to the weather being hot.
11. Carl stated that the noise from the music in locations, would have caused a significant disturbance. We discussed that we were able to identify every song and individual lyrics.

12. On returning to Drinks and Flair, we instructed the DPS that Natasha Tah (Licence Holder) meet us outside the building. Carl informed Natasha Tah about his findings from the observations and that a statutory nuisance is being caused and that it constitutes a breach of the previously served noise abatement notice. She claimed that, as she only became a company director in September 2022, she was unaware of the noise abatement notice. Carl explained to Natasha Tah that she will be invited in for an interview under caution and that they will consider a prosecution for the breach of the noise abatement notice. They advised her that, even though the event only had 10 minutes, she needs to significantly lower the level. It was also emphasised that music level needs to be significantly lower on the final day of Royal Ascot (Saturday 24th June 2023).
13. I had a discussion with Natasha Tah that they were now undermining the Licensing objective of prevention of public nuisance and this has an impact on the licence and will be evidenced and submitted to the report for the review hearing to be held on 13 July. She stated she understood why.
14. We all left the area at approximately 21:50hrs it was noticeable, that there appeared to be no adjustment to the music level.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed: [REDACTED] Date: 27 June 2023

APPENDIX D

Hi Craig,

Thank you for your time today.

I confirm the hearing is at 12.10pm on 15 May 2023 at the County Court at Slough.

The tenant has sought an adjournment which has been denied by the court. This has led them to submitting a further application to adjourn. Our Legal Counsel (Russ Davies, Smith partnership) is confident this will be rejected. That said, there is no 100% guarantee.

I will update you will progress as soon as it happens, hopefully we will be awarded possession on 15th.

Please let me know if you need any further info.

Many thanks.

Jo

Joanne Hipkiss

Licensing Manager

Mobile: 07384 513663

Email: [REDACTED]

Stonegate Group, 3 Monkspath Hall Road, Solihull, B90 4SJ

Hi Craig,

The Amaiya hearing was adjourned at short notice today, despite our solicitors best efforts to get the Deputy District Judge to make a judgement there and then.

Due to a medical advice note from Tasha's doctor, they have adjourned for a longer period than normal, meaning the case will not be heard until after 30th June (date TBC).

I will advise as soon as we have a new date. In the time being, if you want to serve any papers, we will support as much as we can.

Thanks.

Jo

Joanne Hipkiss

Licensing Manager

Mobile: 07384 513663

Email: [REDACTED]

Stonegate Group, 3 Monkspath Hall Road, Solihull, B90 4SJ

Hi Craig

Hope you are well.

The County Court at Slough have managed to get us an earlier hearing date by moving it to the County Court at Reading.

It is now listed for hearing in the County Court at Reading at 3.00pm on 15 August 2023.

Please let me know if you need any further info.

Thanks.

Jo

Joanne Hipkiss

Licensing Manager

Mobile: 07384 513663

Email: [REDACTED]

Stonegate Group, 3 Monkspath Hall Road, Solihull, B90 4SJ

From: Alex Lisowski

Sent: 09 December 2022 10:55

To: management@drinksandflair.com; Tasha Tah [REDACTED]

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.

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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 play^Q 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 Ilam 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 Policing Windsor7 Maidenhead & Slough | Policing
Ełcens:nti (Jrficer | Telephone O'i 865 8540221 Internal: 330 5571 |

Address: Windsor Police Siation Alma Road, V Windsor Berkshire sc4 i

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

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What • Cc know (nore about Licensing? Read our [Alchoi Licensing Ooera£ionai Guidance](#)

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)

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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

Issues Raised by Ms Tah 20 March 2023	Response
<p>139</p> <p>For the purposes of clarity the licence conditions, actions of RBWM and police in respect of attendance at premises in comparison to other businesses in the vicinity with non-brown owners and treatment displayed is evidence of the racism and harassment. As I am sure you are aware it is difficult to provide anything other than circumstantial evidence of racism particularly when it is so insidious and institutionalised. In any event, I have provided you with sufficient grounds to commence the investigations to which you refer in your email.</p>	<p>The conditions specific to this premises licence were agreed by the previous management of the premises with Thames Valley Police.</p> <p>They were applied by means of a minor variation which was received from Jagz Ltd on 24 May 2021.</p> <p>These conditions cover</p> <ul style="list-style-type: none"> - The use of CCTV - A requirement for minimum numbers of SIA door staff - The recording of door staff activity - The ID and visibility of door staff - The use of Body Worn Video (BWV) by door staff - Notification and risk assessment of events using external promoters and DJs - Notification of large outdoor events - Last entry times - Drugs policy - Responsible marketing of alcohol - Membership of Pubwatch - Customers not leaving the premises with glasses or bottles <p>Other licenced premises in RBWM have some of these or similar conditions on their licence.</p> <p>There is no evidence whatsoever of any racial bias in the conditions applied to these premises or of racist behaviour by any RBWM officer.</p> <p>If information about specific allegedly racist behaviour, incidents or language is provided they can be investigated.</p> <p>Any concerns about Thames Valley Police must be referred to that organisation</p>
<p>A while ago (email dated 31st January 2023) you kindly reassured me that a certain Alex Lisowski (a Council employee) would have nothing to do with my efforts in running my business in line with social and bureaucratic confines and would not be in communication with me. This was because I felt he came across bullying and condescending, to me his behaviour, actions and tone were totally unacceptable. I feel his attitude, actions and tone are in unison with those of the</p>	<p>In the e-mail from Greg Nelson to Ms Tah dated 31 January, Mr Nelson said;</p> <ul style="list-style-type: none"> - “Mr Lisowski is entitled to look into any licensing related matters that involve Jagz Ltd but you should not hear anything more from him directly.” <p>Following this e-mail Mr Lisowski did not contact Ms Tah directly.</p>

<p>police and I have been made a target for reasons that are not within my control thanks to Debbie Pearmain (Police Licencing Officer)</p>	<p>Mr Lisowski did attend the Drinks & Flair premises on 17 March, along with Thames Valley Police, for the purposes of ensuring that the premises licence was being complied with, and that was in line with Mr Nelson's e-mail of 31 January.</p>
<p>When I bought this bar in July 2022, I felt that instead of welcoming me and helping build a positive harmonious productive business in the area of Ascot, both Alex and Debbie were working together to bring my business down and hunting for minor breaches. I feel that this is due to my colour, or the fact that the traveller community are customers at my bar or because of my personal life. Indeed a particular comment Alex made was alarming and it is now being conveyed to various parties, I have now made complaints to.</p>	<p>It has never been the intention of either Mr Lisowski or RBWM Licensing to "bring down" this business. Breaches of the licence conditions were found on a number of occasions. These were brought to the attention of the management but the breaches continued, so further action was required. Had action been taken by the premises management to ensure that the licence conditions were fully complied with at all times, there would have been no need for any further action by RWWM Licensing.</p> <p>There is no evidence whatsoever of any racist behaviour or intent on the part of Mr Lisowski.</p> <p>Any allegations about Ms Pearmain should be put to Thames Valley Police.</p> <p>I do not know what the comment was that Mr Lisowski was said to have made. If full details of this could be provided it can be looked into.</p>
<p>149 I'm exhausted as it seems it is a pre-occupation with both the police and Alex Lisowski to make my life difficult and prevent me from working and conducting my business. Every time I open my bar they find an excuse to march onto the premises, hound me and find some excuse to ruin the atmosphere of my business. I feel as if they want to run me to the ground and want me to lose my licence.</p>	<p>Mr Lisowski did not visit the premises every time it was open. He visited the premises on five occasions</p> <ul style="list-style-type: none"> - Friday 2 September - Wednesday 7 September - Friday 9 September - Saturday 29 October - Friday 17 March
<p>I have invested so much money and have lost to the tune of £500,000 courtesy of what I feel is their intensified victimisation and harassment.</p>	<p>We are unable to comment on this.</p>
<p>After months of finicky intrusions by Alex and the police and meagre nit-picking, I finally managed to open my bar on 17th March 2023. Prior to this I advertised a 2 for 1 cocktail hour as a promotion exercise. I immediately received a letter from Debbie Pearmain saying we cannot do that as it would be a breach. A breach of what? These sort of promotions are on every street corner of the RBWM area as are bottomless brunches at places such as the All bar one, Bar One, The Stag just to name a few.</p>	<p>The mandatory conditions on this premises licence are defined in the Licensing Act 2003 and are as follows:</p> <p>1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.</p>

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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –

a) i) games or other activities which require or encourage, or are designed to require or encourage, individuals to 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)

The promotion advertised at Drinks & Flair on 17 March 2023 did not advertise food or table meals.

If we receive proof of other similar promotions, they will be investigated.

We are aware of bottomless brunch & prosecco promotions in multiple venues across the borough but as the name suggests, they include food and are table service only with the alcohol controlled by the staff.

Out of interest, why is it that about 5-6 businesses (from my research) in the RBWM area all have bottomless brunches, 2 for 1 cocktail hours and happy hours. This is a normal advertising practice. Why has my business been targeted?

See answer to the previous point

Just wishing for peace and the opportunity to work, I took the poster down and advised I would open as a regular pub and opened the bar on the 17th of March 2023 and to avoid any further disruption I instructed the doors to close at 9pm. At 9pm we closed the doors to the business to the public and there were no sales after this time. You are welcome to check our till receipts. After closing time it is normal practice to clean up your premises, wind down and have meetings.

RBWM CCTV clearly shows three police officers and Mr Lisowski walking towards the premises at 21:12, attempting to gain entry through the side door as the shutters on the main door had been closed and the lights turned off. The footage also shows 2 PCSOs (Police Community Support Officers) remaining outside and making their way towards the far end of the premises near the station path.

The footage shows that the officers and Mr Lisowski were let in at 21:18.

<p>By 9.02 pm Alex Lisowski stormed into my bar accompanied by approximately 20 (possibly armed) police officers! I don't know what beseeched him? For of a 2 for 1 cocktail hour poster? The poster was taken down, the council and police were informed that it wasn't happening. The entire episode was so frightening, alarming for us and the community at large.</p>	<p>As the CCTV footage shows, at no stage did the police officers or Mr Lisowski storm into the premises.</p> <p>We have no evidence that the community at large was aware of this operation.</p>
<p>It is totally mystifying as to why he did this. Alex found nothing. No breaches had taken place. The scenario was filmed by those present. It was so frightening, it felt blatantly targeted and discriminatory that it resulted in angry and tearful exchanges between those present and the police. Alex proceeded to wave a pen in my fiance's face which, I have on video. Brutal actions like this do bring out anger in innocent bystanders. It is a natural reaction.</p>	<p>There is evidence that the ID scanner was not used for customers entering the premises, which is a breach of the condition that all customers are ID scanned upon entry</p>
<p>At 9.02pm we have CCTV footage of the police trying to break down our patio door. At Least 20 (possibly) ARMED POLICE with riot vans and all sorts. What a precious waste of police time, resources and money. For what reason may I ask? It is becoming ridiculous and beyond reasonable doubt, this is harassment in full display in my opinion. What does Alex seem to think is going on at the premises? In what capacity did he come with such aggression?</p>	<p>Three police officers attended the premises on this occasion. They were not armed.</p> <p>Two PCSOs were present but remained outside the premises at all times.</p> <p>See the answer to a previous point as to what was shown on RBWM CCTV.</p> <p>This was a police led operation aimed at ensuring that all licence conditions were being complied with.</p>
<p>Alex Lisowski had no answers for anything. He said that he was not aware of the email that we sent to Debbie and the council confirming the poster had come down. But for heaven's sake, does a 2 for 1 cocktail hour warrant a raid like this?</p>	<p>This was a police operation, not a RBWM Licensing operation. Mr Lisowski joined the operation as there may have been implications for the premises licence, and it is a common working practice for police and licensing officers to work together and carry out joint operations.</p>
<p>I would like to know, as will in time the authorities I am now moving forward with, does Alex have the authority to organize such drastic measures all by himself? Is he working on his own and does he not consult with superiors? Did he not communicate his actions of bringing down (possibly) Armed police to yourself or Craig Hawkings as you are his seniors?</p>	<p>See the answer to the previous point.</p> <p>There were no armed police officers in attendance.</p>
<p>If this is not targeted harassment then I do not know what is. You can work for the law but it does not mean you are above the law. These breaches are about high visibility jackets and Alex Lisowski summoning the police as though it's a murder investigation is ludicrous. There have been no fights or incidents whilst I have had the business so why these measures. Again this is targeted abuse in my opinion.</p>	<p>There was no "summoning of the police" by Mr Lisowski. This was a police operation that Mr Lisowski was invited to join.</p>
<p>It is very clear that this is a scare tactic to stop my business from trading. But I am afraid I am not going to shy away from this anymore.</p>	<p>These comments are acknowledged as the opinion of Ms Tah.</p>

I am aware that Both Debbie pearman and Alex Lisowski have an ingrained opinion of my fiancé Hardeep Bharya. Hardeep was at one time running this bar. He was young and regretfully (his words) succumbing to youth at that time. He paid for is misdemeanours and 'spent' his time.

I met Hardeep at a time when he was metamorphosing into a someone who wanted to take a different life path, have a wife, family and earning capacity within respectable confines. Everyone has a right to change but it seems the Debbie Pearman and Alex Lisowski of the world play God and just don't want to give people a chance.

Besides that. Right now. It is. 'I' Natasha Tah who is the owner and Director of the Ascot Bar. NOBODY else.

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**, 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 ~~FOIA~~ FOIA (4) 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 23rd March, 2023

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

I am responding to a complaint made against the local Police licensing officer, PC Pearmain, and myself, by Ms Natasha Tah. I deny all the accusations made against me. I have not seen or heard PC Pearmain act incorrectly in any way connection with Ms Tah.

Ms Tah's complaint (Exhibit AL/1) is headed "Without Prejudice". My previous experience of this phrase has been in connection with legal documents, not with an e-mailed complaint. I am not a lawyer and will willingly accept correction if the following is wrong. The legal protections afforded by the use of "Without Prejudice" are not applicable in these particular circumstances. "Without Prejudice" refers to communications in connection with settling a dispute. This is not a dispute and, as such, her letter can be used in the hearing for the revocation for the premises licence for Drinks and Flair. Also, Ms Tah cannot prevent me from using the content of her complaint as part of my defence against the complaint.

I work as a licensing enforcement officer on an agency basis. I joined Windsor Council on 20th June, 2022. As such I cannot answer for anything that occurred prior to that. I have worked for various Councils over the years. I have never knowingly had any dealings with Ms Tah or any of her business enterprises before working at Windsor.. When I met her, I did not recognise her as someone I had dealt with in the past. I have never visited Drinks and Flair in my personal capacity.

Ms Tah and Drinks and Flair first came to my notice through an act of incompetence by Ms Tah. On 22nd August, 2022, she submitted an application to my Department to nominate a new designated premise supervisor. However, she used the form for a transfer of a premises licence. It is important the correct form is used because each form asks for different information. The next day I visited the venue and delivered the correct forms to her. This was my first opportunity to meet her and to look at the venue. I did not find reason to start a vendetta against her as she claims in her statement. Similarly, I did not form a professional dislike of the venue.

CONTINUATION OF STATEMENT OF ALEXANDER LISOWSKI

On 30th August, 2022, I attended a meeting of the Police/Council Night Time Economy Liaison Group. At that meeting the Police mentioned that they had visited Drinks and Flair the previous weekend and found that although the premises licence of the venue requires 10 door supervisors, only eight were employed. I mentioned that I was doing a night time economy patrol the next weekend and would inspect the venue. The Police neither requested that I leave the venue to them to sort out, or “cheered” me on. There was no conspiring with PC Pearmain against Drinks and Flair/Ms Tah. I visited the venue on 2nd September, 2022. I met the designated premises supervisor outside and, without going into the venue, learnt that the premises licence conditions were being breached in that the door supervisors were not wearing high visibility jackets/tabards or body cameras, and the ID scanner was not being used. I advised the designated premise supervisor to sort those matters out. I did not enter the venue and as I was walking away, Ms Tah came out of the venue and greeted me in a polite manner. She made no complaint that my presence was affecting her customers or killing her business. I dealt with the matter by way of warning letters, which I delivered to the venue late Wednesday afternoon, 7th September, 2022. I only stopped to deliver the letters. I did not notice any customers in the venue at the time. So again, no customers to be upset by my presence. My actions could not be said to be killing business because there was no business going on.

Because of the importance of having an ID scanner at the venue, and the door supervisors wearing high visibility jackets/tabards and body cameras, I again visited the venue on Friday evening, 9th September, 2022. This time I went inside the premises. I found that only 2 of the door supervisors were wearing high visibility jackets/tabards, and the ID scanner was not being used for all customers as required by the licence. It was only being used 9pm onwards on Fridays and Saturdays when the door supervisors came on duty. Because of the continuation of offences I decided to interview the owners of the premises under caution in a Police and Criminal Evidence interview, with a view to gaining evidence for a prosecution, and giving the owners an opportunity to defend their actions at the venue. Natahsa Tah’s interview was scheduled for 18th October, 2022 but didn’t occur until 11th November, 2022. She had a solicitor with her the interview. He was given a comprehensive pre-interview disclosure detailing the case against Ms Tah. He was also given copies of all the documents that were going to be referred to in the interview. He then had a consultation lasting approximately 30 minutes with Ms Tah before the interview started. Ms Tah was treated correctly throughout the procedure, and at no point did her solicitor object to the way Ms Tah was treated. He didn’t make a subsequent complaint either. This bears witness to the fact that Ms Tah was treated correctly in this matter, and was not harassed, intimidated or bullied in anyway.

Between 9th September and 29th October, 2022 I did not visit the venue. The premises appeared to be closed and undergoing renovation. I learned that the venue was going to be open for a Halloween night on 29th October, 2022. I felt it was necessary to visit to venue to see if the premises licence conditions were being adhered to. I also felt that because it was going to be a party night there was a potential safety risk for me. I requested the assistance of the Police to visit the venue. On the night I parked my car in the railway station car park opposite Drinks and Flair. It was my own car, and not a Council vehicle with the Council’s logo. If it was seen it would not cause any kind of apprehension. 4 Police officers turned up



CONTINUATION OF STATEMENT OF ALEXANDER LISOWSKI

to assist me. Although they were in two marked cars, they came into the car park via a side entrance. This meant they did not go past the venue and thus would not cause apprehension. We all then walked into the venue. I found that there were only 5 instead of the required 10 door supervisors on duty. I only saw two of them, but neither of them were wearing high visibility jackets/tabards or body cameras. The ID scanner was not in use. It wasn't set up for use, and no one present could operate it. Nor was there anybody present who could operate the CCTV system. I only spent time in the public area of the venue whilst it was necessary to collect evidence. The rest of my time in the venue was spent in the manager's office. Whilst I was there one of the staff contacted someone by mobile phone and then passed the mobile phone to me speak to that person. That person introduced himself to me as "H". He called me by my first name and so obviously knew who I was. He told me to get out of his club. I asked him what his position was in the club but he wouldn't tell me. He told me to get again. I explained to him what my power was, under The Licensing Act 2003, to be in the premises. He began calling me a racist and a bully. Because he wouldn't assist me, I ended the phone call. Having completed the visit the Police and myself left the venue. None of us received any hostility from the customers whilst we were there. The matter was dealt with in Ms Tah's interview.

As a result of the licensing offences that had been committed at the venue, and Ms Tah's responses in her interview, I launched a review of the premises licence for Drinks and Flair, requesting that the licence be revoked. Since then the venue has again been closed. Two new people have appeared on the scene, Philip Hayworth and Candice Curtis. They have been trying to take over the venue and the licence. However, there is some sort of contention between them and Ms Tah. I am not aware of the exact details as I have tried to keep out of the matter in case I unintentionally give the wrong advice or are seen to be favouring one party against the other.

The initial hearing of the review was held on 31st January. Ms Tah did not attend the hearing, and it was adjourned. However, Ms Tah has given reasons as to why she cannot currently attend a hearing. Because of this, as of 23rd March, a date for the hearing has not been set. Since then, until now, the venue was not open for business. The Police and myself have been keeping an eye on the venue in case it reopened, so as to have up to date information on the venue to present to the next licensing panel hearing when it meets.

On Tuesday, 14th March, 2023, I received information from PC Pearmain via my team leader Craig Hawkings, that Drinks and Flair was advertising a St Patrick's Night event at the venue for Friday, 17th March, 2023. The offering would include free pints of Guinness stout and a two for the price of one drinks offer. This offer might be in breach of the mandatory premises conditions that all venues that sell alcohol by way of retail have. The terms of the condition are:

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:

B. Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or a group defined by particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

D. selling or supplying alcohol in association with promotional flyers or posters 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

CONTINUATION OF STATEMENT OF ALEXANDER LISOWSKI

manner. The Police sent a letter to Drinks and Flair advising them that their promotional offer might breach the mandatory conditions of their premises licence.

Because Drinks and Flair appeared to be operating again, I was considering a visit to the venue to see if it was complying or not with the conditions of its' premises licence. This would be information that would be required at the Review when it was finally held. Parallel to this the Police were considering a visit to the venue. PC Pearmain asked me to accompany Police officers on a visit to Drinks and Flair. I was to act as the lead, and deal with any licensing matters. Crime such as drug dealing would be dealt with by the Police.

Police, and Council licensing officers are empowered to enter premises in connection with licensing matters by Section 179 of The Licensing Act, 2003:

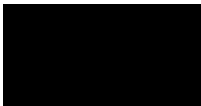
1(1) Where a constable or authorised person has reason to believe that any premises are being, or are about to be, used for a licensable activity, he may enter the premises with a view to seeing whether the activity is being, or is to be, carried on under and in accordance with an authorisation.

(3) A PERSON EXERCISING A POWER CONFERRED BY THIS SECTION MAY, IF NECESSARY, USE REASONABLE FORCE.

Drinks and Flair is situated on one side of Station Hill, Ascot, near the railway station. On the other side of the road is a large carpark belonging to the station. It is open to all. It has 2 entrances/exits. One is opposite Drinks and Flair. The other is out of sight of Drinks and Flair. I arrived at Station Hill at about 8.40pm on 17th March, 2023. I drove up one side of the road, stopped outside the Station to buy my parking ticket, and then drove down the road on the same side as Drinks and Flair. I could see that there were lights on at the venue, and the main entrance was open. I then drove into the carpark using the entrance that isn't visible from the venue. I got out of my car and walked towards the entrance that faces the venue. From there I could see that the main entrance to the venue was still open, and through the large windows I could see a few people standing inside the venue. I noticed another car parked in the car park with a woman sat in the passenger seat. I was worried that she might be about to go into the venue and would tell people there that I was watching them. I went back to my car and sat in it. It subsequently turned out that the other car was an unmarked police car with two police and community support officers in it, who were part of the police contingent for the visit.

Just after 9pm two marked police cars drove into the car park through the entrance that is visible to the venue. These cars contained between them three police officers. We all got out our cars and began talking. We were joined by the two police and community safety officers. Ms Tah, in her false complaint, has stated that the police officers who visited Drinks and Flair were possibly armed. Thames Valley Police will be able to confirm that police and community safety officers are not issued with firearms in any circumstances. When I was talking to the police officers I was close to them. There was lighting in the car park as well. I could clearly see the various bits of equipment they were carrying about their bodies. I didn't see any firearms or holsters for carrying firearms. Ms Tah does not give any reason for why she has stated that the police were possibly armed. Is it a case of let's smear the police with insinuations that can be easily denied when it's shown that the insinuations are malevolent and false.

Ms Tah, in her false complaint, has alleged that at least 20 police were involved in the visit to the venue. However, she wasn't present at the venue when the police and myself paid a visit.



CONTINUATION OF STATEMENT OF ALEXANDER LISOWSKI

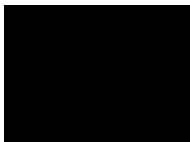
She wasn't present to witness the visit. She states that the visit was recorded on the venue's CCTV. However, no CCTV footage or stills were submitted to support her false allegations. The visit to the venue was made on 17th March. Her complaint was submitted by e-mail on 20th March. There was time enough to download at least some CCTV footage to support her allegations. To my knowledge no CCTV has been submitted since. MS Tah has given no indication as to when the footage will be submitted, and to my knowledge has not invited anyone from the Council to view the footage. Ms Tah is saying that her complaint is verified by CCTV footage. If that CCTV footage is not produced, she will have hindered anyone who is trying to investigate her complaint.

In Her false complaint, Ms Tah alleges that the police turned up with riot vans and all sorts. I saw the police turn up in cars. There were no riot vans. Again, she wasn't there, how can she say whether or not if there were riot vans used in the police visit. She used the phrase riot vans and all sorts. However, she hasn't stated what she means by all sorts. Unless she defines what she means by all sorts I cannot comment on it other than to say that I only saw three police cars. I didn't see any vehicles in the vicinity that could be mistaken for Police riot vans.

Ms Tah's description of the Police presence at the venue is seriously at odds with the reality of 3 police cars and 5 officers. It is far beyond an exaggeration. In such circumstances can anything she says be taken at face value.

Whilst I was talking to the Police officers, one of them pointed out that the shutters of the main entrance to Drinks and Flair were closing. I walked over to the venue and walked past the front of it. The main entrance was closed with the shutters down. The lights in the bar were dimmed. I saw one person behind the serving bar with drinking glasses in front of him. In the seating area there were approximately six people sat down either holding drinking glasses, or having glasses in front of them on low tables. I continued walking. I came to the corner with the side wall. This had glass patio doors, one of which was open. I returned to the carpark. I explained to the police officers what I had seen. I was happy that what I had seen, linked with the knowledge that a St Patricks night had been advertised for the venue, gave me enough evidence to suspect that licensable activities (the sale/supply of alcohol) were taking part at the venue.

We went over to the patio doors. They were now all closed and locked. We began knocking on the doors to attract the attention of anyone inside the venue. I pulled at one of the patio doors. There was some movement but it wouldn't open. Eventually two males came to the inside of the patio doors. The Police and myself introduced ourselves and I showed my identity as well. We asked to be let in. One of the males asked why we wanted to come in. I explained why we were there and explained what my power of entry was. He wouldn't open any of the patio doors. Eventually the other male said he was going to get a key for the doors. He did not reappear. I thought that we were being deliberately blocked from entering the venue. Using my powers under Section 179 of The Licensing Act, 2003, I tried to pull open one of the doors. There was some movement but I couldn't pull it open. I stopped trying and the door returned to its' normal position. No damage was caused. Another man appeared, who I now know as "H". The man who had gone to get the key reappeared. He opened the main door and we went in.



CONTINUATION OF STATEMENT OF ALEXANDER LISOWSKI

Whilst all this was going on, one of the Police officers pointed out to me some people who had come out of the building from somewhere further along. They crossed the venue's carpark and walked off.

"H" beckoned us to the seating area near the bar. I sat down at a low table opposite "H". The two people I had seen at the patio doors, and another male sat at another table next to the one I was sitting at. The Police officers remained standing.

I got my notebook and a pen out of the jacket I was wearing. "H" spoke to me using my first name. He knew it even though we hadn't met before. I guessed he was the "H" I had spoken to on the phone on a previous visit to Drinks and Flair. I confirmed with him that he was known as "H". I asked him to tell me his real name. He refused. I asked him to explain what his position/relationship was in relation to Drinks and Flair. He refused to tell me. He asked me why I was at the venue. I began explaining that because of the licensing offences that had occurred previously, and that the venue appeared to be operating again, I was checking to see if further offences were being committed. "H" stated that the people who had been drinking were friends. He wasn't operating. They were now gone and he had closed the venue. I did not investigate this. To be able to do that properly I needed to have spoken to those people first to get their story.

"H" challenged my right to be on the premises. I began to explain to him my powers under Section 179 of The Licensing Act, 2003. He interrupted me and began talking about the drinks promotion and the letter he had received from the Police. He was also talking to the Police. He pointed out to me that after he had received the letter he had contacted the Police Inspector who had written it, and told him that the posters advertising would be taken down, and that he wouldn't give out free Guinness and wouldn't sell two drinks for the price of one. He began asking why other venues in the Borough were allowed to do drinks promotions and Drinks and Flair were not. I told I didn't know about the promotion being withdrawn. He started telling me that I wasn't in the e-mail chain. I told him that because of that he should ask the Inspector why other venues were allowed to do drinks promotions. Because the letter was written by the Police I didn't want to say anything that would contradict the letter. It was a matter for the Police to explain.

"H" then accused PC Pearmain and myself of taking bribes from various pubs. He then held out his left hand towards me, palm facing upwards. He then said words to the effect of, you might as well take £500" to me. I said, "You're offering me a bribe." He then denied offering me a bribe. I finally got to explain my powers to enter his premises. During our conversation he insulted me various times. I was indifferent to the insults. One of the Police officers said to me if you've finished why don't you go. Before I left my parting words to "H" were to challenge him to report his allegations of bribery. The Police remained to talk to "H" and the 3 other people for a short while. When the Police came out we had a short conversation in the railway station car park. Then we all left. I returned and drove past Drinks and Flair just after 10pm. It was closed.

Ms Tah has accused me of picking on her. I totally deny this. Prior to starting to work for Windsor I had never heard of her. She states that she is a world renowned artist. However, her fame never came to my attention. Similarly I'd not known about her club in Ascot. Prior to working for Windsor I'd never visited Ascot. I'm not a horse racing man, and as someone living in North East London, it's too far away to visit for any other reason.

CONTINUATION OF STATEMENT OF ALEXANDER LISOWSKI

Ms Tah first came to my notice on 22nd August, 2022 when she submitted incorrect paperwork of the change of a designated premise supervisor. I visited her at Drinks and Flair the next day with the correct paperwork. Having met her, and seen her club, I did not take a professional or personal dislike to her, and I did not take a professional dislike to the venue itself.

As a result of information provided by the Police I next attended the venue, Friday evening, 2nd September, 2022. I spoke to the designated premises supervisor outside the venue. I did not go into the venue and scare the customers. Having discovered breaches of the licence conditions I left. As I was leaving, Ms Tah came out of the club and greeted me. Until now, she has made no complaint about that visit. The breaches were non-use of the Id Scanner, and the door supervisors not wearing high visibility jackets/tabards or body cameras. This was not “meagre nit picking” or “finncky intrusions” as she claims, but dealing with serious anti-crime measures as required by the Police. I dealt with this by way of warning letters which I hand delivered to the venue late afternoon on 7th September. This was a straight in and out visit, and I didn’t see any customers present. Because of the seriousness of the breaches, and the need for them to be rectified quickly, I revisited the venue during the evening of 9th September to check if the conditions were being upheld. They were not. I went inside the venue but only stayed in the public area for long enough to do my inspection.

Because of the continuation of the offences I called Ms Tah in for a taped Police and Criminal Evidence Act interview. This was to gather evidence for a possible prosecution. It also provided Ms Tah an opportunity to give an explanation as to why the breaches of the licence had occurred. She had a solicitor in attendance during the interview. No complaint was made by Ms Tah or the solicitor about their treatment.

After my visit on 9th September, there was a period when Drinks and Flair was closed, Having received information that the venue was going to be open for Halloween Night, I visited the venue on 29th October, 2022 and found breaches of the licence conditions. Again, I only stayed in the public area long enough to do my inspection.

As a result of the continual breaches of the premises licence, and Ms Tah’s responses in the interview, I launched a Review to revoke the premises licence. The review was set to be heard on 23rd January, 2023. Ms Tah did not attend and the hearing was adjourned. For various reasons it has not been possible, so far, to hold the Review. The Review will be heard at some stage. Because of this it is important that the Licensing Panel has up to date information at that hearing. That was why the visit was made on 17th March, 2023.

In her complaint, Ms Tah has alleged that at least 20 Police officers, and myself, visited the venue on 17th March. This has been fully discussed above. Her version of the visit goes beyond exaggeration of what happened. In view of that, can anything she says be trusted to be honest and reasonably accurate. Further, is she capable of recognising the truth. Although she claims that there is CCTV footage of the visit, so far it has not been made available for inspection. Any one investigating this complaint has been denied CCTV footage that could prove the validity or otherwise of the complaint.

Ms Tah complains that, “A particular comment that Alex made was alarming.” However, she has not said what that comment was, or when it was made. Nor did she complain at the time. How can I defend myself without knowing what I am accused of. That is Kafkaesque.



CONTINUATION OF STATEMENT OF ALEXANDER LISOWSKI

Ms Tah has accused me of being condescending. Yet gives no example(s) of me being condescending. She also accuses me of being a bully. Is she accusing me of bullying her into allowing breaches of the premises licence for Drinks and Flair.

Ms Tah accuses PC Pearmain and myself of working together to bring my business down. I totally deny that. As mentioned previously Ms Tah and her venue were totally unknown to me prior to working at Windsor. My dealings with her were sparked by her not doing her paperwork properly, and then being informed by Police that licence conditions were being breached at her venue. If these breaches were to come to an end I would stop visiting her venue. The reason that PC Pearmain and I are working together in connection with Drinks and Flair is because it is our job to work together. All my dealings with the venue and Ms Tah are discussed with either my team leader or my manager, or both, either before or after. On no occasion have I been told I have exceeded my authority. My request for a review of the premises licence for Drinks and Flair was submitted through my team leader and my manager. I was not told to drop it because I was acting illegally, being racist or over zealous. At the hearing on 23rd July, 2023, two of the members of the Panel were “Brown” (The term used by Ms Tah). They made no objections about the validity of my report.

Ms Tah has accused me of picking on her either because of her colour, the fact that travellers use her venue or because of her personal life. Not merely do I not “have anything against her”, the colour of her skin is a matter of indifference to me. Since working at Windsor no one, neither fellow workers or members of the public, have accused me of racist behaviour. Nor has anyone had a “discreet word” with me about my behaviour. Until Ms Tah mentioned travellers in her complaint I was unaware that travellers used her venue. During all my visits to the venue I never saw anyone that I thought was a traveller. Nor has anyone in my team or the Police mentioned to me that travellers use the venue. As for Ms Tah’s personal life. All I that I ever learned for myself was that she had some sort of relationship with Hardeep Bharya. That’s a matter of indifference to me. Part of my take on life is for people to live how they want. I just don’t want to be told how wonderful they and their life is. And therein I believe lies the basis of Ms Tah’s complaint against me. In her complaint she states: “In my capacity as a world renowned artist I have amassed a huge following of loyal fans and much accolade and respect wherever I go.” I have come along and treated her correctly but in just the same way I would treat anyone else that’s involved in licensing. I haven’t recognised that she is a “world renowned artist” and I haven’t accorded her any accolades. That’s hurt her ego.

Alex Lisowski

From: Tasha Tah <[REDACTED]>
Sent: 20 March 2023 09:40
To: Greg Nelson; Pearmain, Debbie (C3232)
Cc: [REDACTED]

Subject: Atrocious uncalled for raid by approximately 20 police officers because of a 241 Cocktail Poster – now under investigation.

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.

Without Prejudice

Dear Greg,

A while ago (email dated 31st January 2023) you kindly reassured me that a certain Alex Lisowski (a Council employee) would have nothing to do with my efforts in running my business in line with social and bureaucratic confines and would not be in communication with me. This was because I felt he came across bullying and condescending, to me his behaviour, actions and tone were totally unacceptable. I feel his attitude, actions and tone are in unison with those of the police and I have been made a target for reasons that are not within my control thanks to Debbie Pearmain (Police Licencing Officer)

When I bought this bar in July 2022, I felt that instead of welcoming me and helping build a positive harmonious productive business in the area of Ascot, both Alex and Debbie were working together to bring my business down and hunting for minor breaches. I feel that this is due to my colour, or the fact that the traveller community are customers at my bar or because of my personal life. Indeed a particular comment Alex made was alarming and it is now being conveyed to various parties, I have now made complaints to.

I am exhausted as it seems it is a pre-occupation with both the police and Alex Lisowski to make my life difficult and prevent me from working and conducting my business. Every time I open my bar they find an excuse to march onto the premises, hound me and find some excuse to ruin the atmosphere of my business. I feel as if they want to run me to the ground and want me to lose my licence.

I have invested so much money and have lost to the tune of £500,000 courtesy of what I feel is their intensified victimisation and harassment.

After months of finnickiness by Alex and the police and meagre nit-picking, I finally managed to open my bar on 17th March 2023. Prior to this I advertised a 2 for 1 cocktail hour as a promotion exercise. I immediately received a letter from Debbie Pearmain saying we cannot do that as it would be a breach. A breach of what? These sort of promotions are on every street corner of the RBWM area as are bottomless brunches at places such as the All bar one, Bar One, The Stag just to name a few.

Out of interest, why is it that about 5-6 businesses (from my research) in the RBWM area all have bottomless brunches, 2 for 1 cocktail hours and happy hours. This is a normal advertising practice. Why has my business been targeted?

Just wishing for peace and the opportunity to work, I took the poster down and advised I would open as a regular pub and opened the bar on the 17th of March 2023 and to avoid any further disruption I instructed the doors to close at 9pm. At 9pm we closed the doors to the business to the public and there were no sales after this time. You are welcome to check our till receipts. After closing time it is normal practice to clean up your premises, wind down and have meetings.

By 9.02 pm Alex Lisowski stormed into my bar accompanied by approximately 20 (possibly armed) police officers! I don't know what beseeched him? For of a 2 for 1 cocktail hour poster? The poster was taken down, the council and police were informed that it wasn't happening. The entire episode was so frightening, alarming for us and the community at large.

It is totally mystifying as to why he did this. **Alex found nothing. No breaches had taken place.** The scenario was filmed by those present. It was so frightening, it felt blatantly targeted and discriminatory that it resulted in angry and tearful exchanges between those present and the police. Alex proceeded to wave a pen in my fiance's face which, I have on video. Brutal actions like this do bring out anger in innocent bystanders. It is a natural reaction.

At 9.02pm we have CCTV footage of the police trying to break down our patio door. At Least 20 (possibly) ARMED POLICE with riot vans and all sorts. What a precious waste of police time, resources and money. For what reason may I ask? It is becoming ridiculous and beyond reasonable doubt, this is harassment in full display in my opinion. What does Alex seem to think is going on at the premises? In what capacity did he come with such aggression?

Alex Lisowski had no answers for anything. He said that he was not aware of the email that we sent to Debbie and the council confirming the poster had come down. But for heaven's sake, does a 2 for 1 cocktail hour warrant a raid like this?

I would like to know, as will in time the authorities I am now moving forward with, does Alex have the authority to organize such drastic measures all by himself? Is he working on his own and does he not consult with superiors? Did he not communicate his actions of bringing down (possibly) Armed police to yourself or Craig Hawkings as you are his seniors?

If this is not targeted harassment then I do not know what is. You can work for the law but it does not mean you are above the law. These breaches are about high visibility jackets and Alex Lisowski summoning the police as though it's a murder investigation is ludicrous. There have been no fights or incidents whilst I have had the business so why these measures. Again this is targeted abuse in my opinion.

It is very clear that this is a scare tactic to stop my business from trading. But I am afraid I am not going to shy away from this anymore.

I am aware that Both Debbie pearman and Alex Lisowski have an ingrained opinion of my fiancé Hardeep Bharya. Hardeep was at one time running this bar. He was young and

regretfully (his words) succumbing to youth at that time. He paid for his misdemeanours and 'spent' his time.

I met Hardeep at a time when he was metamorphosing into a someone who wanted to take a different life path, have a wife, family and earning capacity within respectable confines. Everyone has a right to change but it seems the Debbie Pearman and Alex Lisowski of the world play God and just don't want to give people a chance.

Besides that. Right now. It is. 'I' Natasha Tah who is the owner and Director of the Ascot Bar. NOBODY else.

How can anyone taint me with sprinkles of anybody else's mistakes. In a similar vein, Prince Andrew may or may not have been guilty of so many socially unacceptable things. But it is not Sarah Ferguson, Princess Eugenie, Or our adored Late Queen be socially and bureaucratically punished for his actions.

Please take note of the following facts:-

- I Natasha Tah, am applauded finance professional and come from an impeccable family background full of highly respectable teachers, journalists, and hugely successful business men.
- I have no bad social or professional history.
- In my capacity as a world renowned artist I have amassed a huge following of loyal fans and much accolade and respect wherever I go.
- My social, personal and financial integrity is of paramount importance to me.

Greg I am sorry it has come to this but the atrocities are continuing and after having conversations with other brown owned businesses in the RBWM area it would appear that this is also a source of misery for them. Most of whom have been too afraid to come forward. It is hard to stand up for yourself. Power and position can be intimidating. But it takes ONE to sometimes bring justice for all. And now I find people coming forward wanting to make a collective stand.

I have spoken to other businesses owned by **brown** owners and they have been scared to come forward in the past. They too have no incidents and have variations and conditions on their licence that are so harsh, making it difficult to run their small businesses. This is a targeted way of running them to the ground and to despair. But then there are businesses in the same area owned by white owners, where there have been stabbings and wild incidents, yet no serious conditions or variations. Why is this? This has all been highlighted to the investigating authorities and has been received with great interest. It is a shame that this is still going on in 2023. When someone takes a stand, things become transparent.

I feel local Council and Police actions elevated to new heights after the display of interrogation and harassment on Friday 17th March 2022.

As a result of what has happened I regret to formally inform you a dossier which, has been handed over to: (Papers have been sent by email and hard copy to be signed for)

1. My legal representatives – details of whom will be forwarded in due course.
2. Tabloids and various news desk reporters
3. Members of Parliament - various party's
4. The IPOC (police complaints)
5. The Local Government And Social Care Ombudsman
6. Watchdogs for police interactions and racial discrimination.

I have approximately had a loss of earnings of £500,000 because of the way the police and council keep turning up and intimidating my staff and my customers. News has widely spread that every time you have a drink at my place the police and council are guaranteed to ruin the evening. It has left me in deficit and struggling to pay my bills.

I feel I have no choice but to take this matter to the public domain as this is becoming too much. I feel RBWM council and the police do not want people of colour to be in this area.

Alex Lisowski is someone I do not trust. He has already lied and said our ID scanner was not working when it was. What do the public people do when people that hold the power use it to their advantage? I feel bullied by him.

I know that Police and authorities are under the spotlight at the moment. Please see the following article attached.

[Metropolitan Police expected to be heavily criticised for being racist, sexist and homophobic in report - BBC News](#)

I know I am not alone in this matter. The world is working to eradicate racism from within. I do not feel far from such police inflictions and will seek the support of the organisations behind this.

I will be available on 30th June 2023 onwards for a hearing. BUT I shall have to take heed of any legal advice of the aforementioned authorities if they wish to step in first and start investigative proceedings.

During my reign at Ascot Bar, nothing has been found any time the place has been raided. So why is it continuing? I feel this is a harassment vendetta.

All I wanted was a chance to run this place with everyone's help. This has brought me a great deal of sadness and anxiety. The whole thing is making me depressed.

Kindly acknowledge this communication by return.

I shall be in touch as the investigation progresses and look forward to your thoughts in the meantime.

Yours sincerely

Natasha Tah

THAMES VALLEY POLICE

Division/Station : HQ Licensing

From : Debie Pearmain
Police Licensing Officer

To : Greg Nelson
Licensing Manager, RBWM

Ref :

Date : 16th June 2023 Tel.No.01865 854022

Subject

Further Evidence for Drinks & Flair, Station Hill, Ascot

I have detailed below further evidence related to this premises:

14/03/2023 sent at 1500

Email sent from Debie Pearmain to the DPS and Natasha Tah re the advertising of an irresponsible drinks promotion during a St Patricks Day event.
Email dated 14/03/2023 refers

16/03/2023 sent at 1705

Letter sent to the DPS from Inspector Bennett informing the DPS and Natasha Tah that within the advertising of the St Patricks's Day event they are promoting irresponsible drinking and breaching a Mandatory Licensing condition.
Letter dated 16/03/2023 refers

16/03/2023 sent at 1733

Email from the DPS informing us that the promotions have stopped and that the premise will run as a normal pub with no promotions.
Email dated 16/03/2023 refers

Due to concerns over this premises and the history of alleged breaches a Licensing visit was arranged for the evening of the 17th March 2023. Both Thames Valley Police and the Licensing Department at RBWM had to ensure that this irresponsible drinks promotion was not running and that no breaches were taking place.

17/03/2023

PC Gleave, 2 Officers from Slough and 2 local PCSO's attended the premises at 9pm. Also in attendance was the Local Authority Licensing Officer.
Gen 40 dated 17/03/2023 from PC Gleave refers
Gen 40 dated 17/03/2023 from PCSO Santacruz refers

I can confirm that PC Gleave will attend the Licensing hearing to update members of his visit on the evening of the 17th March 2023. It must be noted that during the Licensing check on the evening it appears that the customers ID was not taken – this is a condition on the Premises Licence.

Inspector Bennett, PC Race will also be in attendance at the hearing.

Submitted for your information.

Pearmain, Debie (C3232)

From: Pearmain, Debie (C3232)
Sent: 14 March 2023 15:00
To: pavun.gami [REDACTED]
Cc: Drinks & Flair LTD; 'Craig Hawkings'; Greg Nelson; Bennett, Daniel (P6676); [REDACTED]
Subject: Event - Friday 17th March 2023

Good Afternoon Pavun/Natasha

I have been made aware of the planned event, at Drinks & Flair this Friday 17th March 2023, which is in relation to St Patrick's Day.

Within the promotion of this event you are advertising 2-4-1 on all drinks from 6pm until 9pm and the serving of Guinees for free from 8pm until 9pm.

Could you please provide further information on these two promotions, as it would appear at this time that you may potentially be in breach of a Mandatory Condition, namely: 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.

If you read this mandatory condition on the Premises Licence it goes into more detail.

I look forward to your response.

Regards

Debie

Debie Pearmain | Local Policing – Windsor, Maidenhead & Slough | Police Licensing Officer | Telephone 01865 854022 | Internal: 330 5571 |

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

E Mail: debie.pearmain@thamesvalley.pnn.police.uk



Want to know more about Licensing or the Night Time Economy?

Read our [Alcohol Licensing Operational Guidance](#) and [Night Time Economy Operational Guidance](#)

Pearmain, Debie (C3232)

From: Pearmain, Debie (C3232)
Sent: 16 March 2023 17:05
To: pavun.gami [REDACTED]
Cc: [REDACTED] Greg Nelson; 'Craig Hawkings'
Subject: FW: Licensing Checks
Attachments: Drinks and Flair Ltd.doc

Good Afternoon Pavun

Please find the attached letter from Inspector Bennett, which is in relation to your advertised event tomorrow evening.

Regards

Debie



Insp 6676 Bennett
Geographical Neighbourhood Inspector
Windsor and Maidenhead Police Area

Maidenhead Police Station
Bridge Road
Maidenhead
Berks SL6 8LP

16th March 2023

Dear Pavun Gami,

CC: Drinks and Flair Ltd

As you are the named DPS of Drinks and Flair and Natasha Tah is a Director of Drinks & Flair Ltd, this letter is in relation to the event that is being advertised for Drinks & Flair, Ascot on the evening of Friday 17th March 2023. The event is for St Patrick's Day.

Thames Valley Police Licensing and the Local Authority Licensing Department believe that within the advertising of this event, you are promoting irresponsible drinking and breaching a Mandatory Licensing Condition.

The Mandatory Condition is detailed below and is under Annex 1 of your Premises Licence:

The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children

- a) games or other activities which require or encourage, or are designed to require or encourage individuals to 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)
- 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
- d) provision of free or discounted alcohol in relation to the viewing on a premises of a sporting event, (where that provision is a dependent one) the outcome of a race, competition or other event or process, or
- f) the likelihood of anything occurring or not occurring
- g) 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.

We require you to cease this irresponsible drinks promotion during your event and for you to take down all the advertising on Social Media immediately. Failure to do so will result in this breach being used in evidence at the review hearing.

Sincerely,

Insp 6676 Bennett
Geographical Neighbourhood Inspector

Pearmain, Debie (C3232)

From: Drinks & Flair LTD [REDACTED]
Sent: 16 March 2023 17:33
To: Pearmain, Debie (C3232)
Cc: pavun.gami [REDACTED]; Greg Nelson; Craig Hawkings
Subject: Re: Licensing Checks

Caution: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe - If unsure email ICTSecurityTeam@thamesvalley.police.uk to report this message.

Hi Debbie,

We can confirm that all social media flyers have been taken down and all promotions have also been stopped.

We will run as a normal pub with no promotions.

Thanks

Pavun

On 16 Mar 2023, at 17:04, Pearmain, Debie (C3232) <debie.pearmain@thamesvalley.police.uk> wrote:

Good Afternoon Pavun

Please find the attached letter from Inspector Bennett, which is in relation to your advertised event tomorrow evening.

Regards

Debie

This email contains information which is confidential and may also be privileged. It is for the exclusive use of the addressee(s) and any views or opinions expressed within are those of the originator and not necessarily those of the Force. If you are not the intended recipient(s) please note that any form of distribution, copying or use of this email or the information contained is strictly prohibited and may be unlawful. If you have received this communication in error please forward a copy to informationsecurity@thamesvalley.police.uk and to the sender. Please then delete the email and destroy any copies of it. DO NOT use this email address for other enquiries as it will not be responded to, nor any action taken upon it. If you have a non-urgent enquiry, please call the Police non-emergency number 101. If it is an emergency, please call 999. Thank you.

<Drinks and Flair Ltd.doc>

LICENSED PREMISES INCIDENT REPORT
Submitting Officer

Shoulder No/Name: P5409 GLEAVE

Station: Windsor

LPA: RBWM

Incident References

Premises Name/Location: Drinks and Flair, Station Hill, Ascot, SL5 9EG

Incident Date: 17/03/2023

Incident Time: 2100

Command & Control URN: N/A

Crime Report(s): N/A

CCTV Seized? No

Sources of Information: In person as part of licensing check.

Nature of Incident - what happened?

Officers attended Drinks and Flair to conduct a licensing check to ensure compliance with license conditions around door staff at 2100hrs on 17th MARCH 2023 along with RBWM Licensing Officer. At 21:10hrs, as officers have parked up, 3-4 males have been observed walking in to the premises. Officers approached the premises and someone inside pulled the shutter to the main door down. Three people have walked out onto the smoking area patio to the right of the property but have gone back inside shortly after. The lights were then turned off and officers have accessed the smoking area in order to look inside and attempt to gain access.

Officers knocked on the windows and a minute or so later, two asian males have approached asking what we wanted, it was explained several times that this was a licensing check and they were to let officers in. They attempted to stall officers by saying they did not know where the key was or would go and get the key. These two males walked off and officers positioned at the rear of the premises observed around a dozen males and females running away from the property from police.

Two of the females from the group have stopped and spoken to officers and stated they were customers there, one of which did not have ID on them at all and stated they did not get asked to produce their ID at any point.

Officers have eventually been allowed into the bar and spoke with a male identified as 'H'. He refused his details and stated he was not the DPS. He was incredibly rude to both officers and the licensing officer, arguing with all of us, making personal comments towards them and accusing the licensing staff of taking bribes from various other pubs.

There were three other males stood around, one of which was filming this encounter- this was the same male who approached the window to speak to officers at the beginning. Another male has been identified by PNC vehicle checks as [REDACTED] and verified from photographs held on police system was sat there but would invariably tell 'H' to calm down and let us speak.

This conversation went on for a short while where H stated that they had stopped serving drinks at 2100hrs as per the license and that the people that ran off did so because they were scared but they were just his friends who he had invited in for a drink. He was adamant that he had not done anything wrong but also felt that his licensing conditions were unfair.

H repeatedly demanded that officers left the property and became aggressive, squaring up to officers and at one point said to [REDACTED] to get £500 to give to the Licensing Officer.

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

As above, extremely obstructive and rude to all involved. There were no door staff present and they have tried to conceal customers who were in there beyond the timings on the license by making them leave via a back door to evade police.

All males present there as staff refused to give their details and instead took to filming the incident on their mobile phones.

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

Submitting Officer

Shoulder No:	C7150	Name:	██████████ Santacruz
Station:	Windsor	LPA:	Windsor and Maidenhead

Incident References

Premises Name:	Drinks and Flair	Location:	Station Hill, Ascot
Incident Date:	17/03/23	Incident Time:	20:30
Command & Control URN:		Crime Report(s):	
CCTV Seized:			
Sources of Information:			

Nature of Incident – what happened?

At around 20:30 I was with PCSO Misiarz C9916, sitting in our unmarked police car in the car park of Ascot Train Station to assist with the licensing check on the premises DRINKS AND FLAIR, we came earlier to gather intelligence before the License officer arrived. We observed around 7-8 people inside the premises and 1 person working at the bar serving drinks. The customers were sitting inside but coming outside to the terrace to have a cigarette or just talk.

At 21:00 3 officers and the licence officer arrived and he started talking about the licence check, briefing the officers. At 21:05, Drinks and Flair personnel pull down the shutters of the main entrance. After few minutes all the lights went off inside, but no customers were seen to leave.

At this point officers and licence officer headed to the terrace doors to talk to the person in charge to conduct the check. As they were struggling to get an answer from the doors, I headed to the alleyway next to the premises to check if the persons inside were leaving through the back doors.

After few minutes, around 7-8 people came out from one of the doors that lead to the alleyway where I was standing. As they came towards me, I tried to engage with them, but they decided to continue walking or run towards the main road. Two females came to a stop and we started to talk to them. When we asked them if they were ok giving us their details, they said they did not have a problem. As we asked for ID, one of them said she did not have an ID with her and nobody asked for it when she was inside Drinks and Flair. When I asked her why they turned all the lights off when they were inside, they said they didn't know.


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

At the time I arrived back to the premises, officers were already talking to someone called H and 3 other males. H was the main person talking to officers and to the license officer. He was using abusive language towards them and very obstructive. The license officer was trying to explain to H why we were there but H continued to interrupt him and used abusive words towards him.

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

WITNESS STATEMENT

Criminal Procedure Rules, r 16.2 ; Criminal Justice Act 1967, s.9

Occurrence Number:		URN			
Statement of:	Katarzyna Filipek				
Age if under 18:	Over 18 (if over 18 insert 'over 18')	Occupation:	Police Inspector		
This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.					
Signature: 	Filipek	Date:	24/06/2023		
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)					
<p>On 23rd of June 2023 I was on duty in full uniform at Ascot Railway station. I deployed as Bronze Commander for British Transport Police in charge of the Royal Ascot policing operation covering the station and the surrounding areas from Tuesday 20th of June until Saturday 24th of June 2023. Part of my planning included liaising with the Management and DPSs of the Drinks and Flair Pub which is located right next to the railway station. The liaison was in person during site visit, over the phone and via email and it included joint Memorandum of Understanding for the arrangements during Royal Ascot week.</p> <p>I am fully aware of the Drinks and Flair licencing conditions and this statement is to evidence the breaches I have observed in the last few days. I have witnessed on numerous occasions of large number of people being let into the venue without their IDs being scanned, this is because there were gaps in their queuing systems and insufficient numbers of security with the pads to assist with the effective ID scanning. People were able to walk in around the security unchallenged. I have observed heavily intoxicated males and females being let into the licensed premises and not being refused a drink. There was clearly lack of management of the queuing system, not only the queue was not long enough but the security was not actively moving people along to aid the egress from Royal Ascot which meant the footpath into the station was blocked by people queuing to get into the pub. This caused serious safety issues, increased the risk of crashing and serious injury.</p> <p>There has been no count of number taking place and in my opinion there were too many people at the pub, especially on Thursday 22nd June and Friday 23rd of June. When the queue was temporary stopped to prevent overcrowding inside, the security were not communicating the closure and people started gathering around the pubs exit and completely blocking their fire exits and the evacuation would not be possible if needed.</p>					

OFFICIAL

Signature:		Signature witnessed by:	
165			

Occurrence Number:		URN				
Statement of:	Katarzyna Filipek					
<p>Myself and PC REAVIL had to intervene on numerous occasions to make the management aware of the issues and request them to make changes. PC Reavil had to physically clear the exit for the pub which should have been done by the pub's security. Lastly the security were not wearing the Hi-Vis as per the licensing conditions.</p>						

Signature:		Signature witnessed by:	
		166	

WITNESS STATEMENT					
Criminal Procedure Rules, r 16.2 ; Criminal Justice Act 1967, s.9					
Occurrence Number:		URN			
Statement of:	Rebecca Reavil				
Age if under 18:	Over 18 (if over 18 insert 'over 18')	Occupation:	Police Officer		
This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.					
Signature:	Reavil	Date:	24/06/2023		
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)					
<p>On Friday 23rd July 2023, at approximately 1900 hours, I was at ASCOT Railway station in full police uniform for the Ascot Racing event.</p> <p>I was at the bottom of the station forecourt opposite DRINKS & FLARE Public House. The pub was extremely busy. The queuing system for the pub was beginning to fail, and I cleared the exit point for the pub, as people were blocking it. When this task was complete, I moved away from the pub to monitor crowds to the station.</p> <p>This whole area outside the pub was extremely congested, with members of public returning from the races, and wanting to catch a train or go into DRINKS & FLARE,Public House. .</p> <p>It was approximately 5 minutes after I cleared the exit that I saw a tall black male with a neck tattoo bring about 8 to 10 people from the side of the pub, to the exit, again blocking it from people leaving. I know this male as Josh from previous meetings I have attended for the pub.</p> <p>He appeared to be taking money from them and allowing them in the exit, there were no members of staff checking details at the exit of the pub.</p> <p>This interaction took a few minutes only, and it was not sufficient time to log all their details. At no point did I see him with an ipad checking details and logging them in. I know this to be part of their licensing agreement.</p> <p>I could see that there was insufficient security staff at the pub, to be able to check and log identities of people entering the pub, only three staff members. The failure of the queuing system was due to poor management of the queue and the slow checking in process.</p> <p>This statement was written on Saturday 24th July at 14:10 hours.</p>					

OFFICIAL

Signature:		Signature witnessed by:	
167			

Occurrence Number:		URN				
Statement of:	Rebecca Reavil					

Signature:		Signature witnessed by:	
		168	

STATEMENT OF WITNESS

*(Criminal Procedure Rules, r. 16.2;
Criminal Justice Act 1967, s. 9)*

STATEMENT OF Carl Griffin

Age of witness (if over 18, enter "over 18"): Over 18

This statement (consisting of three pages) 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.

1. I have worked in Environmental Health for 18 years and I have been employed by the Royal Borough of Windsor and Maidenhead as the Environmental Protection Team Leader since December 2022. Prior to this employment I have worked within the field of Environmental Protection for Buckinghamshire Council, Wycombe District Council and Aylesbury Vale District Council. I completed a postgraduate diploma in Acoustics and Noise Control in 2009 at North East Surrey College of Technology. In addition, I became a fully qualified Environmental Health Officer in March 2017, achieving Chartered Status in October 2020. I work in the Environmental Protection Team where, amongst other roles, respond to, and investigate, complaints of nuisance. Over the years I have served hundreds of noise abatement notices and successfully prosecuted for breaches of those noise abatements on dozens of occasions, as well as defending appeals against the service of notices.
2. Insofar as the facts and matters contained in the statement are within my knowledge, they are true. Insofar as they are not within my own knowledge, they have derived from information contained within the Council's records and are true to the best of my knowledge.
3. On the evening of Friday 23rd June 2023, I was conducting an inspection of Ascot Town Centre during Royal Ascot week. Michael McNaughton (Environmental Protection Officer – Royal Borough of Windsor and Maidenhead) was accompanying me on that evening. Our inspections were focused on the licenced trade due to a number of concerns about noise nuisance potentially being caused to local residents. One such premises we had concerns with was Drinks and Flair due to a noise abatement notice, under the Environmental Protection Act 1990, having been served on the premises by a colleague, Feliciano Cirimele, on 12th August 2021 for a statutory nuisance caused by music and a public address system. We had already received noise complaints related to the premises earlier in the week.

4. Michael McNaughton and I arrived outside what would normally be the car parking area to the rear of the building of Drinks and Flair at approximately 2050hrs. On our arrival, we met a group containing Craig Hawkings (Licensing Team Leader – Royal Borough of Windsor and Maidenhead), Liz Johnstone (Out of Hours Officer – Royal Borough of Windsor and Maidenhead), the Designated Premises Supervisor and two Police Community Support Officers.
5. Our approach from Ascot High Street down Station Hill was accompanied by increasingly loud music. When we arrived outside the car parking area of Drinks and Flair, it was very hard to hold a coherent conversation with those present due to the loud music being emitted from the car parking area. I was concerned that the noise levels that I was experiencing would likely result in a statutory nuisance being caused at nearby residential properties. I conveyed this concern to the Designated Premises Supervisor and informed him that, as a noise abatement had previously been served, I expected to find a breach of that noise abatement notice when I was to visit nearby residential areas. I explained that a breach of a noise abatement is a criminal offence. He stated that he was unaware of the previously served noise abatement notice.
6. The car parking area of Drinks and Flair contained a large stage facing across the car park towards the rear of the pub building and the railway station. The stage contained a DJ set and was flanked by large speakers, the size of which would commonly be found at large concert venues. Within the area between the stage and pub building were what I would describe as several hundred customers.
7. Along with Michael McNaughton, Craig Hawkings and the Designated Premises Supervisor, I walked through the tunnel under Ascot train station to the residential area on the opposite side of the railway line from Drinks and Flair. For a 10–15-minute period, we visited the cul-de-sac residential streets of Sunnybank and Stanmore Close which are both off Lyndhurst Road. It was a warm evening and the majority of the residential dwellings had their windows open, as would be expected on such an evening.
8. The noise from the music that I experienced in both Sunnybank and Stanmore Close would have caused a significant disturbance to people attempting to relax both within and without their dwellings. The music that I experienced had a heavy bass level and the words were clearly discernible. I experienced the noise at street level which would have been partially shielded by the fact that the land falls away from the railway line before you reach the residential dwellings. The upstairs areas of those dwellings wouldn't have benefitted from such a level of shielding and would therefore have likely been exposed to a much greater noise level. I consider the noise that I experienced to be a statutory nuisance under the Environmental Protection Act 1990 and therefore a breach of the previously served noise abatement notice.

9. On returning to Drinks and Flair, the Designated Premises Supervisor requested that Natasha Tah (Director – Jagz Limited) meet with us outside the building. I held a discussion with Natasha Tah about my judgement that a statutory nuisance is being caused and that it constitutes a breach of the previously served noise abatement notice. She claimed that, as she only became a company director in September 2022, she was unaware of the noise abatement notice. Natasha Tah also commented that she thought that noise level expectations were relaxed during Royal Ascot because it was a festival. I explained that there is no provision for a relaxation in the legislation and that a statutory nuisance must be always prevented. It was then explained to Natasha Tah that we will be applying to review the premises licence and, following an interview under caution, that we will consider a prosecution for the breach of the noise abatement notice. I advised her that, even though by this point that the event only had 10 minutes left to run, she needs to significantly lower the music level. It was also emphasised that music level needs to be significantly lower on the final day of Royal Ascot (Saturday 24th June 2023).
10. I left the area at 2150hrs and it was noticeable, as I walked away, that there appeared to be no adjustment to the music level.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed:  **Date:** 27th day of June 2023

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STATEMENT OF WITNESS

*(Criminal Procedure Rules, r. 16.2;
Criminal Justice Act 1967, s. 9)*

STATEMENT OF Michael McNaughton

Age of witness (if over 18, enter "over 18"): Over 18

This statement (consisting of 2 pages) 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.

1. I am Michael McNaughton and work as an Environmental Protection Officer and have been working at the Royal borough of Windsor and Maidenhead Council within this post for the last two years and eight months. I have nearly twenty years' experience working within the Environmental Health environment including five specifically in the field of investigating statutory and public nuisance. I have carried out this type of work for Clackmannanshire Council, North Norfolk Council, South Norfolk Council and South Somerset Council. I have served many notices and equally, have closed many cases where a statutory nuisance was not proved beyond reasonable doubt. I am a full member of the Institute of Environmental Science, I have a master's degree and am working towards my Chartered Scientist Status.
2. On the evening of the 23rd June Myself and my team leader Carl Griffin arrived at the Drinks and Flair Venue, Station Hill, Ascot. It was our aim to witness the levels of noise as we had complaints from nearby residents from a previous evening and from an RBWM licensing officer, that the noise was excessive. A noise abatement notice has previously been served by my colleague Feliciano Crimele on the 12th August 2021.
3. Our arrival time was 08:50pm whereby we met and talked to officers of Thames Valley Police and other RBWM officers including Craig Hawkins Licensing Team Leader. One of the RBWM contract officers was the Out of Hours Officer Liz Johnstone who informed us that she had received a complaint from a local resident and had investigated from inside the complainant's home and believed that there was a clear statutory nuisance occurring.
4. Carl Griffin, Craig Hawkins and I walked to the nearest sensitive residential premises which were Stanmore Close and Sunnybank Close. Present also was the designated Premises Supervisor. We arrived at approximately 21:25 and I stood nearest to the garden areas and border of residential homes and listened to the volume of sound. The noise was extremely loud with a constant heavy base rhythm. Vocals could be clearly heard with lyrics very clear. The treble aspect was very clear especially when the DJ spoke into the

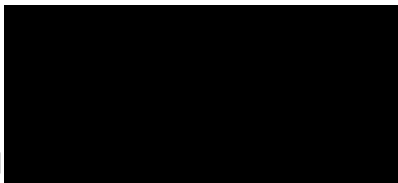
microphone. The noise level was even louder as I walked around from property to property and as a line of site was observed. Even with this very loud noise, this was despite some shielding from the railway embankment. I expected the upstairs of homes to be subject to a higher level of noise. The noise was so loud that nowhere within Stanmore Close and Sunny Bank at the property's boundaries were below a level that could be acceptable as not being a statutory nuisance. I monitored the noise and made a phone recording up until 21:30pm to include a few changes in songs and music so as to get a rounded impression of the noise.

5. We then walked back to the venue where we talked to Natasha Tah the director. We explained that a notice had previously been served and that what we had witnessed was a breach of notice. Natasha explained that she did not know that a notice had been served. She said that the DJ had been told to not use the microphone and that the noise had been reduced. We said that it is still too loud and that it needs to be reduced now and for the next day, Saturday 24th June.

We said that a breach notice would likely be served, and licensing said that they would be looking to review or revoke the premises license

We left the venue at about 21:50pm and said we would be in touch,

Signed



Date 27th June 2023

(To be completed if applicable: being unable to read the above statement I, of,

From: Candice - Pantiles <candice@pantiles.com>
Sent: 29 June 2023 17:17
To: Greg Nelson <Greg.Nelson@RBWM.gov.uk>
Cc: Philip Hayward <[REDACTED]>; Craig Hawkings <Craig.Hawkings@RBWM.gov.uk>; Pearmain, Debie (C3232) <debie.pearmain@thamesvalley.police.uk>; Carl Griffin <Carl.Griffin@RBWM.gov.uk>
Subject: Re: Licensing Hearing 13 July - Drinks & Flair / Jagz Ltd

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 Greg,

Thank you for your email.

As you can imagine we are playing catch up with everything today as we were landed with Jagz just last night.

Please bare with us, we have spoken with Craig, Carl and Richard (Stonegate) and we are absorbing all the updates and news.

Yes, Philip and I are the new directors of Jagz and Pantiles Properties Limited is the majority shareholder, where by we are also directors of that company. We will be attending the hearing on July 13th potentially with our lawyer unless we are able to transfer the licence directly to Pantiles Properties Limited, as was previously planned prior to Drinks and Flair opening up again in our newly refurbished bar since St Patricks Day. We are now in the process of assigning and transferring the lease into Pantiles Properties Limited with the brewery to remove Jagz Limited completely from the lease and the licence, so we can begin a fresh slate with Pantiles for the security and comfort of everyone involved.

The lease eviction hearing is August 15th and ideally we would like to have already saved the licence by the hearing on July 13th helping us to repair the breaches Jagz has on their lease and in turn saving the lease in time for the eviction hearing in August, by stopping that final breach of the lease where the licence is revoked.

Attached is the breweries acknowledgement of us and their instructions to us for how we can obtain relief from the forfeited lease (see PDF).

Please note we will be emailing Carl separately providing assurances about our sound plan to rectify the noise nuisance and abatement order caused by the previous tenants Drinks and Flair.

In the interim our intentions here are completely different to the previous tenants and we look forward to bringing our hotel/shop/restaurant and bar/nightclub/venue room to the community, reviving the infamous Pantiles name and working with yourselves, the police and the local community to ensure this can happen as quickly as possible. Giving us the security that Philip and I need to invest further into this dilapidated but lovely old building and bring back the legacy of Pantiles.

Your help and assistance in this matter is be greatly appreciated.

Have a lovely evening.

Kind regards

Candice

On 2023-06-29 13:01, Greg Nelson wrote:

Dear Ms Curtis

As you may be aware, there is a meeting of a RBWM Licensing Sub Committee on 13 July 2023 to hear an application from RBWM Licensing to revoke the premises licence of Jagz Ltd trading as Drinks and Flair. The application is supported by Thames Valley Police and, following a number of incidents during the Royal Ascot week, several other agencies.

We are aware that the former Director of Jagz Ltd, Ms Natasha Tah, resigned from that position on 26 June 2023. She has confirmed that she no longer has any interest or share in the company.

We have noted on Companies House that you took up the position of Secretary of Jagz Ltd on 28 June 2023. Could you please tell me if it is intended that a director or directors will be appointed for Jagz Ltd and who now owns the company.

Could you also tell me if you, another person or a legal representative intend to attend the hearing on 13 July to act as the premises licence holder for Jagz Ltd trading as Drinks and Flair. If so I will ensure you receive all of the relevant papers a week before the hearing.

If you do not intend to attend the hearing it is likely that it will go ahead without the premises licence holder being represented, but that will be for the Sub Committee to decide on the day.

Thank you & regards

Greg

www.rbwm.gov.uk



Greg Nelson

Trading Standards & Licensing Manager

Trading Standards & Licensing

Place Directorate


Royal Borough of Windsor & Maidenhead

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<http://www.rbwm.gov.uk>

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Candice Curtis - Director
For & on behalf of Pantiles Limited
Tel: 01344 622925
www.pantiles.com

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"Amaiya - Without Prejudice save as to costs"



From Richard Ferguson <Richard.Ferguson@stonegategroup.co.uk>
To candice@pantiles.com <candice@pantiles.com>
Date 2023-06-29 13:58

Dear Ms Curtis

As discussed and further to our call today:

- The [REDACTED] 30 Year Lease [REDACTED] for the Amaiya, Station Hill, Ascot, SL5 9EG has been forfeited due to Proceedings being issued.
- In order to obtain relief from forfeiture, Jagz Limited would need to clear all arrears and ensure all other breaches are remedied prior to the Hearing date, and pay our legal costs.
- The arrears for this site are over £100k.
- We strongly recommend that you seek your own legal advice.

Kind regards

Richard

Richard Ferguson

Regional Manager

Stonegate Group | 3 Monkspath Hall Road | Shirley | Solihull | B90 4SJ

Tel: 07721 341170

Email: Richard.Ferguson@StonegateGroup.co.uk

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