

**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 1 of 5

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

I P.C. 3007 BRADLEY, on behalf of the Chief Officer of Hampshire Constabulary,
(Insert name of applicant)

Apply for the review of a premises licence.

Apply for the review of a club premises certificate.

(Select as applicable)

Make a representation about a premises licence/club premises certificate

Premises or Club Premises details

| | |
|-----------------------------|------------------------------------------------------------|
| Postal address of premises: | Ryde Kebab House 5 High Street Ryde Isle of Wight |
| Postcode (if known): | PO33 2PN |

Name of premises licence holder or club holding club premises certificate (if known)
Seyit Cal

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

Details of responsible authority applicant

| | |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank: | P.C. 3007 |
| Surname: | BRADLEY |
| First Names: | PAUL |
| Current postal address: | NEWPORT POLICE STATION HIGH STREET NEWPORT ISLE OF WIGHT |
| Postcode: | PO30 1SZ |
| Daytime telephone number: | 01983 538735 |
| E-mail address: (optional) | paul.bradley@hampshire.pnn.police.uk |

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

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Page 3 of 5

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

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

*Select one or more
boxes*

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:

The Chief Officer of Police makes an application for a review of the premises licence of The Kebab House, 5 High Street, Ryde on the grounds of the prevention of crime and disorder and public safety.

The Kebab House is situated near the bottom of the High street in Ryde just prior to the start of the pedestrian precinct.

It has a licence for the provision of Late Night Refreshment from 23:00 hours to midnight, Monday to Wednesday. 23:00 hours to 01:30 hours on Thursday and Sunday and 23:00 hours to 02:00 hours Friday and Saturday.

The premises licence lists opening hours from 08:00 hours each day until the terminal times for the provision of late night refreshment which are listed above.

The premises licence holder is Seyit Cal. The premises has been managed by Sayit and his brother Ali for a number of years.

The Chief Officer of police raises the following concerns about this licenced premises.

There have been and continue to be violent incidents inside and outside this premises. Some of these violent incidents can be attributed to the actions of drunken customers, however a sustained pattern has emerged, with staff being accused of being the perpetrators of this violence and assaulting customers. The most disturbing aspect of these reports arises from the levels of violence allegedly used by staff, which includes kicking and stamping on customers. It also seems common for staff not just to eject abusive patrons from their premises but to chase them outside and continue altercations in the street.

The injuries arising from these alleged assaults have ranged from common assault to G.B.H. level.

In the majority of cases, staff have claimed that they have been provoked by the actions of customers who have racially abused them, or that they were acting in self-defence. This may well be true in some cases, however the subsequent actions of staff in dealing with

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Page 4 of 5

these troublesome customers is neither professional nor does it de-escalate these situations.

Evidential difficulties, in the main a lack of support from victims in providing full accounts or wishing to assist police in the onward investigation of these matters have meant that so far, no staff members have been charged with any of the alleged offences.

However it should be noted that another evidential difficulty is the reticence of the managers to support the licensing objectives by assisting the police in their enquiries. This reticence is demonstrated by them refusing to provide statements or accounts relating to incidents of crime and disorder, allowing staff the time to do so and most worryingly, obstructing access to CCTV footage.

Further to this, previous interventions by Police licensing have shown that the premises has been operated in breach of its licence conditions and hours and it is strongly believed by P.C. Bradley that the management lied in order to provide an excuse for breaching at least one of the conditions.

Advice on how to properly deal with incidents of disorder and suggestions of extra measures to help prevent or deal effectively with incidents of disorder have simply been ignored.

The Chief Officer of Police does not feel that the managers/owners of this premises support the licensing objectives and because of this, are not fit to operate a premises licence.

They have demonstrated that they cannot be trusted to operate within the parameters of their licence and it would therefore be futile to simply add further conditions.

They have ignored advice which was given to assist in preventing and properly dealing with incidents crime and disorder and the way in which they continue to appear to choose to deal with such incidents, which is by means of violence, poses a risk to public safety.

For these reasons the Chief Officer of Police requests that the members of the licensing sub-committee give consideration to revoking the existing premises licence.

Evidence to support the above assertions will be presented to the sub-committee in greater detail by P.C. Bradley in his oral submission and this documented evidence is listed in appendices A and B which have been submitted with these representations.

****Please note that all items listed under Appendix B relate to a criminal investigation which is still ongoing. Publication of this Appendix and its contents could be prejudicial to any subsequent criminal proceedings. The Chief Officer of Police requests that the Appendix and its contents are not to be made public and that when this evidence is presented orally to the sub-committee, it is done so at a closed hearing.****

**Application for the review of / Representation in respect of a
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Page 5 of 5

Have you made an application for review relating to these premises before: Yes | No

If yes please state the date of that
application:

/ /
Day Month Year

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

Please tick

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I have sent a copy of this representation to the principal licensing officer of Isle of Wight Council

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

Signature of Officer Completing

| | | | |
|------------|---------------------|----------------|-------------------|
| Name | <u>Paul Bradley</u> | Collar Number: | <u>3007</u> |
| Signature: | <u>Paul Bradley</u> | Date: | <u>28/07/2019</u> |

Signature of Authorising Officer (Inspector or above)

| | | | |
|------------|--------------------------------|----------------|-----------------|
| Name | <u>APS Peter-James Vincent</u> | Collar Number: | <u>21451</u> |
| Signature: | <u>P J Vincent</u> | Date: | <u>01/08/19</u> |