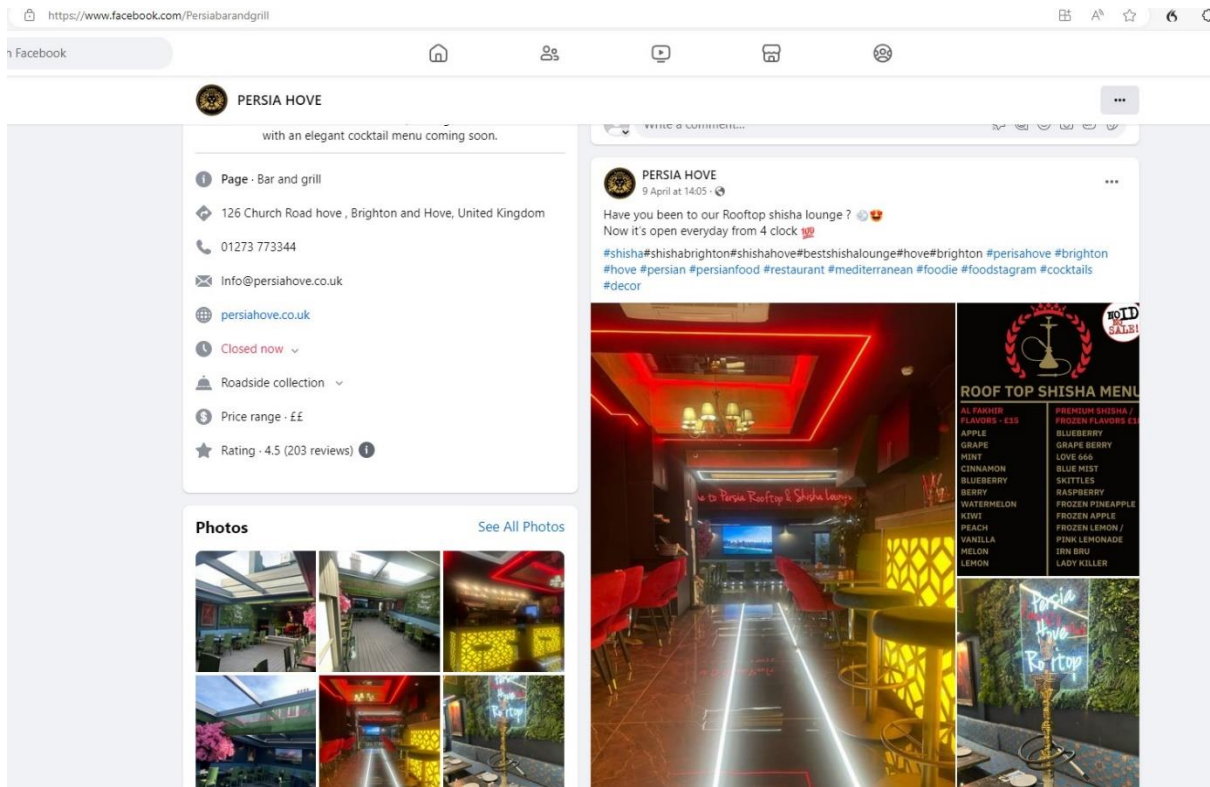


Appendix E – Police Supplementary Evidence – Submitted 16/05/2024



PC BERNASCONE Statement

WITNESS STATEMENT	
Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9	
	URN <input style="width: 200px; height: 20px;" type="text"/>
Occurrence Number: REDACTED	
Statement of: ANDRE BERNASCONE	
Age if under 18: Over 18 <i>(if over 18 insert 'over 18')</i> Occupation: Police Constable Licensing	
This statement (consisting of 3 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: REDACTED	Date: 28/04/2024 11:57
Tick if witness evidence is visually recorded <input type="checkbox"/>	

At approximately 2205 hrs on Friday 19th April 2024 I was on duty in full police uniform in company with PS LAM, Police Licensing Officer Mark THOROGOOD and Council Licensing Officer Donna LYNSDALE, when we attended Persia 126 Church Road in Hove. At the time I was wearing Body Worn

Video (BWV) and I switched this on prior to entering the premises.

I have attended Persia on a number of occasions and have previously met the current Designated Premises Supervisor (DPS) Emad ABDOLKHANI as have attended the premises several times before as part of my work.

On arrival I immediately went upstairs. The area was empty of staff and customers but was fully lit and had background music playing as if was in use or at least available for use. I also immediately noticed a strong sweet smell which I recognised as possibly from Shisha as have attended a number of Shisha premises during my role.

At the back of the room (at the northern end) was a serving area and behind the bar were approximately 20 Shisha's on shelving behind the counter.

By this time the DPS had come upstairs and was talking with my colleagues. I noticed that the roof had been changed so that it could be opened and also that there were two areas of the floor which had glass panels with a view to the ground floor area. Whilst we were doing the check the DPS opened to roof fully to demonstrate it could open as I think he believed this allowed him to have Shisha in the room I heard the DPS being asked about CCTV and he said there wasn't any. It was pointed out that there was a camera near where we were standing and the DPS then said that they hadn't been connected. There were a number of CCTV cameras around the room and I do not believe that they were not in use.

I also noticed that there were two doors in the main seating area. One was blocked by a large plant and the other was blocked by some of the seating. Mark THOROGOOD queried the DPS about the fire exit and he said it was the one behind the plant, which was only there as the room wasn't being used. I believe that the one covered by the seats was actual fire exit the fire exit as later on during the check I opened it and it led to a set of stairs down to the street. The seats were moved so that the exit was clear and not blocked.

Whilst my colleagues continued to talk with the DPS I wandered round the room. I went back behind the serving area. I couldn't see any alcohol in the fridges or on display, but did notice a used Shisha on the floor behind the serving area, which when I placed my hand near to it was still extremely hot so I believe it had only very recently been used.

I then went to another till area in the middle of the room. There was a holder on the wall containing the Shisha menus which I showed to Donna LYNSDALE and the others. I then noticed a number of receipts on a spike next to the till. When I looked at them they were for sales of shisha and other items for today. When I asked the DPS about it he initially stated that they were training receipts for practising using the till, but then also

said that he was allowed to sell Shisha anyway.

I then left the premises for a short while as Donna LYNSDALE needed to get the licence from her bag. When we returned everyone was sitting upstairs and the DPS headed downstairs to get his paperwork.

I could hear a strange noise coming from the ceiling area. I also opened the door to the fire escape which made the noise stop. There was a 1 ft high brick wall just behind the door which in my opinion made it unsuitable as a fire exit and the roof area behind seemed to be used as a storage area which again would possibly make it unsuitable.

The DPS had been gone for some time so I got up and was wondering around the room. I then looked down one of the glass panels on the floor that were above the ground floor and noticed that one of the female staff members appeared to be filling out or altering paperwork. I was directly above the bar area with a clear view from above through the glass floor. The female appeared to be taping things on the sheet and was unaware that we could see her.

The DPS eventually came back up with a stack of paperwork. He sat down and said he was going to record us on his phone which we said was fine. When he got the training records out I could see that these were the same forms that I had seen been altered earlier. Mark also confirmed that one of the forms had fresh (still not fully dry) tippex on it. I then told the DPS that I had seen his staff member changing the forms through the glass and he denied it saying that she had only been checking the forms. The DPS appeared to get quiet agitated, as in my view he realised he had been caught out. He then stated that he had no idea what she was doing. I looked at the sheet and could see that several of the dates of training had been changed. Tippex had been used on two of the dates and the date changed from 2023 to 2024, although you could still see the old date underneath. There were two other training dates and these were dated 2024 and appeared to not have been altered and I believe these had been added by the female I had observed earlier as I could also see that the date of the review by the DPS was dated 2023 and this had not been changed. The DPS was also unable to tell us how many staff he had at the premises which seemed strange to me as the restaurant isn't really that big.

I originally took an image of the form which had been altered but then it was decided to seize it. I placed the form in an exhibit bag and produced as AB/190424/2238. I gave the DPS my business card with a handwritten note that I had seized the sheet and handed this to the DPS so he had a record/receipt of what I had taken.

We then all went downstairs and Mark THOROGOOD and PS LAM went to check the CCTV which is in the kitchen in the basement. I then saw the female who I had observed altering the forms standing by the bar. I


then showed her AB/190424/2238 and advised her that we had seen her altering it. She said yes indicating that she had and also said that 'he' had told her it said 23 and it should say 24 and that he said all had to be 24. She seemed confused about what she had been asked to do and I advised her that it could be considered as fraud which is a criminal offence. She seemed quite shocked by this. I advised her that it was an official document and not to do that again. I asked her name and she said it was Lorena.

The others came back. The DPS approached me and apologised to me. I told him that I didn't take things personally and shook his hand. We then left a few minutes later.

My BWV was produced by PS LAM as VL/230424/0809.

This statement was made by me at 1100 hrs on Sunday 18th April 2024 using my BWV as my original notes.

PS LAM Statement

WITNESS STATEMENT	
Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9	
URN	
Occurrence Number: REDACTED	
Statement of: VINCENT LAM	
Age if under 18: Over 18	<i>(if over 18 insert 'over 18')</i> Occupation: Police service
This statement (consisting of 3 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:  REDACTED	Date: 23/04/2024 09:19
Tick if witness evidence is visually recorded <input type="checkbox"/>	

This statement is in relation to a Licensing Check that my colleagues I completed at a Premises named Persia, on Church Road, Hove, BN3 2EA. Around 22:04hours, on Friday 19th April 2024, I was on duty in uniform, attached with the Licensing Team conducting licensing checks across the Brighton and Hove City as the licensing team supervisor. I was crewed with PC Andre Bernascone, CB328, Sussex Police Licensing Officer Mark Thorogood, 33005, and Brighton and Hove City Council Licensing and Trading Standards Officer, Donna Lynsdale.

My colleagues and I attended Persia, which is a restaurant with a Premises Licence. The check was to ensure compliance with the Premises Licence Conditions and to ensure the licensee and staff are aware of their obligations with the licence, especially the sale of alcohol, aimed to maximise the safety of the public, especially children and to prevent crime and disorder. I entered Persia through the front doors on Church Road, Hove. As I walked inside the premises, I saw a male who I know to be Emad Abdolkhani sat to the left of the door, by the table closest to the window. Emad was stood up and I informed him that we were present to conduct a licensing check, we shook his hands and I have seen Emad on previous inspections on at least 2 previous occasions.

Emad invited my colleagues and I on the first floor of the premises, to sit and go through the Premises Licence. My colleague Mark Thorogood and Donna went through the licence. The last occasion I attended Persia, the first floor looked like a building site and when I walked to the first floor, I saw a huge transformation.

The first floor looked newly refurbished with tables, a bar area, till and a remote operated roof. I saw the two fire doors which were not push bar to open doors, they were obstructed by a 3-4ft bench, and also a square flower pot. The bar area had several shisha's on the shelf and also one shisha on the ground which looked recently used. I believe shisha was being smoked in the first floor due to the sweet tobacco smell which lingered in the air. PC Bernascone look by the till area and saw recent transactions of shisha sold on the premises for £15.00 and when he asked Emad what the till receipts were, he said words to the effect of they are training receipts from when they were learning how to use the till.

After the initial inspection of the first floor area, my colleagues and Emad sat by the table to go through the licensing check. During the checks, Emad walked on the ground floor for around 5 minutes and it was here I checked the fire exit. The fire exit on the first floor which was on the wall on the west side of the building was opened, when this door was opened, there was a 3ft brick wall in front of the door which was an obstacle onto the rear of the premises and metal staircase leading to the ground floor. The second fire door was on the first floor to the rear of the premises, I could not open this door due to a flower pot and a bench preventing the access.

Emad was asked to obtain the training logs, refusals and paperwork for his licence. Emad went to the ground

floor to obtain the requested records, during the wait around 22:24hrs, PC Bernascone said words to the effect of 'oh this is good, look she's writing it now', I turned to look PC Bernascone and Mark Thorogood who were stood up on the first floor, they looked down to a glass pane on the floor, the ceiling on the ground floor bar area and I looked down and I could see a female writing on a log, she was holding a pen in her right hand and also used tip-ex on the already completed log. I could see the female amend the record clearly and placed the log within a pile of logs to the side of the till area. I could see the female was holding tip-ex on the left hand. I removed my BWV and placed the camera on the glass pane which was recording prior to entry to the premises.

Emad walked upstairs with the records after and produced the records to the licensing officers for inspection. Mark Thorogood located the only record with tip-ex, the dates were amended from 2023, to 2024 and I requested this document was seized for records, to prevent the document from being concealed, lost, altered, damaged or destroyed. PC Bernascone provided Emad with a contact card to him to confirm the page was seized for records. The inspection was completed and Emad showed officers the CCTV was in working order. It is noted the cameras were not working on the first floor, the cameras were not on display on the screen and Emad did not show there was working cameras within the first floor.

After the licensing check, I left the premises at 22:56hrs.

I can produce the following exhibits:

VL/230424/0817 - PS Lam, CL041 - Body Worn Video.

VL/230424/0809 - PC Bernascone, CB328 - Body Worn Video.

The above exhibits I saved on NICE Investigate which is the body worn video system to store the footage and can be played if required.

This statement was completed at 09:14hrs on 23/04/2024.

Training Log



Individual Training Log

Conducted on Premises

Promises Name:

Name: *Grant Anderson*

Job role and responsibilities:

Training activity			Evaluation & Comment		
Details of Training activity (e.g. Induction Training) include core topics covered	Date(s)	Effective learning time	Training Staff Member: include signature & date	Refresher Training Required? Add date(s) to review	Further comments: Was the training successful? Has the employee understood?
scenesafe evidence recovery systems Challenge 25	30/03/23	16:45	[Redacted]	in 8 weeks	understood.
Challenge 25	30/03/24	17-50	[Redacted]	in 8 week	Understood
Challenge 25	16/02/2024	17:45	[Redacted]	in 8 weeks	Understood
Challenge 25	16/02/2024	17:47	[Redacted]	in 8 weeks	understood.

Reviewed By (signature): [Redacted]

Date: 30/03/23

