

Appendix E



Sussex Police
Serving Sussex

www.sussex.police.uk

Brighton Police Station

Brighton & Hove Licensing Unit
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Police Station
John Street
Brighton
BN2 OLA

Tel: 101 ext 550826

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Email: david.bateup@sussex.pnn.police.uk

21st March 2014

The Licensing Technical Support Officers
Environmental Health
Brighton & Hove City Council
Bartholomew House, Bartholomew Square
Brighton
BN1 1JP

Dear Sirs,

**RE: APPLICATION FOR REVIEW OF THE PREMISES LICENCE FOR GOLDEN GRILL, 9
WESTERN ROAD, HOVE, EAST SUSSEX, BN3 1AE.**

Further to the review application in respect of the above premises served by Sussex Police on the 27th February 2014.

I enclose our evidence bundle in support of the application.

Yours faithfully,

PK Nev Kemp
Chief Superintendent
Divisional Commander
Brighton & Hove Division

Sussex Police Headquarters

Malling House Malling, Lewes, East Sussex, BN7 2DZ

Telephone: 101 | 01273470101

Sussex Police
Supporting Evidence for Review Application
Golden Grill, 9 Western Road

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RESTRICTED (when complete)**WITNESS STATEMENT**

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

URN

Statement of: Simon Morgan

Age if under 18: 0.18

(if over 18 insert 'over 18')

Occupation: Police Sergeant CM614

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

Signature:

Date 1st April 2014

Tick if witness evidence is visually recorded

☐

(supply witness details on rear)

I am a Licensing Sergeant responsible for managing the Sussex Police Licensing Team in Brighton and Hove. I have held this position since April 2013. Prior to this I was the Licensing Sergeant in West Sussex, a position I held for three years. I have over sixteen years police service with approximately ten years spent policing the front line in Brighton. One of my roles is to ensure that licensed premises are operating within the licensing law and in accordance with both their conditions and their permitted hours of licensing. When there is evidence to show that such premises are in breach of the above or not promoting the licensing objectives, it is my duty to ensure that this is effectively addressed and remedied.

Golden Grill is situated in Western Road, Hove and it is open to the public until 02:30hrs in the morning. As it is a late night refreshment business supplying hot food or drink to members of the public after 23:00hrs, it requires to be licensed.

Golden Grill caters primarily for those taking part in the night time economy and it is essential that the management adhere strictly to both their licensing conditions and their permitted licensing hours. Both the conditions and permitted hours are measures which help stop the licensing objectives becoming undermined. Golden Grill have no conditions upon their licence; however they are not permitted to operate beyond 02:30hrs.

The premises is situated on an arterial route out from the city and Western Road suffers from a disproportionately high level of alcohol-related crime, disorder and anti social behaviour during the night time economy. The premises is also situated within the Cumulative Impact Zone (CIZ), where it has been evidenced and published within the Statement of Licensing Policy that the concentration of licensed premises in this small area of the city is directly contributing to crime, disorder and nuisance.

It has been recognised by Sussex Police that the existence of a late night refreshment establishment will increase the likelihood of crime, disorder and public nuisance occurring either in the premises or in the vicinity of the premises. Late night refreshment establishments essentially become focal points for individuals leaving the night time economy - some of which are drunk and also aggressive. They can also impede the flow of dispersal from the night time economy.

I have reviewed the last six months of occurrences relating directly to the night-time economy in Western Road after 23:00hrs. There are over twenty incidents in the vicinity of the premises, ten of which involve public place violent crime including a group of five males fighting in the street, a group of people (one with a knife) fighting outside a restaurant, a female head-butted in the street, a male punched on the jaw outside a hot food outlet and a female claiming that she was assaulted by staff in a late night food outlet. The occurrences in this time period also include eight incidents involving drunken individuals, one of these incidents involved the police being called at 03:18hrs to a late night refreshment establishment on Friday 1st November 2013 and removing a drunken female from the premises. There have also been three counts of criminal damage to shop windows and vehicles in the vicinity.

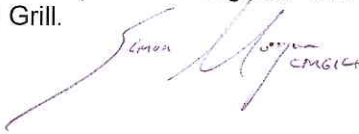
In 2.6.16 of the Statement of Licensing Policy, Chief Inspector Simon Nelson states: 'Weekends in the city centre continue to offer a high level of risk.' He further states that new challenges for the police have emerged concerning areas within walking distance of the city centre. These challenges, he says, apply to, 'the end of a night out when further purchases of food and alcohol are made.'

Continuation of statement of

Sussex Police's resourcing during the weekend night-time economy is encompassed by Operation Marble. The 'foot-print' of Operation Marble had previously been increased solely due to the spread of off licences and late night refreshment premises along Western Road. In turn, the Cumulative Impact Zone extended from the Preston Street border to the Holland Road border to address this proliferation.

It is therefore essential that the hot food outlets in this key location adhere to their hours of licensable activities. By operating beyond these hours, the management are not only acting unlawfully, but they are also wilfully increasing the risk of crime, disorder and public nuisance. Additionally, they are undermining the licensing objectives and furthermore acting in contempt of the processes especially designed by the Statement of Licensing Policy and Sussex Police to reduce problems relating to the night-time economy.

Golden Grill has persistently breached their permitted hours; this is despite interventions from the police and a formal written letter from the council licensing team. As such I believe that revocation of the licence is both a proportionate and appropriate measure to ensure that the licensing objectives and the safety and well-being of the public in Brighton and Hove are no longer compromised by the negligent management of Golden Grill.



Signature

Signature witnessed by:

PTO

RESTRICTED (when complete)

WITNESS STATEMENT

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

URN

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Statement of: A/PS Ben HEARTH CH234

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Acting Police Sergeant

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

Signature:



Date 14/02/2014

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

On Saturday the 2nd of November 2013 I was on duty in full uniform crewed under callsign JC703 together with PC UPTON CU779. Following intelligence received that the Golden Grill on Western Road in Hove was operating passed its 0230 licensed hours serving hot refreshments I went to the premises. At approximately 0310 hours we drove passed the premises and noticed that both the doors to it were open and all its lights were on. I could see that there were approximately 7 people within the premises waiting for food and I observed 3 attendants behind the counter working on the meat or cutting up salad. The front part of the premises interior can be easily seen from the roadside. The right hand side of the premises is the counter that runs along the wall allowing a small, almost corridor size, area that people wait to be served or walk to the rear of the premises that opens out into an area containing table and chairs. This area towards the back of the premises cannot be seen from the outside. Due to witnessing the premises being open at this hour, and once passing the premises, we turned the car around and parked up a couple of car lengths down from the entrance. Whilst this view point did not allow us to see directly inside and or see what exactly was going on, it gave us a good viewpoint of people coming in and out of the premises. We parked up for approximately 10 minutes and in that time I was able to observe several people enter the premises empty handed and then leave with wrapped up packages which I suspected was cooked food. One female who entered the premises, stood out as once she went in she came back out almost immediately to smoke, then re-enter the premises and leave with what I suspected to be hot food.

At 03.20 we went into the premises which was now empty of customers though I could see donar meat still being cooked. I then looked around to see if I could see PART B of the premises licence on display as this is a legal requirement. Not being able to locate PART B I then asked one of the males behind the counter for a copy of their licence. The male I asked, could not locate PART A of the licence, and whilst this male was attempting to locate the licence one of the other attendants looked at me and said words to the effect of "ITS



Attachment 1

RESTRICTED (when complete)

WITNESS STATEMENT

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

URN

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Statement of: Teresa Louise WHITEAge if under 18: 0.18 (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:  DW777Date 14th February 2014Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

At approximately 02:25 hours on Sunday 10th November 2013 I was on duty in full uniform driving a marked police vehicle, accompanied by SC Soderholm, S2520. I was using the callsign JC702. At this time I drove along Western Road, Hove heading west. SC Soderholm and I were interested to see whether or not the 'Golden Grill' kebab shop situated at 9 Western Road, Hove was still open for business following information received that they had been carrying out licensable activities outside of their permitted hours which are 2300-0230 hours. SC Soderholm and I patrolled the general area for about 10 minutes and during this time I drove past the Golden Grill on a number of occasions. At around 0230 hours I saw that the premises were still open, with all lights on. There was a considerable number of people, around 8-10 queuing up at the counter, presumably wanting to order food. I recall that this queue was out of the door and onto the pavement. There were three members of staff inside the premises, behind the counter, all actively involved in food preparation.

At approximately 02.45 hours SC Soderholm and I entered the Golden Grill. Straight away, upon seeing us, they claimed to be closing up and apologised for it being late. I noticed several people seated toward the rear of the premises that were eating hot food. I recognised some of them as having been in the queue described previously. I recall one member of staff claiming that they were only serving the customers that were already there, gesturing toward the group at the back of the premises. This group would not have been served prior to 02.30.

The staff were instructed to stop serving and close the shop immediately. They were also informed that we would be making the Licensing Department at Brighton and Hove City Council aware.


DW777

Signature: _____

Signature witnessed by: _____

MG11 5/2007

RESTRICTED (when complete)

Attachment 2

RESTRICTED (when complete)

WITNESS STATEMENT

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

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Statement of: Daniel SODERHOLMAge if under 18: Over 18 (if over 18 insert 'over 18')Occupation: Special Constable S2520

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:

Date 15/02/2014

Tick if witness evidence is visually recorded

☐

(supply witness details on rear)

On Saturday, November 10th 2013, I was on duty in uniform with PC WHITE DW777, on patrol for BRIGHTON & HOVE LICENSING TEAM. Following information that a number of restaurants in Brighton and Hove were continuing to serve food past their licensed trading hours, we attended the GOLDEN GRILL, 9 WESTERN ROAD, BRIGHTON, which is licensed to trade until 02:30 hours.

We drove past the GOLDEN GRILL at 02:32 and 02:36, and noted that the lights were on and door open, a number of customers were queuing to order at the counter, and staff appeared to be actively involved in the preparation of hot food in the form of kebabs, burgers and chips.

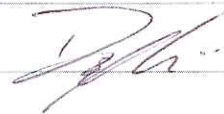
At 02:44, we walked up to the shop and entered through the main door. As soon as we did so, staff immediately started preparing to close the shop. One member of staff said, "SORRY, I KNOW IT'S LATE".

I saw several customers sitting in the rear seating area and eating the hot food they had purchased in the premises. When I pointed this out to a member of staff, he said, "I'M ONLY SERVING THE ONES THAT WERE ALREADY HERE" and pointed to the customers at the rear of the shop. However, several of the customers were seen queuing at the counter and did not appear to have ordered until after the time when we first drove past.

PC WHITE and I instructed staff to close up as they were no longer licensed to trade. I made a note of the incident on the Sussex Police INNKEEPER computer system later the same night.

This statement was completed on 15th February, 2014.

Signature:



Signature witnessed by:

MG11 5/2007

RESTRICTED (when complete)

RESTRICTED (when complete)

WITNESS STATEMENT

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

URN

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Statement of: A/PS Ben HEARTH CH234

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Acting Police Sergeant

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

Signature:



Date 14/02/2014

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

On Saturday the 21st of December 2013 I was on duty in full uniform crewed under callsign JC703 together with SC SODERHOLM S2520. Following further intelligence that the Golden Grill on Western Road was still operating past its licensed hours we attended the premise at 02.45. As we approached the premises I could see that all the lights were on and the doors to the premises were wide open. We entered the premises and could see a male who was very intoxicated slumped up against the wall waiting for food. Anytime the male came away from the wall he was so unsteady that he would go back to the wall to support himself. I could see when I was within the premises that meat was cooking on the spit and also a burger was being cooked on the grill. I turned to one of the four attendants working behind the counter explaining the reason for the visit and the fact that the premises should have stopped serving hot food at 02.30. The male then said that they were closed, I enquired why the doors were wide open and he explained that it was quite difficult to keep people out. This seemed odd to me and so I suggested that by closing the doors and turning off the lights that this would alleviate the problem. One of the attendants then followed my instructions and closed the door and turned off the outside lights. The male attendant I had started speaking to then explained that he had served the male who was waiting, the previously described drunk person, before 02.30 as per their licence. He then indicated that the burger on the grill was being cooked for the male. With that I asked why the meat on the spit was cooking. The male explained that this was for him. I was finding their reasons hard to believe as by this point it, roughly 02:50, their excuses would have meant that the burger would have been cooking for over 20 minutes which didn't seem the case. Due to this I asked them to show me their till roll since 02.30 and the attendant stated that he did not know how to work it. Noticing that they had CCTV, I asked them if I could see the CCTV for the same period to which he stated that his manager had the pin code for the CCTV and as such he could not use it. Once this conversation had finished and as the burger seemed to be close to being finished I waited around for the male to be served. The attendant



RESTRICTED (when complete)

WITNESS STATEMENT

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

URN

Statement of: Daniel SODERHOLM

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Special Constable S2520

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:

Date 15/02/2014

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

On Saturday 28/12/2013, I was on duty in uniform with PC HEARTH CH234 from the BRIGHTON & HOVE LICENSING TEAM. I have been trained in the use of body worn video (BWV) and took control of a Sussex Police Reveal Media BWV camera, which I booked out from the BWV computer system in my name. I ascertained that the data card was blank, the equipment was working correctly, and the time and date were correct.

Following information that a number of restaurants in BRIGHTON & HOVE were continuing to serve food past their licensed trading hours, we attended the GOLDEN GRILL, 9 WESTERN ROAD, BRIGHTON, which is licensed to trade until 02:30 hours.

PC HEARTH and I attended the GOLDEN GRILL at 03:09:19 hours to establish whether they were still trading past their licensed hours, and I started recording on the BWV camera. I did this to make a record of the visit, the time, and the conversation that PC HEARTH and I had with staff.

When we entered the GOLDEN GRILL, there were two male customers in the process of being served, and two male members of staff behind the counter. I saw member of staff was preparing a tray of meat, rice and salad for the customers and continued to prepare it and hand it to them whilst PC HEARTH and I spoke to him about the fact that they were still open. The staff did not appear to have made any preparations to close the shop until after the customers left, shortly after PC HEARTH and I arrived. PC HEARTH asked the staff to provide CCTV and till receipts to show whether they had been serving customers but the staff were unable to operate the equipment to do so. I stopped recording at 03:13:59, when PC HEARTH and I left the premises.

I recorded 1 file in relation to the visit. During the video, the left half of the screen becomes black for a period. That is because the right lapel of my jacket folded over and covered the lens. I continued recording during this time. I later plugged the BWV device into the Sussex Police computer system that securely stores and audits all data.

On Friday, 15th February, 2014, I retrieved the video file from the above incident. I copied the data onto a DVD video disc using the same computer system. The data was not altered in any way. I designated this disc as the master disc, giving it the exhibit reference of DS/1. I sealed and signed the disk and then made an additional copy of the disk to use as a working copy. I later entered the master disc into the G83 property store at Brighton under receipt number CBHS/14/02/02730.

Signature:

Signature witnessed by:

MG11 5/2007

RESTRICTED (when complete)

RESTRICTED (when complete)

WITNESS STATEMENT

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

URN

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Statement of: A/PS Ben HEARTH CH234

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Acting Police Sergeant

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

Signature:



Date 14/02/2014

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

On Wednesday the 1st of January 2014 I was on duty in full uniform crewed under callsign JC703 together with PS MORGAN CM614. During the New Years eve shift we dealt with several incidences and throughout the night we completed several premises checks. Towards the end of our shift and on routine patrol we attended Western Road in Hove to see if several kebab shops were still open due to recent intelligence that they were operating past their licensed hours. We were aware that not one had applied for a temporary event notice for New Years eve. We had attended this particular parade of 3 Kebab shops earlier on in the evening and noticed one had been operating passed their hours and suitable words of advice had been given to them. At approximately 0500 we attended the same parade of shops and noticed that all 3 were still open. The premises that I went to speak to the staff was the Golden Grill on Western Road, whereas PS MORGAN CM614 and PC UPTON CU779, who had joined us towards the end of the shift, went into the other two. I was aware that on our previous visit at approximately 01.45 that the Golden Grill had been open, however I was also aware that they had licensed hours until 02.30 which meant that at that time they were operating within their licensed hours.

As I approached the open door to the premises I saw one of the staff try to close it. I then opened the door and entered, I could see that hot food was still being cooked and there were two customers waiting for the food. Whilst they were now technically allowed to serve hot food, as the licensing act stipulates a licence is required for serving of hot food between 2300 and 0500, it was clear to me that they had been operating past their hours since 0230 and the present time as they hadn't just opened up to trade. I introduced myself and asked why they were serving hot food and they stated that the two waiting were friends and not customers, I found this hard to believe having had so many reports of this premises opening passed their licensed hours and having observed them serving passed their hours myself on previous visits. With that I asked for the males details which he provided as Elias SHAMALA 13/06/1988 and stated that I would be reporting this



Ladan Hadavi
Flat 1
5-6 Western Road
Hove
BN3 1AE

Date: 7th January 2014
Our Ref: 2014/00061/LICCON/EH
Phone: (01273) 295801
Fax: (01273) 292196
Email: Sarah.cornell@brighton-hove.gcsx.gov.uk

Dear Sirs

Licensing Act 2003 – Unauthorised licensable activities -WARNING
Golden Grill, 9 Western Road, Hove, BN3 1AE

I am writing to you in your capacity as premises licence holder, to inform you that the above premises was witnessed operating beyond permitted hours on three separate occasions.

Information has been passed to us from the Police Licensing Unit that they visited on **21st December 2013 at 02:45hrs, 28th December 2013 at 03:00hrs and 1st January 2014 at 05:04hrs** and on all occasions the premises was open and trading. Various members of staff were advised by the police on each occasion of the authorised hours and that they were operating outside of those hours.

These are breaches of your premises licence as the hours you are authorised to open and trade are as follows:

Times the licence authorises the carrying out of licensable activities	
Late Night Refreshment	
Every Day	23:00 - 02:30

The above breaches have occurred even after our visit to your premises on 12th September 2013 at 21:15 to carry out a routine licensing inspection and discuss the allegations of trading beyond permitted hours.

There are no actual conditions on your premises licence but it is still very important that you and your staff are familiar with the licence including the authorised hours and your responsibilities under the Licensing Act 2003. The **four licensing objectives** are central to the whole Licensing Act 2003 and it is extremely important that operators uphold these, they are:

- The prevention of crime & disorder
- The prevention of public nuisance

Telephone: 01273 290000
www.brighton-hove.gov.uk

If requested by a third party under the provisions of the **Freedom of Information Act 2000** the contents of this letter may be disclosed by Brighton & Hove City Council. For further advice please contact (01273) 291207 or search our website on www.brighton-hove.gov.uk/foi

- Public safety
- The protection of children from harm

It is an offence under Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislation states that:-

(1) A Person commits an offence if –

(a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or

(b) he knowingly allows a licensable activity to be carried on.

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

In light of the fact that the Police Licensing Unit have witnessed you operating on three separate occasions, as well as verbal advice being given to various members of staff regarding opening beyond permitted hours, I am issuing you with a **Warning** in accordance with our Licensing Enforcement Policy. If you continue to carry out unauthorised licensable activities then further enforcement action will be taken.

Please be aware that Council Licensing and Police Licensing teams have enforcement officers monitoring the city both day and night and we will be monitoring the premises.

If you have any queries regarding the contents of this letter please do not hesitate to contact me to discuss.

Yours faithfully,

Sarah Cornell
Senior Licensing Officer
Licensing Team, Environmental Health and Licensing
Regulatory Services

c.c. The Manager, Golden Grill, 9 Western Road, Hove, BN3 1AE
c.c. Brighton & Hove Police Licensing Unit, Brighton Police Station (via email)

RESTRICTED (when complete)

WITNESS STATEMENT

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

URN

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Statement of: David UPTON

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Officer CU779

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

Signature:



Date 09/02/2014

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

On Saturday the 8th of February 2014 I was on duty in plain clothes with my colleagues PC FRANKS DF386 and SC SODERHOLM S2520. I work in the police licensing department and as part of our responsibilities we check that fast food outlets with a late night refreshment licence are abiding by their conditions.

Over the last few months we have been having particular trouble with 3 Kebab shops in Hove. These are Casba 2, 8 Western Road Hove. The Golden Grill, 9 Western Road Hove and Casba, 11 western road Hove. My colleagues and I have attended these premises numerous times in the recent months and they have always been serving customers long past their permitted hours. Every time I have seen this I have gone into the shop and asked them why they are serving, what their hours are and where their licence is. At no time have any of the shops been able to produce their licence. Not one of them has had the Part B of the licence on display and not one of them would tell me what time they should be shutting despite me knowing this before attending. They generally come out with a range of excuses which include 'THE OTHERS DO IT SO I HAVE TO DO IT OR I WILL LOSE OUT' often it will just be complete denial that they were doing anything at all even though I have witnessed it.

On the 8th of February we were carrying out a test purchase operation. This involves an officer in plain clothes entering the Kebab shop and attempting to buy hot food or drink. Another officer in plain clothes stands in the area and watches the transaction take place. Once the first officer comes out of the shop they show the food to the second and confirm that they paid for it then the second officer goes into the Kebab shop to identify themselves inform them that they have failed the test purchase and that the Council will be informed.


At 0315 hours on the 8th of February I went to Western Road with my two colleagues. PC FRANKS was going to enter the first of the three kebab shops and attempt to buy food while I observed from across the



Continuation of statement of [REDACTED]
he stated 0230, I then asked him what the time was now and he just stated that next door were open so why shouldn't he be. I informed him he would be reported to the council and I left.

Finally I went into Casba and spoke to Aris DEMA. As soon as I identified myself as a police officer he said that he had not served anyone since 0300 hours. I said that he had and he replied 'NO, NO, NO, NO, NO I HAVE NOT' I then informed him that a plain clothes officer had been served at 0325 hours and I had watched the whole transaction. I also pointed out that there was a person stood at the till right now being served but he was in complete denial. I asked him where Part B of his licence was, the part I had asked him to put on display before Christmas, on new years eve and a few weeks ago. By now he had lapsed into silence and did not want to speak to me. I told him he would be reported to the council and I left.

I walked to the car and we started the engine to leave the area.

As we drove off more people were entering the Golden Grill and Casba, the staff were showing no signs of turning them away. 

Signature



Signature witnessed by:

PTO

RESTRICTED (when complete)

WITNESS STATEMENT

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

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Statement of: PC Stephanie Franks DF386Age if under 18: Over 18 (if over 18 insert 'over 18')Occupation: Police Constable

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

Signature:

Date 08/02/2014Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

On Friday 7th February 2014 I was on duty in plain clothes. My booking on time was 18:00 hours my duty was due to finish at 04:00 hours on the 8th February 2014. I was with PC UPTON CU779 and SC SOEDERHOLM S2520. It was believed that there were three kebab shops on WESTERN RD, BRIGHTON that were serving food to customers after their licensed hours. All three shops had been spoken to about the keeping to their license. However it was believed that even after being spoken to by the licensing team they continued to ignore their licensed hours. Subsequently it was decided that a test purchase would be carried out.

At 03:12 hours on Saturday 8th February 2014 I went to Golden Grill, 9 Western Rd, Hove BN3 1AE. The shop is situated on the southerly side of CHURCH RD. PC UPTON stood on the northerly pavement and watched me entered Golden Grill. I saw a male who I would describe as a white male, 5ft10", aged approximately 50, white/grey hair. I said "PLEASE CAN I HAVE A SMALL PORTION OF CHIPS". He turned to another male who I would describe as white perhaps eastern European, short light coloured hair aged between 25-35 and told him to put the chips in. The second male put the chips in the deep fat fryer; once they were cooked he put them in a takeaway box. He said "WOULD YOU LIKE ANY SALT OR VINIGAR". I said "PLEASE CAN I HAVE SALT". The male put the salt on and then asked "WOULD YOU LIKE ANY SAUCES" I replied "NO THANK YOU". The male handed the chips to me. The first male took the money from me. I then walked out crossed over the road and showed PC UPTON and SC SOEDERHOLM the chips I had bought.

Signature:



Signature witnessed by:

MG11 5/2007

RESTRICTED (when complete)

Attachment 9